

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

Members present: Robert Cantoreggi, Chair
George Yered, Clerk
James McKay
Richard Nichols

Melissa Recos, PE, BETA Engineering

Members Absent: Catherine MacInnes
Nicole Riley

Also present: Scott Fuzy, 15 Stony Brook Dr.
Daniel Merrikin, Merrikin Engineering, LLP
Peter Harkey, 256 Orchard St.
Gary Babin, 83 Norfolk Road
Drew Pierson, Boston
Doug Carton, CEC, Worcester,
Colleen DeBenedetto, CEC
Dan Feeney, Beals & Thomas
Catherine Chiavarini, 12 Alma Rd.
Tess McDonough-Ward, 16 Alma Rd.
Jeff Constantine, Solar Flair
Kathy Lannon, Board of Health

PROPOSED SOLAR BYLAW AMENDMENTS, PUBLIC HEARING

The public hearing was opened at 7:33 p.m. with notice being read by Mr. Yered, Clerk.

Mr. Gary Babin from the Millis Energy Committee summarized the amendments proposed to the Large-Scale Ground-Mounted Solar Photovoltaic Installations Bylaw. He stated that since the installation is “by-right” in many areas, these amendments put forth a process to control the locations and the special permit process allows the Planning Board, and others, to have input. The Energy Committee is in favor of the proposed amendments, Mr. Babin said.

Mr. Cantoreggi explained that the large-scale solar bylaw for commercial solar farms to be located in the I-P and I-P-2 districts passed at Town Meeting on June 8, 2015. With these proposed amendments, an applicant can propose an installation in the Residential Districts (R-T and R-S) as long as certain criteria are met and a special permit and site plan approval is granted by the Planning Board.

Mr. Peter Harkey asked if there was “a reason that the Commercial zone was not added” to allow a special permit for ground-mounted solar installations. Mr. Cantoreggi stated that when the Planning Board was presented with the proposed amendments from the

Energy Committee, the Commercial District was not part of the proposal. It is too late to change at this point, however, it could be added in the future, Mr. Cantoreggi said.

Mr. Fuzy stated that, in his opinion, the proposed bylaw amendments “put measures in place that protect everybody.”

There being no further discussion, on a motion made by Mr. Cantoreggi, seconded by Mr. Nichols, it was unanimously voted to close the public hearing on the proposed solar zoning bylaw amendments at 7:42 p.m.

On a motion made by Mr. McKay, seconded by Mr. Nichols, it was unanimously voted **to recommend the article as written** at the November 2, 2015, Town Meeting.

SPECIAL PERMIT APP. FOR SITE PAN APPROVAL, PUBLIC HEARING,

CONT.

984 MAIN STREET

SECOND FLOOR APARTMENT

SEAN CURRIVAN/KSK REALTY TRUST

The public hearing continuation was opened at 7:44 p.m. with notice being read by Mr. Yered, Clerk.

(Note: At the last meeting, the applicant had requested a three-month continuance to allow the applicant to file an application with the Zoning Board of Appeals.)

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was voted unanimously to continue the public hearing at 7:45 p.m. to Tuesday, November 17, 2015, 7:30 p.m. The public hearing will then be continued, without discussion, to the December meeting.

SPECIAL PERMIT APP. FOR SITE PLAN APPROVAL, PUBLIC HEARING

LARGE-SCALE GROUND-MOUNTED SOLAR INSTALLATION

OFF MAIN STREET

CLEAN ENERGY COLLECTIVE

The public hearing was opened at 7:45 p.m. with notice being read by Mr. George Yered, Clerk.

Ms. DeBenedetto of Clean Energy Collective provided background on the company. She stated that they build “community solar” projects and are based out of Colorado. Mr. Feeney presented the application and plans. He stated that the proposed project is for clearing and preparation of land, installation and on-going maintenance of a +/- 950 kilowatt large-scale ground-mounted solar photovoltaic array and appurtenances. The proposed project also includes construction and maintenance of a gravel access road and stormwater retention basins, he said. According to Mr. Feeney, they are in the process of permitting with the Conservation Commission and are making modifications to the plans as the wetlands as first delineated have changed. He said they have received the review

letter from BETA Engineering, dated October 19, 2015, and will prepare written comments.

Some items of the BETA review letter were discussed. It was requested in the letter that the applicant provide documentation that the utility company can and will connect the customer-owned generator into the power grid. Mr. Carton stated that they are “working on an impact study now.” They expect the project to be built in 2016, he said, and “it is up to NSTAR” as to when they get approval to connect. “Getting dates from them is very difficult,” he said. Mr. Feeney asked that the Board consider a condition of approval being that the documentation be provided prior to construction.

Another item discussed was the utility connections being shown overhead where regulations indicate reasonable efforts shall be made to install below ground. BETA Engineering requested that the applicant provide reasons why connections cannot be located below ground. Mr. Carton stated that they would be “looking for a waiver” for this as “it is the utility’s standard practice” for overhead lines. Mr. Cantoreggi disagreed and stated that utility companies prefer underground. He requested documentation from Mr. Carton to back up his claim for the Board to consider a waiver.

Mr. Feeney stated that the plans are being revised and the solar arrays will be located outside of the fifty-foot buffer zone. He said that the access road could also be shortened if necessary. The applicant will coordinate with the Fire Chief regarding adequate emergency access. Mr. Cantoreggi stated that the applicant will have to research Cedar Street for the status of the roadway.

Ms. Recos stated that there are many issues with the Stormwater Management regulations that need to be addressed. Mr. Feeney stated that DEP did make comments they are working on addressing and they will work with BETA on this issue. The applicant will also follow up with the Board of Selectmen for a Stormwater Permit.

Ms. DeBenedetto discussed the potential benefits to the Town for the solar array. She said one option was “payment in lieu of taxes.” Mr. Carton stated that the array has a twenty-five year minimum life span, but they would expect it to last “much longer.”

A memo to the Planning Board from Ms. Thissell, Health Department Director, dated October 20, 2015, was read into the record by Mr. Yered. Ms. Thissell recommended restrictions on the use of chemicals; a requirement for dust control be provided; and the storage of snow over the drainage trench be prohibited. Ms. Lannon asked questions about the height of the lowest module; space between the rows; and snow storage. Mr. Carton stated that there is no snow storage area planned on the site.

Mr. Feeney discussed the tree-clearing and “pollarding” proposed for the project. Ms. Ward expressed concern over the tree removal process and the amount of “disturbance of the soil and plantings.” Mr. Carton stated that some areas would be cleared, stumped and rough graded. To stabilize, he said, seed with “clover mix, butterfly and hummingbird

mix” would be used. Ms. Ward asked if there was a management plan in place as what was submitted “was very vague.”

To allow time for the revised plans to be completed and reviewed by the Board’s consulting engineer, the public hearing will be continued.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was voted unanimously at 8:39 p.m. to continue the public hearing to Tuesday, November 17, 2015, 7:45 p.m.

**SOUTHEND FARM DEFINITIVE SUBDIVISION
BOND REDUCTION REQUEST &
STREET ACCEPTANCE RECOMMENDATION
DANIEL MERRIKIN, MERRIKIN ENGINEERING**

Mr. Merrikin summarized his letter, dated September 16, 2015, wherein he requests a security reduction for Southend Farm. Ms. Recos stated that some items remain unfinished and recommended that some funds remain to cover these items. Mr. Merrikin stated that street trees will be installed as individual lots are developed and will be required prior to issuance of an occupancy permit. He will prepare a letter to the Building Inspector alerting him of this requirement. After review of BETA Engineering’s letter and revised Construction Bond Estimate, the Board agreed that the amount could be reduced from \$114,163.00 to \$30,000.00.

On a motion made by Mr. Cantoreggi, seconded by Mr. Nichols, it was unanimously voted (4-0-0) to reduce the subdivision bond being held on Southend Farm to \$30,000.00 as requested by Daniel Merrikin, Merrikin Engineering LLP, on behalf of Ellen Rosenfeld; and as approved by BETA Engineering, Planning Board’s consulting engineers.

Mr. Merrikin stated that a letter was sent to the Board of Selectmen from the applicant petitioning for the laying out and acceptance of the three roads in Southend Farm: Evergreen Terrace, Beech Street, and Frontier Lane. Mr. Merrikin stated that he is hoping the street acceptances will be on the warrant for Town Meeting on November 2, 2015. He requested that the Planning Board recommend to the Selectmen that the streets be accepted.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was unanimously voted to recommend to the Board of Selectmen that Evergreen Terrace be approved as a public way in the town of Millis.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was unanimously voted to recommend to the Board of Selectmen that Beech Street be approved as a public way in the town of Millis.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was unanimously voted to recommend to the Board of Selectmen that Frontier Lane be approved as a public way in the town of Millis.

NEW BUSINESS:

REQUEST FOR WAIVER OF SITE PLAN REVIEW/APPROVAL

1575 MAIN STREET – RTE. 109 STORAGE

MILLISTON COMMON, INC.

The Planning Board met with Mr. Daniel Merrikin, representing the applicant, Ms. Ellen Rosenfeld of Milliston Common, Inc.

In a letter dated October 16, 2015, Ms. Rosenfeld stated that she has contracted with a solar company to place solar panels on the roofs of the buildings to service the property and the buildings. Mr. Merrikin said that the individual storage unit buildings will be outfitted with solar panels on the roof. No site improvements are proposed and the building permit process will address all issues and concerns that may arise.

On a motion made by Mr. Cantoreggi, and seconded by Mr. McKay, it was voted unanimously (4-0), 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 1575 Main Street for solar roof panels.

MILLISTON COMMON, INC.

TREE DISCUSSION

The Board discussed the Milliston Common Bank Drive-thru Decision (filed 8/23/10) and the Milliston Common CVS Drive-thru Decision (filed 4/20/10) with Mr. Merrikin. According to Special Condition #28 for the bank drive-thru, five (5) trees were required and Special Condition #29 for the CVS drive-thru required thirty-five (35) trees be planted.

The Planning Board allocated fifteen trees to be planted for the Rosenfeld Road Drainage Easement project. These trees (“Green Giant” arborvitaes) will be provided by and planted by Milliston Common, Inc. for this purpose. Mr. Merrikin requested that in lieu of the remaining twenty-five (25) trees, Milliston Common Inc. will provide a donation in the amount of \$10,000.00 to the Town of Millis Tree Pruning/Tree Replacement Fund.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was unanimously voted to accept the \$10,000.00 donation from Milliston Common, Inc., in lieu of the twenty-five trees. All of these funds will be placed in the Millis Tree Pruning/Tree Replacement Fund. (Note: Check #207 in the amount of \$10,000.00 from 2 Milliston Road LLC was received on November 9, 2015)

**REQUEST FOR WAIVER OF SITE PLAN REVIEW/APPROVAL
9 & 45 STONEYBROOK DRIVE – SOLAR ROOF PANELS
SOLAR FLAIR**

The Planning Board met with Mr. Jeff Constantine of Solar Flair, representing the applicant, Universal Properties.

In a letter dated October 20, 2015, Ms. Barbara Tyrrell, CFO/COO of Universal Management LLC, as agent for Stoneybrook Village, LLC, stated that she has contracted with a solar company to place solar panels on the roofs of three buildings to service the property and the buildings. Mr. Constantine stated that no site improvements are proposed. The building permit process will address all issues and concerns that may arise.

On a motion made by Mr. Cantoreggi, and seconded by Mr. Nichols, it was voted unanimously (4-0), 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 9 & 45 Stoneybrook Drive for solar roof panels.

OTHER BUSINESS:

**1420 & 1420A MAIN STREET
HATCH LANDSCAPING
HATCH, INC. - UPDATE**

Mr. Cantoreggi stated that Ms. Recos had conducted a site visit at his request. The Building Inspector will follow up to confirm compliance with the Planning Board's Decision.

MINUTES

On a motion made by Mr. McKay, seconded by Mr. Nichols, it was unanimously voted to approve the minutes from September 22, 2015, as written.

On a motion made by Mr. McKay, seconded by Mr. Yered, it was unanimously voted to approve the minutes from October 14, 2015, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. Cantoreggi, seconded by Mr. McKay and voted unanimously, the meeting was adjourned at 9:01 p.m.

Scheduled Planning Board Meetings: November 17, 2015
December 15, 2015

Respectfully submitted,

Camille Standley, Administrative Assistant