

**MILLIS PLANNING BOARD MINUTES**

**Tuesday, February 7, 2017**

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

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  
Richard Nichols  
Nicole Riley  
Carlo Molinari, Associate

Melissa Recos, BETA Group

Members Absent: Robert Cantoreggi

Also present: Scott Fuzy, 15 Stony Brook Dr.  
Bruce Wilson, Guerriere & Halnon, Inc.  
Art Payne, 94 Dover Rd.  
Wally Long, 68 Dover Rd.  
Anna L. Young, 68 Dover Rd.  
Holly Faubert  
Madeline Yusna, Dover Road  
Phyllis & Bill Dillon, 38 Crestview Dr.  
Suzanne Curran, 36 Crestview Dr.  
Eric Green, 7 Klifford Circle  
Sherri Green, 7 Klifford Circle  
Matthew Darling, 1313 Main St., NE Retail Properties  
Bruce A. Berry, 25 Cedar St.  
Rich Kleiman, 99 Otis St., Milton, MA  
Daniel Feeney, 144 Turnpike Rd., Southborough  
Greg Carey, Clean Energy Collective, Worcester, MA  
Phil & Linda Cebrowski, 13 Cedar St.  
Michael & Heather Ryan, 432 Village St.  
Jim Williamson, Barberry Homes  
David & Carol Carter, Barberry Homes  
Denis Lenehan, 57 Dover Rd.  
Doug Carter, Clean Energy Collective, Worcester, MA  
Amy Day, 23 Cedar St.  
Mike Brenberg, 333 Plain St.  
Joe Ryan, 11 Cedar St.  
Mr. Daniel O'Driscoll of O'Driscoll Land Surveying  
Michael Ryan, 432 Village St.  
Daniel Merrikin, Merrikin Engineering

**Millis Fire Station-885 Main Street**

**Informal Discussion re: Signage**

Chief Barrett met with the Board to request permission for a sign for the renovated Millis Fire Station. He stated that a 5ft x 5ft hand carved wood sign with granite posts, installed

in the grass area of the fire station, is proposed. He said that the sign would be hand-carved by a local craftsman and the sign would match the other signs in the area.

On a motion made by Mr. James McKay, seconded by Mr. Richard Nichols, it was unanimously voted (5-0), to approve the proposed signage for the Millis Fire Station.

**DEFINITIVE SUBDIVISION PLAN APPROVAL APPLICATION**

**62 DOVER ROAD, PUBLIC HEARING**

**R.L. SULLIVAN**

The public hearing was opened at 7:35 p.m. with notice being read by Mr. McKay, Acting Clerk.

Mr. Bruce Wilson of Guerriere & Halnon, Inc., representing the applicant, presented the application and plans. Mr. Sullivan was out of town and unable to attend, Mr. Wilson said. The plans entitled, "Dover Estates, A Private Definitive Subdivision in Millis, Massachusetts," dated December 22, 2016, were discussed. Mr. Wilson stated that the existing site is a single family lot at 62 Dover Road which has a large barn/garage and single family home. The applicant proposes razing all existing structures on the property and subdividing the parcel into four new buildable lots; three with street frontage on Dover Road and one proposed on a short private roadway/cul-de-sac. According to Mr. Wilson, since the application and plan was filed, they have come up with an "alternative" plan. This plan moves the cul-de-sac over further from the property line and alleviates the need for the retaining wall. The grading proposed is not "quite as steep" on the alternative plan and is a "better buffer to the neighbors," he said.

Mr. Wilson stated that the proposed homes will have town water and septic. The stone walls will need curb cuts, but will not be removed completely. The twelve foot driveway proposed will be discussed with the Fire Chief for emergency access adequacy.

Mr. Nichols inquired as to whether anyone had been approached about purchasing the existing house prior to demolition. Mr. McKay stated that he had spoken to Mr. Sullivan and there is someone who may be interested in the house. This issue can be discussed at a future meeting with Mr. Sullivan.

Mr. Wilson stated that the waivers requested which are listed on the original plan filed will also be requested for the alternative plan. There are seven waivers requested:

1. Reduced pavement width from 26' to 12' beyond the 40' length of road
2. Eliminate curbing beyond the 40' length of road
3. Eliminate sidewalks
4. Turn around radius from 60' to hammerhead turn around area
5. Underground wiring – above-ground wiring proposed
6. Eliminate street lighting
7. Stormwater Management - allow a swale and rain garden

Ms. Recos, the Planning Board's peer consultant, discussed her review letter, dated January 31, 2017. She stated that her comments are based on the originally submitted

plan as she is just now seeing the “alternative” plan. Ms. Recos stated that the major concerns of the original design were the impacts on the abutting lot. She discussed the waivers requested. Recommendations made by Ms. Recos included funds being made available by the applicant to a Stormwater Fund if the requirements are waived. She stated that some stormwater/drainage calculations should be provided for the swale and rain garden. Ms. Recos requested that the radius and dimensions for the hammerhead turnaround be provided and comments from the fire/police departments be submitted. She said that the “shade tree requirement” may also require a waiver.

Mr. Wilson stated that proper detail will be added to the alternative plan prior to the next hearing. He said that the roadway would be private with a Homeowner’s Association.

The Board was in favor of the “alternative” plan discussed.

Abutters in attendance raised concerns, in part, over drainage and runoff, and damage to existing stone walls. Others expressed sadness due to the demolition and the historical significance of the home/property; along with tree cutting and maintaining the integrity of the property. Ms. Young expressed concern over grading, runoff, and damage to roots of trees on her property. Mr. Lenehan stated that drainage was his major concern and questioned if the swale would be sufficient. He said there are drainage issues currently. He also requested more detail on the stone wall disturbance.

Ms. Yusna questioned the criteria from the Historical Commission on classifying a property as Historic. She provided a history on the property as she had researched it and it is “a very significant property” and “one of the oldest homes in Town.” “If something can be done to save it, that would be great,” Ms. Yusna stated.

To allow time for the plans to be revised and more information provided, the hearing will be continued.

On a motion made by Ms. Riley, seconded by Mr. Nichols, it was voted unanimously at 8:24 p.m. to continue the hearing to Wednesday, March 1, 2017, 7:35 p.m.

**SPECIAL PERMIT/SITE PLAN APPROVAL**  
**LARGE-SCALE GROUND-MOUNTED SOLAR FACILITY, PUBLIC HEARING**  
**1280 MAIN STREET**  
**CLEAN ENERGY COLLECTIVE**

The public hearing was opened at 8:25 p.m. with notice being read by Mr. McKay, Acting Clerk.

Mr. Carey, Director of Real Estate and Permitting for Clean Energy Collective, discussed their “Community Solar/Roofless Solar” program.

Mr. Daniel Feeney of Beals and Thomas, representing the applicant, presented the application and plans. The applicant proposes the installation of solar array panels, stormwater management facilities and associated work on a portion (4 acres) of an

existing forested area of a 23.8 acre parcel. The applicant proposes to clear a wooded area and install ground mounted solar arrays, inverters surrounded by a fence, transformers, gravel turnaround from the existing gravel access road off of Main Street and stormwater management facilities. The site is located within the Industrial (I-P-2) Zoning District and the Residential (R-S) Zoning District. Mr. Feeney stated that the “zone line runs through the site.” A majority of the site is Industrial, where solar is allowed, he said, but there is a portion of the property designated as Residential, where solar is not allowed. He stated that the Building Inspector’s “opinion is changing” and they are “working to make it an allowed use for the whole property.”

Mr. Carter spoke about the tree-clearing on the site. He stated that “tree-clearing is proposed to five feet” within the property line. A stockade fence on the southern site is proposed, he said, and additional tree plantings will be along the fence. Mr. Feeney stated that trees within the fence line will be cleared and grubbed. Outside of the fence line in areas without stormwater basins, “trees will be cut to a certain height.” Mr. Nichols requested more information as to what that height would be.

Security and screening was discussed. Mr. Nichols stated that fencing with some trees for screening, especially in the residential areas, is important (to soften the look of stockade fence). Mr. Feeney stated they would come up with a screening plan. Mr. Nichols also suggested that the Planning Board hold money for “demolition/removal costs if the system was abandoned.”

Ms. Recos summarized her response letter, dated February 1, 2017, and the responses provided by Beal & Thomas in their letter dated February 7, 2017. She stated that their review is based on the Industrial Zone classification. Ms. Recos recommended that a condition be added, if approved, that a representative from the Town be present when the infiltration basins are done.

Mr. McKay asked if there was enough room in the Industrial Zone to keep the array contained in that area. Mr. Carey stated that they have not determined that yet.

Mr. Yered referred to Ms. Thissell’s memo (Director of the Board of Health), dated January 19, 2017 regarding the amount of earth removal. Mr. Feeney stated they will confirm with her.

Abutters raised concerns over safety and landscaping. Mr. Phil Cebrowski questioned the height of the panels and landscaping. Mr. Carter stated that 7’ to 10’ is typically the maximum height. Mr. Carter said they can “look at landscaping options.” Mr. Carey stated that they believe the stockade fence will act as a buffer, but they would “be happy to look at a landscaping plan.” Ms. Day asked about the depths of the infiltration basins and safety for children and pets. Mr. Feeney stated that the basins are approximately 3-foot deep. Mr. McKay stated that the Board will require that the basins be fenced. Mr. Feeney stated that there are no combustible or flammable materials and “no real dangers in a solar field.” Transformers are locked at all times, he said. Mr. Brenberg stated he had concerns for residents abutting the property and asked how the proximity to the

residents was being mitigated. He also questioned how the solar facility could be approved if it is not allowed in the Residential zone. Mr. Feeney explained that the Building Inspector's opinion and Town Counsel's opinion seem to differ and they are working on resolving that issue.

Mr. Joe Ryan stated that removal of trees as proposed will "increase noise and change the dynamic of the residential neighborhood." He said that he does "not want to look out the back porch and see solar panels." Mr. Ryan stated that he is opposed to the project as it will depreciate surrounding property values and the project "only benefits one person." Ms. Cebrowski requested consideration and respect for the residents should the project be approved.

Mr. Bruce Berry, owner of the property, stated that he owns 35 acres at this site and 4 acres are Residential. He said that he wants "to put people at ease" who live there because he has stored construction equipment on site and has had no issues with vandalism or safety concerns.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously at 9:21 p.m. to continue the public hearing to Wednesday, March 1, 2017, 8:00 p.m.

**TRACTOR SUPPLY CO.  
1313 MAIN STREET – FINAL AS-BUILT PLAN  
CERTIFICATE OF OCCUPANCY**

Mr. Matthew Darling presented the as-built plans entitled, "Millis Development Partners, LLC, 1313-1319 Main Street," dated 1/9/17, with a revision date of February 7, 2017, prepared by Control Point Associates, Inc. (2 sheets), for Tractor Supply Co./1313-1319 Main Street. He stated that they are hoping to open the store on February 24, 2017.

Ms. Recos summarized her Site Observation Report dated January 19, 2017. Mr. Darling stated that corrections have been made on the plan based on BETA's review. Mr. Darling presented and discussed a letter from Bohler Engineering, dated February 7, 2017. He stated that the reason the parking spaces went from the 76 approved to 75 spaces was because a neighbor had requested that a large pine tree be kept on the property. According to Mr. Darling, one space was eliminated in the southeast corner of the site and the width of the driveway was reduced from 28 feet to 24 feet in order to preserve existing mature pine trees located along the entrance site boundary that were slated for removal. It was noted that some of the newly planted trees are slightly smaller in caliper than specified on the approved plans. Mr. Darling requested that they wait until spring "to see how the trees do." He will work with Mr. Cantoreggi as Tree Warden on this issue. Landscaping will also be inspected in the spring.

Mr. Fuzy suggested signage at the crosswalk for added safety. Mr. Darling stated that they would be agreeable to a sign to the right of the driveway stating "Pedestrian Crossing."

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to approve the as-built plan, upon final review by BETA Engineering, and recommend issuance of an occupancy permit.

**FORM A APPLICATION - ANR PLAN**

**76 FARM STREET**

**MICHAEL RYAN**

Mr. Daniel O’Driscoll of O’Driscoll Land Surveying, representing the applicant, presented the application and plan. The ANR subdivides the existing Lot, which contains approximately 4.40 acres of land, into two Lots. The proposed lots contain adequate area and frontage on an existing public way and conform to the required criteria, Mr. O’Driscoll stated.

On a motion made by Ms. Riley, seconded by Mr. Nichols, it was voted unanimously (5-0) to approve and endorse the ANR plan entitled, “Plan of Land in Millis, Massachusetts,” dated January 10, 2017, prepared by O’Driscoll Land Surveying, Co., 46 Cottage St., Medway, MA 02053, stamped by Daniel A. O’Driscoll, PLS, for property located at 76 Farm Street, Map 31, Parcel 20, finding the Form A in order and subdivision control not required.

The Board found that the land shown on the plan does not constitute a subdivision within the meaning of the Subdivision Control Law, and therefore approved and endorsed the plan accordingly.

**FORM A APPLICATION - ANR PLAN**

**SOUTHEND FARM**

**SOUTHEND FARM LLC**

Mr. Merrikin, representing the applicant, presented the application and plans. He stated that the ANR subdivides the existing large Lot 10B into the following:

- Five new buildable house lots (Lots 30, 32, 47, 49, and 10D); and
- One large lot of remaining land (Lot 8B), which is considered a buildable lot.

The ANR also subdivides the existing Lot 9C into the following:

- Three new buildable house lots (Lots 46, 48, and 9D); and
- One large lot of remaining land (Lot 1B), which is considered a buildable lot.

Each of the lots shown on the plan has the requisite lot area and frontage on a way within an approved subdivision (Frontier Lane and Beech Street), Mr. Merrikin said.

On a motion made by Ms. Riley, seconded by Mr. Nichols, it was voted unanimously (5-0) to approve and endorse an ANR plan entitled, “Southend Farm A.N.R. Subdivision Plan of Land In Millis, MA” (2 sheets) dated January 24, 2017, stamped and prepared by Paul J. DeSimone, PLS, Colonial Engineering, P.O. Box 95, Medway, MA 02053, finding the Form A in order and subdivision control not required. The portions of land

are contained within the Definitive Subdivision known as Southend Farm, located at Lot 10 B and 9C Beech Street and & Frontier Lane.

The Board found that the land shown on the plan does not constitute a subdivision within the meaning of the Subdivision Control Law, and therefore approved and endorsed the plan accordingly.

**NEW BUSINESS:**

**“DOVER ROAD RESIDENCES”**

**SITE PLAN ENDORSEMENT**

**BARBERRY HOMES, LLC**

The Board reviewed the plans entitled, “Site Development Plan, ‘The Dover Road Residences,’ Assisted Living Community, Millis, Massachusetts,” dated March 7, 2016 with a final revision date of January 31, 2017, prepared by GLM Engineering Consultants, Inc. As Mr. Carter explained, since the Planning Board approved the minor plan modifications on January 10, 2017, the plan was further modified by the applicant to address Board of Health requirements and the revisions resulted in a plan revision date through January 31, 2017.

The Board questioned why the cupola/spire was still shown on the plan. Mr. Carter explained that they understand that, as stated in the special conditions of the Special Permit/Site Plan Approval Decision, the spire shown on the plan cannot be constructed, so they thought it best to leave it on the plan for consistency with the Decision.

Mr. Carter stated that they will be getting the drainage work started first and they hope to get documents ready to start construction the end of the summer. He stated they will give the abutters/residents “plenty of notice” as to when the work will begin.

On a motion made by Mr. McKay, seconded by Mr. Nichols, it was voted (3-0-1), with Mr. McKay, Ms. Riley and Mr. Nichols in favor, with Mr. Yered abstained, to approve and endorse the plans entitled, “Site Development Plan, ‘The Dover Road Residences,’ Assisted Living Community, Millis, Massachusetts,” dated March 7, 2016 with a final revision date of January 31, 2017. The Board voted to endorse the latter plan because it is consistent with the decision and modification plan approved by the Planning Board and merely shows, as is required under the Planning Board’s decision, that all other (consistent) requirements of other Town boards and agencies shall be shown on the plan.

**OTHER BUSINESS:**

**MINUTES**

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was unanimously voted to approve the regular session meeting minutes from January 10, 2017, as written.

**ADJOURN**

There being no further discussion and on a motion made by Mr. McKay, seconded by Mr. Nichols and voted unanimously, the meeting was adjourned at 10:18 p.m.

Scheduled Planning Board Meetings: March 1, 2017 (Wednesday – Room 130)

*Respectfully submitted,*

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*Camille Standley*  
*Administrative Assistant*