

MILLIS PLANNING BOARD MINUTES

Tuesday, February 26, 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

Members Absent:

Also present: Scott Fuzy, 15 Stony Brook Dr.
Scott Moles, Board of Health
Diane Jurmain, 21 Causeway St.
Tricia Perry, Millis Public Library
Wayne Klocko, 85 Walnut St.
Tyler DeRuitez, BETA Group
Kenneth Petraglia, BETA Group
John Wypyszinski, 30 Daniels St.
Tom Roche, 270 Exchange St.
Brian Joyce, Joyce Law Group
Carlos Andrade, Dunkin Donuts

PUBLIC HEARING

PROPOSED BYLAW AMENDMENT

TEMP. MORATORIUM ON MEDICAL MARIJUANA TREATMENT CTRS.

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

Mr. Cantoreggi summarized the proposed amendments, stating that the Medical Marijuana Act went into effect on January 1, 2013. Therefore, medical marijuana treatment centers could be registered and ready to open as early as this summer, he said. This temporary moratorium of one year allows the town time to create zoning provisions to put in place to regulate where and how such a center may be sited. Right now, one of these centers “could go anywhere,” he said.

Mr. Scott Fuzy expressed his concerns over these potential centers stating that Millis is “a family community/a bedroom community.” He is in favor of the moratorium “for public safety reasons,” as he does not think “we know enough about it.”

Mr. Scott Moles of the Board of Health stated that they will be waiting until they can review the State regulations. Any future Board of Health regulations on the issue will depend on what the Department of Public Health regulations state.

There being no further discussion, on a motion made by Ms. MacInnes, seconded by Mr. Yered, it was unanimously voted to close the public hearing on the proposed bylaw amendments at 7:40 p.m.

On a motion made by Ms. MacInnes, seconded by Mr. McKay, it was unanimously voted to recommend approval of the amendments as proposed/written in the public hearing notice. The Planning Board **recommends approval** of the bylaw amendments at the Town Meeting to be held on May 13, 2013.

INFORMAL DISCUSSION

PUBLIC LIBRARY – UPDATE/SIGNAGE

WAYNE KLOCKO

Mr. Klocko of the Permanent Building Committee presented an update on the status of the new library. He stated that although the official completion date was supposed to be February 19, 2013, the construction will be done some time by the end of April. The contractor had requested an extension, however, this request was not granted. After construction, furniture will be delivered and books moved. Mr. Klocko hopes that the official opening will be some time after mid-May.

Mr. Klocko discussed the budget and stated that they have worked very hard and are within budget – most, or all of the delay is due to the contractor, he said.

Mr. Klocko presented schematics for the signage proposed. The Board approved the proposed signage for the two signs.

Mr. Fuzy, along with the members of the Planning Board, commended Mr. Klocko for his dedicated work, and that of the whole Permanent Building Committee, for seeing the library project through from start to finish.

FORM A APPLICATION

APPROVAL NOT REQUIRED

LOTS 1A AND 2A CEDAR ST.

THOMAS ROCHE

Mr. Roche attended the meeting as requested. He clarified that there is adequate footage and frontage – it is just shown differently on the plan due to the “angle points.” Mr. Roche stated that he is changing the lots to two rectangular lots. The lots are on a public way, have vital access, and frontage.

On a motion made by Mr. McKay, seconded by Ms. MacInnes, it was voted unanimously to approve and endorse the ANR plan entitled, “Plan of Land In Millis, MA,” dated November 1, 2012, prepared by Colonial Engineering Inc., P.O. Box 95, Medway MA, 02053, stamped by Paul J. DeSimone, PLS, for property located at Lots 1A & 2A Cedar Street, Map 31, Parcels 4 & 65, finding the Form A in order and subdivision control not required. The land shown on the plan does not constitute a subdivision within the meaning of the Subdivision Control Law.

INFORMAL DISCUSSION

SETBACK ISSUE

THOMAS ROCHE

Mr. Roche stated that he plans to proceed with a project on Spring Street. He has concerns over the issue of setback requirements as it appears that under the current MCEOD Bylaw, the Planning Board cannot waive these requirements. Ms. MacInnes suggested that he may have to file with the Zoning Board of Appeals. Mr. Roche stated that it is his belief that the Planning Board should have jurisdiction. He said that he is trying to design something residential to be situated “towards the back and hold it away from the sidelines,” however, the way the bylaw is written now, it appears he would not be allowed to do that. The Board will take this issue into consideration.

DUNKIN DONUTS – DRIVE THRU

INFORMAL DISCUSSION RE: TRAFFIC/SIGNAGE

BRIAN JOYCE

Mr. Joyce updated the Board on the status of the signage and traffic issues at Dunkin Donuts. He stated that at the last discussion with the Board, they spoke of the installation of the second sandwich station. He stated that this station was “**just** successfully installed.” It took longer than anticipated to construct as it required some permitting and health and safety law requirements. Mr. Joyce stated that the signage requested has been installed and now, with the installation on the second sandwich station, traffic concerns should be alleviated.

Mr. Cantoreggi stated that although signs have been installed, they appear to be a “bit wordy” and not very effective. He said that “the message is not getting out there” and there are still backups on Rte. 109 westbound. Mr. Petraglia of BETA group stated that he would look at other traffic control signage options and present some suggestions to the Board. Mr. Cantoreggi stated that he understands there is only so much that the applicant can do, but “due diligence needs to be paid to the walking public.”

Mr. Andrade stated that he is working very hard to resolve the issue. He said that the former Friendly’s in Medfield is currently under agreement with him to become a Dunkin Donuts. He feels strongly that this will also help alleviate traffic at the Millis location.

Mr. Wypyszinski addressed the Board. He stated that he sent an email as he has serious safety concerns. He said that he walks his dog along Rte. 109 daily and when he passes the Dunkin Donuts, the sidewalk has been blocked by vehicles and he has almost been hit by customers leaving the drive-thru/parking lot. The “people coming out are the problem,” he said, and he is concerned that a child walking to school is going to get hurt. In his opinion, the signs are wordy and suggested that maybe a “stop sign” would work best. Mr. Wypyszinski stated that he has spoken to Chief Edison about the problem and the only time people are careful while exiting is when the police cruiser is parked in the police lot towards Dunkin Donuts. Mr. Cantoreggi stated that unfortunately the way people drive cannot be changed, however, he is hopeful that different signage may help.

Mr. Joyce stated that the traffic engineers will take another look at signage and they will contact the Board.

(Note: Mr. Cantoreggi discussed snow removal, stating that, as per the Decision, there must be a minimum of 11 parking spaces. One spot had not yet been cleared of snow, he said. The applicant will speak to the snow removal contractor.)

WAIVER OF SITE PLAN REVIEW REQUEST

32 MILLISTON RD.

ELLEN ROSENFELD

The Board reviewed the request by Ms. Ellen Rosenfeld to waive Site Plan Review for a self-serve frozen yogurt restaurant, to replace what had once been a toy store, at 32 Milliston Road. (Letter dated February 14, 2013.) Ms. Rosenfeld stated that any issues and/or concerns that may arise will be addressed during the building permit process. There are no modifications proposed to the interior or exterior – just a change of use, Ms. Rosenfeld said.

On a motion made by Ms. Riley, and seconded by Mr. Yered, 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 32 Milliston.

OTHER BUSINESS:

ASSISTED LIVING BYLAW

The Board received information from Town Counsel regarding an Assisted Living Bylaw. Ms. Riley will review what was submitted to present/discuss at a future meeting.

MINUTES

On a motion made by Mr. Yered, seconded by Mr. McKay, it was unanimously voted to approve the minutes from January 15, 2013, 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 8:40 p.m.

Respectfully submitted,

Camille Standley, Administrative Assistant