

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA**

August 6, 2018

The meeting was brought to order at 7:31 p.m. by Ms. Anne Rich, Acting Chair.

The following members were present:

Dr. James Lederer, Chair (arrived 7:50 p.m.)
Anne Rich, Acting/Vice Chair
Ed Chisholm, Christine Gavin, Ram Charan Khalsa, Daniel Lee

Members Absent: Charles Tangerini

Others present: Thomas Roche, 78 Bullard Lane
Robert Angelo, Simpson Gumpertz & Heger, 41 Seyon St., Waltham
Emanuel DeAndrade, Simpson Gumpertz & Heger 41 Seyon St.
Dave Boose, 78 Acorn St.
Jim McKay, Millis DPW
Matthew Bambasi, Bohler Eng., 352 Turnpike Rd., Southborough
Matthew Ashley, Bohler Eng., 352 Turnpike Rd., Southborough
Drew Houghton, (Merrikin Eng.), 306 Mt. Hope St., No. Attleboro
Dan Wells, Acorn Place
Robert Fox, 38 Benjamins Gate, Plymouth
Warren & Linda Champagne, 266 Pleasant St.
Robert Weiss, Millis Energy Manager

**DEP FILE#CE225-0398, NOTICE OF INTENT, PUBLIC HEARING, CONT.
28 EDEN STREET - THOMAS ROCHE**

The public hearing continuation was opened at 7:31 p.m. by Ms. Rich, Acting Chair.

Mr. Roche provided an update to the Commission as to why the application/hearing has been continued numerous times. There is a utility easement on the street for sewer; however, due to a clerical error with the attorney's office, the wording was "done incorrectly." Mr. Roche stated that he now has to receive consent from each of the homeowners involved, which requires going to the mortgage banks for each homeowner. He is waiting on one last consent and then he hopes to be able to proceed.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously at 7:36 p.m. to continue the public hearing to Monday, September 10, 2018, 7:30 p.m.

**Municipal Vulnerability Preparedness (MVP) Information Presentation
Mr. Robert Weiss, Town of Mills Energy Manager**

Mr. Weiss provided information to the Commission regarding the Municipal Vulnerability Preparedness Program. This is a grant program, he said, that will help the Town create a plan for the state funding of projects that will help Millis prevent damage from extreme weather caused by Climate Change. He stated that they are hoping to form a "Core Team" and would like members from various town boards to join. The team will most likely meet in September/October and a "workshop" in December. All meetings will be in Millis.

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA**

August 6, 2018

Commission member Mr. Ram Charan Khalsa volunteered to be the Conservation Commission liaison on the MVP Core Team.

**REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
266 PLEASANT ST. – CHAMPAGNE**

The public hearing was opened at 7:43 p.m. by Ms. Rich, Acting Chair.

Mr. Champagne presented the application. He stated that they would like permission to remove two overgrown trees that have become a danger to falling on their home. The trees are “sickly looking” and showing signs of rot, he said. Mr. Champagne stated that they will hire professionals to do the work and the roots and stumps will not be removed; no stump grinding. The Commission cautioned that any equipment used must not damage the surrounding ground.

On a motion made by Ms. Gavin, seconded by Mr. Khalsa, it was voted unanimously at 7:53 p.m. to close the public hearing.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously to approve a Negative 3 Determination of Applicability, with Special Conditions below:

- Tree roots and stumps shall not be removed;
- Tree removal equipment shall not cause ruts or depressions in the surrounding ground.

Pre-Application Meeting – Informal Discussion

DPW – Water St. Improvements

Robert Angelo, Simpson Gumpertz & Heger/James McKay

Mr. Angelo of Simpson Gumpertz & Heger, representing the DPW, stated that they are in the process of working on conceptual plans for the DPW. They are trying to improve operations at the DPW and two new buildings are being proposed on the site. A plan entitled, “Draft For Preliminary Discussion Only – Impacts Plan” was presented and discussed. Due to the numerous wetland impacts on the site, they are seeking guidance from the Commission as a Notice of Intent will be filed. Mr. Angelo stated that the “site is very constrained.”

Stormwater was discussed. Mr. Angelo said that the area is subject to the Special Flood Hazard District. Building a detention pond may not be possible due to the high groundwater across the site. The final design “will deal with all the impact problems,” he said, and the drainage will be designed later as well. Mr. Chisholm stated that he would prefer underground flow to the detention basin rather than sheet flow across the parking lot. It was recommended that the new structures be as far away as possible from the buffer zones.

There was discussion regarding relocation of the staff wing/administration building, however, Mr. McKay stated that due to underground utilities, it cannot be moved anywhere else. He stated that the Permanent Building Committee approved the design. This concept/option is in the early stages of design, he said. Most Commission members saw the design as “feasible to continue,” however, Ms. Rich was not in favor of the proposed project.

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA**

August 6, 2018

Mr. Angelo said that they will come back when they have a conceptual plan finalized. They will ultimately file a Notice of Intent.

**DEP FILE#CE225-04 , NOTICE OF INTENT, PUBLIC HEARING
ORCHARD STREET CULVERT REPLACEMENT- DPW**

The public hearing was opened at 8:38 p.m. by Dr. Lederer, Chair.

Mr. McKay summarized the application. He stated that all owners/residents have signed off on the Notice of Intent. All costs will be paid by Toll Brothers as per the agreement – there is no cost to the Town, he said.

Mr. Bombasi of Bohler Engineering presented the application and plans. The proposed project entails the removal and replacement of the existing wetland/stream culverts in three locations along Orchard Street. The proposed work is largely within the Town owned right-of-way on Orchard Street, with limited portions located at 84 Orchard Street, 114 Orchard Street to 26 Bogastow Circle, and 9 Bullard Street to 123 Orchard Street. The improvements are proposed in conjunction with the Orchard Street utility improvements project, Mr. Bombasi stated. All are intermittent streams and there will be no permanent impacts. Erosion controls are currently in place.

Mr. McKay stated that GCG will be on site for the trenching process, etc. representing the Town. At this time, the Commission agreed that this does not necessitate review by Nover-Armstrong.

There has been no issuance of a DEP file number assigned at this point; therefore the hearing must be continued.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 8:53 p.m. to continue the public hearing to Monday, September 10, 2018, 7:40 p.m.

**FILE #TOM-002, NOTICE OF INTENT, WETLANDS PROTECTION BYLAW,
PUBLIC HEARING - “ACORN PLACE”-ACORN OF MILLIS RESIDENTIAL, LLC**

The public hearing was opened at 8:54 p.m. by Dr. Lederer, Chair.

Mr. Robert Fox, manager of Acorn Millis Residential, LLC, summarized the application and plans. He stated that his engineer, Mr. Daniel Merrikin, was on vacation and not able to attend the hearing. Discussion on the details of the application will be during the next hearing when Mr. Merrikin can be in attendance.

The Notice of Intent is filed pursuant to the Town of Millis Wetlands Protection Bylaw (Article XIX) only. The proposed project is for construction of a senior residential community development (SRCD) at Acorn Street. The project consists of the construction of 48 new dwelling units for people 55 and older, along with associated driveways, parking areas,

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA**

August 6, 2018

landscaping and utilities. The applicant intends to begin construction this fall with the intended completion by 2020.

Isolated Vegetated Wetlands (IVW), along with its associated Buffer Zone, have been flagged and are shown on the site plan. No work is proposed within the IVW of the 50-foot wetland buffer, except for a single driveway crossing at the center of the site.

Mr. Fox stated that the proposed development abuts the Hickory Hills subdivision. Three lots previously approved for the subdivision will be incorporated into this development. The area is currently “heavily wooded”, he said, and the woods “will remain around the homes.” There will be a pedestrian walkway off Pearl Street into the development and an easement will be provided for all town residents to use. According to Mr. Fox, this is a “low impact project” which is “as Conservation Commission friendly as possible.”

Mr. Wells of Goddard Consulting discussed the isolated wetland resource area. He stated that the area was delineated earlier in the year and has been flagged.

Mr. Fox requested that the hearing be continued not only to allow for a DEP file number to be assigned, but to allow Mr. Merrikin to attend the next hearing to discuss the details (drainage; groundwater, etc.). Mr. Fox also requested that, if necessary, the Commission not engage Nover-Armstrong’s services in the review of the application until Mr. Merrikin makes his presentation.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 9:19 p.m. to continue the public hearing to Monday, September 10, 2018, 8:00 p.m.

Other Business:

0 Turner Street – Update

Mr. Curry left a voice message on July 25, 2018, stating that he received the Commission’s follow-up letter, dated July 17, 2018. He stated in the message that “the shed was taken down.” The “floor and trestle” remain, he said, but he will have them removed shortly – before summer’s end. “The structure is down,” he said.

Possible Wetland Construction Issue – 2 Paddock Lane

Mr. Chisholm observed that work/digging/ disturbance had taken place in proximity to the wetlands. His opinion was that it appeared to be caused by the planting of a tree. A letter will be sent requesting that they attend the September 10, 2018 meeting to discuss the possible violation.

FY19 Payroll Signatories

On a motion made by Dr. James Lederer, seconded by Ms. Christine Gavin, the Conservation Commission unanimously voted, pursuant to MGL Chapter 41, Section 41, to authorize *either* Dr. James Lederer or Ms. Anne Rich to sign/approve payroll for FY19.

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
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August 6, 2018

Minutes

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, the minutes from July 9, 2018, were unanimously approved amended.

New Business:

DEP File #CE225-0411 - 1525 Main Street

Possible Violations of Order of Conditions

Mr. Chisholm observed violations to the Order of Conditions issued for the project. Work had been done on-site without the posting of DEP signage, absence of erosion controls, and possible clearing beyond what was permitted. A Cease & Desist letter will be sent and the applicant will be required to attend the September 10, 2018, meeting.

Scheduled Conservation Commission Meetings: September 10, 2018
October 1, 2018

There being no further business, on a motion made by Dr. Lederer, seconded by Mr. Lee, and voted unanimously, the meeting adjourned at 9:45 p.m.

Respectfully submitted,

*Camille Standley
Administrative Assistant*