

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 130, Veterans Memorial Building, 900 Main St., Millis, MA
December 5, 2016**

The meeting was brought to order at 7:30 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Anne Rich, Vice Chair

Ed Chisholm, Tim Chorey, Christine Gavin, Cara Krinsky

Marta Nover, Nover-Armstrong Associates, Inc. (consultant)

Members Absent: Daniel Lee

Others present:

Tina & Pasquale Lanzillo, 29 Acorn St.

Gary Ciasullo, 25 Myrtle St.

Bob & Jacquie Graci, 101 Orchard St.

Todd & Sandy Burns, 62 Bullard Lane

Jessica Petrush, 45 Bullard Lane

Chris Levasseur, 289 Willowgate Rise

Brian Kim, 37 Foxwood Cove, Holliston

Scott Miccile, 134 Flanders Rd., Westboro, MA

Mark Manganello, 12 Resnick Rd., Plymouth, MA

Ted Cannon, Glen Ellen

Austin Turner, Glen Ellen

Daniel Merrikin, Merrikin Engineering

REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING

25 MYRTLE STREET

GARY CIASULLO

The public hearing was opened at 7:30 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Ciasullo presented the application and plan. He proposes the installation of a two-foot wide by thirty-eight foot long foundation for support of an existing overhang at the single family home. Erosion controls will be placed as shown on the sketch/plan. No contours are to be changed, he said.

On a motion made by Mr. Chorey, seconded by Ms. Gavin, it was voted unanimously at 7:38 p.m. to close the public hearing.

On a motion made by Mr. Chisholm, seconded by Ms. Krinsky, it was voted unanimously to approve a Negative 3 Determination of Applicability, with the following conditions:

1. Install erosion controls as shown on plan.
2. Notify Conservation Commission 48 hrs. in advance of work.
3. Notify Conservation Commission upon completion of work.

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REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING

34-36 EXCHANGE STREET

34-36 EXCHANGE ST., LLC

The public hearing was opened at 7:40 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Daniel Merrikin of Merrikin Engineering, representing the applicant, presented the application and plans. Mr. Merrikin stated that the proposed project site is a previously developed area that currently contains a commercial building with an auto repair/service facility and some additional vacant commercial space. The applicant proposes to redevelop the existing building by adding a second floor comprised of five residential apartment units. A small portion on the work falls within the outer 35-foot of a 100-foot buffer zone to a bordering vegetated wetland that has been identified on the northwest side of the adjacent raised railroad bed, Mr. Merrikin said. According to Mr. Merrikin, there is an existing agreement between the two lots (32-36 Exchange St.) for parking and drainage. "Not much work on the ground" is proposed, he said.

There being no further discussion and on a motion made by Ms. Rich, seconded by Ms. Gavin, it was voted unanimously at 7:44 p.m. to close the public hearing.

On a motion made by Mr. Chorey, seconded by Ms. Rich, it was voted unanimously to approve a Negative 3 Determination of Applicability, for work as shown on the plan entitled, "34-36 Exchange Street Site Plan of Land in Millis," dated March 1, 2016.

DEP File #225-0320 – Centennial Place

John Kazis – JOPA Realty

Mr. Kazis requested this item be continued to a future meeting as his as-built plan has not been completed.

DEP FILE#CE225-____, NOTICE OF INTENT, PUBLIC HEARING

84 ORCHARD STREET – GLEN ELLEN SENIOR RESIDENTIAL COMMUNITY DEVELOPMENT

TOLL BROTHERS, INC.

The public hearing was opened at 8:05 p.m. with notice being read by Dr. James Lederer, Chair.

Scott Miccile of Toll Bros., Inc. stated that they were before the Commission in the spring with their ANRAD filing. The Notice of Intent plans include the wetland resource area boundaries confirmed during the ANRAD proceedings, he said. Mr. Manganello of LEC Environmental Consultants, Inc. presented the application and plans. He stated that the proposed project is for construction of the Glen Ellen Senior Residential Community Development which includes 324 age-restricted detached single-family and multi-unit townhouse-style residential buildings; a network of private roadways; a club house with swimming pool; tennis court, community garden, and patio structure; a gravel parking area for access to walking trails; a stormwater management system; a wastewater treatment system; and utilities. Mr. Manganello stated that the approved wetland boundaries are shown on the plan and the internal roadways are within the

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existing golf course. Four work areas (below) are in a resource area or within fifty feet of a resource area as shown on the plan, he said:

1. proposed gravel parking area
2. proposed stream crossing
3. wetlands on either side of the proposed access road
4. emergency access road

As mitigation, he said, the project includes preservation of 107.53 acres of Open Space. “Everything east of the Bogastow Brook, Bordering Vegetated Wetland, and Riverfront area associated with the golf course will all be allowed to naturally re-vegetate,” Mr. Manganello stated.

Mr. Manganello stated that the Planning Board will be hiring BETA Group to conduct the Stormwater Management peer review and the applicant requests that BETA peer review include compliance with the Mass DEP’s Stormwater Regulations and Standards. The Commission agreed that this would be acceptable to them. Nover-Armstrong will provide the peer review for all other wetland issues for the Commission.

Ms. Nover, the Commission’s wetlands consultant, summarized her review letter, dated December 5, 2016. She stated that the design plans are conceptual and LEC will be providing more detailed construction plans. Ms. Nover suggested that the Commission be provided with a copy of the hydrogeological report associated with the DEP groundwater Discharge Permit required for the waste water treatment system. Mr. Miccile stated that they will provide that report. Some of Ms. Nover’s concerns were highlighted: goal of land management (mowing schedule, etc.); instrument survey be provided for more details; design details to provide impacts to vernal pools; Army Corps permitting required; waivers required; soils management plan for gravel parking area due to past contamination. Ms. Nover also suggested that the Commission ask why an Alternatives Analysis is not being considered for the northwest corner of the property where the vernal pools are located.

Mr. Chorey requested more data be provided to the Drainage Report using NOAA Atlas 14 rainfall data.

Mr. Graci, an abutter to the proposed project, asked if the Homeowner’s Association agreement would take care of the maintenance of the trails. Mr. Miccile stated that the Homeowner’s Association would be responsible for maintaining all of the Open Space on the site. He said that they still have to go through the Definitive Plan permitting process through the Planning Board and that is when the Homeowner’s Association documents for roadway maintenance, landscaping, snow removal, etc. are reviewed/approved. There was discussion regarding the public gravel parking lot and access in the evening. Mr. Miccile stated that they are open to comments from the Town and the Town Boards can suggest what to do “safety-wise.”

In order to discuss the issues further and allow time for the applicant to address Ms. Nover’s comments, the hearing will be continued.

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On a motion made by Mr. Chisholm, seconded by Ms. Krinsky, it was voted unanimously at 8:10 p.m. to continue the public hearing to Monday, January 9, 2017, 8:10p.m.

**DEP FILE#CE225- , NOTICE OF INTENT, PUBLIC HEARING
ORCHARD STREET – GLEN ELLEN- WATER MAIN EXTENSION
TOLL BROTHERS, INC.**

The public hearing was opened at 8:49 p.m. with notice being read by Ms. Anne Rich, Vice Chair.

Mr. Turner of Bohler Engineering, representing the applicant, presented the application and plans for the proposed project. The project entails water line replacement and extension, and roadway re-surfacing within approximately 6,800 linear feet of Orchard Street. These improvements are proposed, he said, in conjunction with the Glen Ellen Senior Residential Community Development Special Permit granted by the Planning Board. Mr. Turner said that they will be working with the Town and the DPW on this project to replace the existing 6” water main with a new 12” water main. The project is subject to Mass DEP Stormwater Standards and a Stormwater Pollution Prevention Plan (SWPPP) will be prepared.

Ms. Nover summarized her review letter, dated December 5, 2016. She had questioned the notification of abutters within 1,000 feet for a linear project and Mr. Turner confirmed that such notice was provided. Some of the concerns raised by Ms. Nover were the lack of dewatering plan detail and locations of construction staging and material storage. More detailed plans must be provided, she said. Mr. Chisholm stated that dewatering is an important issue. Mr. Turner stated that they will complete a checklist and provide a narrative. Ms. Nover stated that this is not a Town project and any stormwater quality improvements they can make to the system should be looked at. Mr. Choyre requested detail of the Bogastow Brook crossing.

In order to discuss the issues further and allow time for the applicant to address Ms. Nover’s comments, the hearing will be continued.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously at 9:09 p.m. to continue the public hearing to Monday, January 9, 2017, 9:10p.m.

DEP File #CE225-0386 - 29 Acorn St. - Request for Certificate of Compliance

A site visit was conducted on Saturday, November 19, 2016 at 9:00 a.m. Mr. Lanzillo stated that the boulder was moved to the proper location as requested during the site visit. Mr. Chisholm expressed concern since a swale was shown on the approved site plan; however, it was not there. All conditions have been met, he said, except for the swale to be constructed. Mr. Lanzillo stated that, if possible and weather permits, he would construct the swale to get the complete Certificate of Compliance as they are closing on the property soon.

