

MILLIS PLANNING BOARD MINUTES

Tuesday, January 10, 2017

Room 229, Veterans Memorial Building, 900 Main St., Millis, MA

The meeting was called to order at 7:30 p.m. by Mr. Robert Cantoreggi, Chair.

Members present: Robert Cantoreggi, Chair
George Yered, Clerk
James McKay
Richard Nichols
Nicole Riley
Carlo Molinari, Associate

Melissa Recos, BETA Group
Atty. Ilana Quirk, KPLaw

Members Absent:

Also present: Scott Fuzy, 15 Stony Brook Dr.
Art Payne, 94 Dover Rd.
Jen Parkhurst, Dover Road
Madeline Yusna, Dover Road
Susan Steele, 4 Ironwood Lane
Rob Hubbell, 68 Orchard St.
Atty. Edward Cannon, Doherty, Ciechanowski, Dugan & Cannon
Scott Miccile, Toll Brothers, 134 Flanders Rd., Westboro
Anne Rich, 351 Orchard St.
David R. McCarter, Bridge St.
Jacqueline Clark, 52 Bridge St.
Suzanne Rodday, 52 Bridge St.
Amanda Goodall, Crown Castle
Matthew Darling, NE Retail Properties
Adam Costa, Dover Road Residences
Rob Truax, GLM Engineering; Dover Road Residences

1178 Main Street

Informal Discussion

G.K. Development Corp.

No one was present at the meeting.

351 Orchard Street

Concept Subdivision Plan- Informal Discussion

Anne Rich

Ms. Rich presented a plan entitled, "Subdivision Sketch, 351 Orchard Street, Millis, Mass.," prepared by Applewood Survey LLC, dated December 2, 2016. Ms. Rich stated that her field abuts Frontier Lane; however, she has no frontage on Frontier Lane. She said that a surveyor drew up a conceptual plan showing three lots and a "paper cul-de-sac." Ms. Rich would like some guidance from the Board before spending money on design and application filings. Mr. Cantoreggi stated that the Board has approved similar designs in the past, however, Ms. Rich should be mindful of costs associated with this

type of subdivision. He said that the first one hundred feet of the street would need to be paved and a water line and hydrant provided. Atty. Quirk suggested that Ms. Rich speak to the Fire Department regarding access first as there are “new access codes.” Overall, the consensus was that the Board would be favorable of the project.

MODIFICATIONS TO APPROVED SITE PLAN
“DOVER ROAD RESIDENCES,” PUBLIC HEARING
BARBERRY HOMES, LLC

The public hearing was opened at 7:47 p.m. with notice being read by Mr. Yered, Clerk.

Atty. Costa, representing the applicant, stated that minor modifications had been made to the plans due to meetings with other Boards since the Planning Board’s Assisted Living Residences Special Permit Decision. He noted that all references to the Special Permit are directed at the permit issued under the Assisted Living Residences Bylaw as that is what they intend to pursue, as opposed to the Special Permit issued under the “Housing for the Elderly.” He summarized the email dated December 16, 2016, from David Carter, which listed the minor modifications to the plans, along with some minor “scribe errors” in the Decision. Atty. Costa stated that it was Town Counsel’s opinion that a public hearing be held to allow abutter comment regarding the change to the “emergency spillway” on the plans.

Mr. Truax presented the minor changes to the plans. Ms. Recos summarized her review/comment letter dated January 9, 2017. Ms. Steele, the direct abutter to the project who had the concerns over the location of the emergency spillway, stated that she “is fine with the change.”

On a motion made by Mr. McKay, seconded by Mr. Cantoreggi, it was voted unanimously to close the public hearing at 7:55 p.m.

On a motion made by Mr. Nichols and seconded by Ms. Riley, it was voted (4-0-1) in favor to approve the seven minor plan modifications and the minor scriber corrections to the Assisted Living Residences Special Permit Decision. Voting in the affirmative was Robert Cantoreggi, James McKay, Nicole Riley, Richard Nichols, with George Yered abstained.

Note: Atty. Costa stated that the applicant will be going before the Selectmen and Board of Health to seek a land disturbance permit. He said that “subsurface modifications” may be made that do not affect the “substance of the Special Permit.” He requested feedback as to whether the applicant would be required to come back before the Board each time. Mr. Cantoreggi stated that it would “behoove” the applicant to present it to the Board so the Planning Board’s engineer could review any modifications.

Request for Waiver of Site Plan Approval
Cell Tower-1073 Main Street
Crown Castle/T-Mobile
Amanda Goodall

The Board reviewed the letter from Amanda Goodall from Crown Castle, dated January 3, 2017, submitted for installation at the 125' level: three antennas and three RRU's (non-antennas). All work is to be completed within the existing ground space at 1073 Main Street.

Mr. McKay required that he/the DPW be notified as to when the work will be performed so there is not conflict with funerals/services taking place at the cemetery.

On a motion made by Mr. Yered, and seconded by Mr. Nichols, it was voted unanimously (6-0), 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 the work stated above at 1073 Main Street for Crown Castle/T-Mobile.

NEW BUSINESS:

TRACTOR SUPPLY CO.

1313 MAIN STREET – AS-BUILT PLAN

TEMPORARY CERTIFICATE OF OCCUPANCY

Mr. Matthew Darling, representing Tractor Supply, summarized his letter dated January 9, 2017, wherein he requests that the Board recommend that the Building Inspector issue a Temporary Certificate of Occupancy prior to January 30, 2017. Mr. Darling stated that he understands that BETA needs to review the as-built plans and he will return to the next Planning Board meeting with the final as-builts for approval.

The Board reviewed the as-built plans entitled, "Millis Development Partners, LLC, 1313-1319 Main Street," dated 1/9/17, prepared by Control Point Associates, Inc. (2 sheets), presented by Mr. Darling for Tractor Supply Co./1313-1319 Main Street.

The applicant will attend the February 7, 2017 meeting to allow sufficient time for review by BETA Group, the Planning Board's consulting engineers.

On a motion made by Mr. Cantoreggi, seconded by Ms. Riley, it was voted unanimously to recommend issuance of a temporary occupancy permit by the Building Inspector for sixty days for Tractor Supply Company.

OTHER BUSINESS:

SPECIAL PERMIT MODIFICATION, SENIOR RESIDENTIAL COMMUNITY DEVELOPMENT (SRCDD)

GLEN ELLEN COUNTRY CLUB - 84 ORCHARD STREET

TOLL BROTHERS

DELIBERATION

Mr. Cantoreggi summarized what was discussed at the last deliberation. He stated that the existing Special Permit issued to Corcoran-Jennison expires in January of 2018. There had been discussion regarding extinguishing the first Special Permit if a new, modified one was granted.

Atty. Quirk summarized the four “options” the Planning Board could choose from in deciding how to proceed with the modification request. The Board was most in favor of the option to grant the modification and have a condition that the Modified Special Permit would supersede and eliminate the original Special Permit, but not until it is recorded at the Registry of Deeds. The Planning Board can determine a time frame in which this must happen, Atty. Quirk stated. If the applicant does not record the Modified Special Permit within a timeframe determined by the Board, then it “goes away and the first one stays in place.”

Mr. Cantoreggi stated that the applicant will need to come back before the Board for Definitive Plan review and approval.

Deliberation included discussion of the walking trails being open to the residents of Millis. Phasing, along with time limits, was discussed. A maintenance plan shall be defined as part of the Definitive Plan approval phase. Mr. Cantoreggi recommended that prior to the issuance of a Building Permit, the Applicant shall pay to the Town of Millis the sum of \$150,000 for use at its discretion for mitigation purposes. The sum of \$150,000 was determined as part of the approval process of the 2008 Special Permit. This amount shall be increased to account for the cost of living at the time of application. Also, the applicant shall make a “Recreation Donation” since the golf course is being eliminated. A condition will be that upon the sale of the first housing unit, the applicant make a donation of \$25,000.00 to a field capital improvements fund for betterment of recreation facilities within the Town. Other “boiler plate” conditions were reviewed/discussed.

On a motion made by Ms. Riley, seconded by Mr. McKay, the Planning Board of the Town of Millis, by a unanimous (five to zero) vote grants, with conditions, the Modification of the Original Special Permit, pursuant to General Laws, Chapter 40A, Section 9 and the Zoning Bylaw of the Town of Millis, Section XVII, to the Applicant to construct a Senior Residential Community Development in accordance with the plans, drawings and other documents submitted to the Planning Board with the Modification Application and during the public hearings. This special permit modification decision modifies the Planning Board’s April 16, 2008 final action regarding Planning Board Application 55-011, which granted special permit relief under Millis Zoning By-law §XVII, to allow construction of a Senior Residential Community Development at 84 Orchard Street (Assessors Map 1, Parcels 1, 2, 3, 3B and 4 and Map 5, Parcel 35).

**GLEN ELLEN COUNTRY CLUB - ORCHARD STREET/WATER MAIN
SCENIC ROAD APPLICATION**

TOLL BROTHERS

DELIBERATION

A consolidated public hearing with the Tree Warden was held on Tuesday, December 6, 2016, wherein Toll Brothers requested permission for completion of work along Orchard Street required to install the new water main, as well as completing any pruning, if any, in order to provide safe access for commercial vehicles to the work site. This work is required in conjunction with the work on the Glen Ellen Senior Residential Community Development Special Permit. (Assessor Map 1, Parcels 1, 2, 3, 3B, 4 and Assessor Map

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5, Parcel 35). The project is entirely within the right-of-way. This application is for a general scope of work allowed.

On a motion made by Mr. Cantoreggi, and seconded by Ms. Riley, it was voted unanimously (6-0) as follows:

- (1) A more detailed final plan will be submitted for approval prior to construction
- (2) Any stone walls that are disturbed will be put back into place
- (3) If any pruning is determined to be necessary, a pruning plan will be in place beforehand for review by the Tree Warden/DPW. Any pruning over 2” requires pre-approval
- (4) Any proposed tree removal will require a separate public hearing

MINUTES

On a motion made by Ms. Riley, seconded by Mr. McKay, it was unanimously voted to approve the regular session meeting minutes from December 6, 2016, as written.

On a motion made by Ms. Riley, seconded by Mr. McKay, it was unanimously voted to approve the regular session meeting minutes from December 13, 2016, as written.

FY18 PLANNING BOARD BUDGET

On a motion made by Mr. Cantoreggi, seconded by Ms. Riley, it was unanimously voted to recommend that the Finance Committee approve the prepared FY18 Budget.

ADJOURN

There being no further discussion and on a motion made by Mr. Cantoreggi, seconded by Ms. Riley and voted unanimously, the meeting was adjourned at 9:15 p.m.

Scheduled Planning Board Meetings: February 6, 2017
March 1, 2017 (Wednesday)

Respectfully submitted,

Camille Standley
Administrative Assistant