

The meeting was called to order at 7:30 p.m. by Mr. George Yered, Acting Chair.

Members present: George Yered, Acting Chair
James McKay, Acting Clerk
Catherine MacInnes
Nicole Riley
Richard Nichols, Associate Member

Members Absent: Robert Cantoreggi

Also present: Pasquale Lanzillo, 172 Orchard Street
Ellen Rosenfeld, 730 Main Street

PUBLIC HEARING
SCENIC ROAD APPLICATION
172 ORCHARD STREET
PASQUALE LANZILLO

The public hearing was opened at 7:30 p.m. with notice being read by Mr. McKay, Acting Clerk.

Mr. Yered read an email into the record (attached) from Mr. Cantoreggi, Planning Board Chair and Tree Warden. Mr. Cantoreggi had conducted a site visit and provided his recommendations on the application.

Mr. Lanzillo explained that he purchased the property and would like permission to remove the stone wall, lower the grade, and re-build the stone wall. He would also like permission to remove some trees to allow for safer visibility of the road from the driveway. Mr. Lanzillo presented some photographs for the Board's review.

On a motion made by Ms. MacInnes, seconded by Ms. Riley, it was voted unanimously to close the public hearing at 7:40 p.m.

On a motion made by Ms. MacInnes, and seconded by Mr. McKay, it was voted unanimously as follows:

- (1) The Board grants permission for the stone wall to be removed, the grade lowered, and the stone wall reconstructed using the same materials (stones on site) **without** mortar (as it is now).
- (2) The one white oak tree noted during the meeting is to remain. The tree shall be pruned. Care must be taken when lowering the grade so the root zone is **not disturbed** in any way. No grading machinery shall be used in the vicinity of the tree and root zone.

**WAIVER OF SITE PLAN REVIEW REQUEST
MILLISTON COMMON (CHERRY TREE TACK SHOP/CVS)
ELLEN ROSENFELD**

The Planning Board met with Ms. Ellen Rosenfeld and reviewed a letter, dated January 13, 2012, requesting two Waivers of Site Plan Review/Approval for 20B and 36B&C Milliston Road (former Cherry Tree Tack Shop and CVS).

As Ms. Rosenfeld stated, the Cherry Tree Tack Shop is no longer in business and Fifth Ave Liquors wants to expand into that space. Gold's Gym has proposed a kid's gym/party facility for the remaining CVS space, she said. Both uses fall under "other retail, service, finance, insurance, or real estate establishment or eating place," and parking requirements have been satisfied, she said. The building permit process will address all issues and concerns that may arise, Ms. Rosenfeld stated.

On a motion made by Mr. McKay, and seconded by Ms. MacInnes, it was voted unanimously, pursuant to Section XIII (Special Permit Conditions) C., of the Town of Millis Zoning By-laws, to waive the requirements of Site Plan Review for 20 (Fifth Ave Liquors) and 20B (Cherry Tree Tack Shop) Milliston Road.

On a motion made by Ms. Riley, and seconded by Ms. MacInnes, it was voted unanimously, pursuant to Section XIII (Special Permit Conditions) C., of the Town of Millis Zoning By-laws, to waive the requirements of Site Plan Review for 36B and 36C (CVS) Milliston Road with the following condition(s): once the entrance to the gym is determined, signage and/or crosswalk for safety will be installed.

**COMPREHENSIVE LAND USE REFORM AND PARTNERSHIP ACT
(CLURPA)**

SENATE BILL #1019

DISCUSSION

Mr. Aspinwall had emailed information regarding the proposed legislation for the Board's review and comments. The Board had issues with most of the legislation, stating that many of the provisions of the Act are already available in the Town of Millis By-laws. The Board was of the opinion that this proposed legislation completely rewrites a majority of the Commonwealth's current zoning and land use planning statutes. Some of the issues and concerns raised by the Board dealt with: Cluster developments; Natural resource protection; Grandfathering; and Inclusionary zoning, to name a few. The overall view of the Board was that policies/authority – to which many have been elected to uphold - is removed from many Boards. The consensus was that local boards are losing control of their rights and responsibilities which, in turn, will negatively affect the residents of Millis. Ms. MacInnes stated that, in her opinion, local and town meeting rule is preferred. The Board was in agreement.

On a motion made by Ms. MacInnes, seconded by Ms. Riley, it was voted unanimously to send an unfavorable opinion of the Act to the Board of Selectmen. A memo will be written to the Selectmen.

NEW BUSINESS:

STEERING COMMITTEE

Mr. McKay expressed interest on being on the Steering Committee, however, only two members from the Planning Board can be appointed. Mr. Nichols offered to step down and serve as an alternate.

On a motion made by Ms. MacInnes, and seconded by Mr. Yered, it was unanimously voted to appoint Mr. James McKay and Ms. Nicole Riley as the Planning Board designates to the Downtown Development Steering Committee, with Mr. Richard Nichols as an alternate member as needed.

OTHER BUSINESS:

MINUTES

On a motion made by Mr. Yered, seconded by Mr. McKay, it was unanimously voted to approve the regular session minutes from December 13, 2011, as written.

On a motion made by Mr. Yered, seconded by Mr. McKay, it was unanimously voted to approve the Executive Session minutes from December 13, 2011, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. McKay, seconded by Ms. Riley and voted unanimously, the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Camille Standley
Administrative Assistant