

MILLIS PLANNING BOARD MINUTES

Tuesday, October 29, 2013

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
Catherine MacInnes
James McKay
Nicole Riley
Richard Nichols, Associate Member

Barbara J. Thissell, P.E.

Members Absent:

Also present: Scott Fuzy, 15 Stony Brook Dr.
Robert Valchuis, 180 Farm Rd., Marlboro
Joseph Peznola, Hancock Associates, 315 Elm St., Marlborough
Paul Coutinho, 80 Bullard Lane
George Silvestri, 6 Bullard Lane
Katherine Richardson, 6 Bullard Lane
Traci & John Topalis
Paul Coutinho, 80 Bullard Lane

PUBLIC HEARINGS, CONTINUATIONS:
SPECIAL PERMIT APP/SITE PLAN APPROVAL
SPECIAL PERMIT APP/EARTH REMOVAL
1465 MAIN STREET-MILLIS USED AUTO PARTS
ROBERT VALCHUIS

SPECIAL PERMIT APP/EARTH REMOVAL
1372 MAIN STREET
ROBERT VALCHUIS

The public hearings were opened at 7:30 & 7:31 p.m. with notices being read by Mr. Yered, Clerk.

Mr. Joseph Peznola, P.E., representing the applicant, presented the revised plans. He stated that the Board of Selectmen, the Board of Health, and the Conservation Commission had approved their application permits. There were minor modifications to both plans to incorporate comments from other boards, Mr. Peznola said.

Mr. Peznola had submitted his comment response letters, dated October 25, 2013. Ms. Thissell summarized her comment letter dated October 25, 2013. She stated that the applicant addressed most of her comments. The Planning Board also conducted a site visit on Saturday, October 26, 2013. There was discussion regarding the total amount of soil to be excavated from the 1465 Main Street site. The grand total shall be no more than 3,000 cubic yards, Mr. Cantoreggi clarified.

Customer safety was discussed. Mr. Valchuis discussed the traffic and operations on site. Ms. Thissell will work on language in the decision for drop off areas where customers are allowed. Ms. Thissell stated that the property owner agreed to all site compliance.

Mr. McKay asked if there was any type of soil testing required. Ms. Thissell stated that the Board has not in the past asked that the soil be tested. Mr. Valchuis discussed prior well testing on the site and stated he has never had contamination. In 2007, he said, he had a DEP inspection as a requirement of a “Determination of Need” and he has never been cited by “DEP or anyone.” The Board requests to be notified of the location of the removed/processed stockpiled material.

Mr. Thissell summarized her review letter of the 1372 Main Street site, dated October 25, 2013. Timelines for completion of work were discussed. The Board of Selectmen has required that the processing of the stockpiled material be completed within one year. Mr. Valchuis stated he hopes to get the work done as soon as possible. He is hoping to get the processor onsite as soon as possible and plans to be done “in June or by the summer.”

Mr. Fuzy stated that, in his opinion, the site improvements are beneficial.

On a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted at 8:12 p.m. to close the public hearing on the Special Permit Application for Site Plan Approval for 1465 Main Street.

On a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted at 8:13 p.m. to close the public hearings on the two Earth Removal Special Permit Applications for 1465 Main Street and 1372 Main Street.

DELIBERATIONS:

SPECIAL PERMIT APP/SITE PLAN APPROVAL & SPECIAL PERMIT APP/EARTH REMOVAL

1465 MAIN STREET-MILLIS USED AUTO PARTS

AND

SPECIAL PERMIT APP/EARTH REMOVAL

1372 MAIN STREET

ROBERT VALCHUIS

Although the work started without proper permits in place, the Board was of the opinion that the work is a great improvement to the site. No fines will be assessed. Mr. McKay and the Board in general were surprised that the engineering firm did not check with the Town regarding permitting prior to beginning the work. Mr. Valchuis addressed the Board and stated that he has “always been good to the Town” and an “honest taxpayer.” It was suggested that Mr. Valchuis contact the Library Committee to offer any help with landscaping and/or stormwater improvements. Mr. Valchuis said he “would be happy” to contact the Committee.

On a motion made by Ms. MacInnes, and seconded by Mr. McKay, it was unanimously voted to grant a special permit, with conditions, for site plan approval to Robert Valchuis of Millis Used Auto Parts Inc. DBA Pick-n-Pull for improvements at 1465 Main Street.

On a motion of Ms. MacInnes, and seconded by Mr. McKay, it was unanimously voted to grant a special permit, with conditions, for earth removal to Robert Valchuis of Millis Used Auto Parts Inc. DBA Pick-n-Pull. The special permit is for after the fact earth removal and for the earth removal necessary to construct a stormwater management system at 1465 Main Street.

On a motion made by Ms. MacInnes, and seconded by James McKay, it was unanimously voted to grant a special permit, with conditions, for earth removal to Robert Valchuis of N.E.A.S., LLC. The special permit is for the processing and removal of up to 3,000 cubic yards of earth material at 1372 Main Street.

PUBLIC HEARING, CONTINUATION

SPECIAL PERMIT APP/SITE PLAN APPROVAL-MODIFICATION

CENTENNIAL PLACE – 983 MAIN ST.

JOHN KAZIS, JOPA REALTY

The public hearing was opened at 8:44 p.m. with notice being read by Mr. Yered, Clerk.

The applicant requested a continuance of the public hearing via email dated October 29, 2013.

On a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted at 8:45 p.m. to continue the public hearing, without discussion, to Tuesday, November 19, 2013, 7:30 p.m.

PUBLIC HEARING

BULLARD LANE

SCENIC ROAD DESIGNATION, ARTICLE 24

The public hearing was opened at 8:30 p.m. with notice being read by Mr. Yered, Clerk.

Mr. Silvestri asked what the Scenic Road Designation meant. Mr. Cantoreggi explained that this designation protects the public right-of-way. It basically protects Town street trees and stone walls along the roadway, in the right-of-way only. This does not effect a homeowner's rights to remove/plant trees or alter stonewalls on their private property – "it provides an extra layer of protection" in the right-of-way as a Scenic Road, Mr. Cantoreggi said. Once a roadway is designated as Scenic, a public hearing with the Tree Warden and Planning Board must be held for permission to remove/alter street trees or stone walls in the Town right-of-way. Ms. Richardson asked for a definition of the "right-of-way." Mr. Cantoreggi said that it is not "clearly defined," but on Bullard Lane, it is typically a 35' to 40' wide area, usually demarcated by the stone walls.

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Mr. Fuzy stated that he was in favor of the Scenic Road Designation and would “like to see more of them in Town.”

There was no further discussion.

On a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted to close the public hearing on the proposed article at 8:40 p.m.

On a motion made by Mr. Yered, seconded by Mr. Nichols, it was unanimously voted to recommend approval of Article 24 as proposed/written in the public hearing notice. The Planning Board **recommends approval** of the Scenic Road Designation for Bullard Lane at the Town Meeting to be held on November 4, 2013.

OTHER BUSINESS:

MINUTES

On a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted to approve the minutes from October 22, 2013, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. Cantoreggi, seconded by Mr. Nichols and voted unanimously, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Camille Standley, Administrative Assistant