

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

Members present: Mr. Robert Cantoreggi, Chair (arrived 8:02 p.m.)
George Yered, Clerk
James McKay
Richard Nichols
Nicole Riley

Members Absent: Carlo Molinari, Associate

Also present: Scott Fuzy, 15 Stony Brook Dr.
Robert Sullivan, 62 Dover Road
Danell Baptiste, Guerriere & Halnon, Inc.
Charles Hodgman, 21 Cedar St.
Beau Grassia, 39 Main St.
Bruce A. Berry, 25 Cedar St.
Rich Kleiman, 99 Otis St., Milton, MA
Greg Carey, CEC, 146 W. Boylston Dr., Worcester, MA
Mar-cia Testa, 29 N. Main St., Sherborn, MA
Joe Ryan, 11 Cedar St.
Tim Cushman, 35 Main St.
Madeline Yusna, 93 Dover Road

**REQUEST FOR WAIVER OF SITE PLAN REVIEW
39 MAIN STREET – KING STREET CAFÉ ON THE CHARLES
BEAU GRASSIA**

Mr. Beau Grassia, owner of the King Street Cafe on the Charles, was seeking a waiver if site plan review/approval.

Mr. Grassia summarized his letter, dated March 28, 2017, wherein he proposed enclosing the existing rear deck, and relocating the existing bathroom to increase the common area square footage by 448 feet. Mr. Grassia stated that prior to construction he will be connecting to town sewer and abandoning the current septic system. He did file a Notice of Intent and received an Order of Conditions by the Conservation Commission, Mr. Grassia said. Parking requirements are satisfied and the building permit process will address any issues and concerns that may arise.

On a motion made by Ms. Riley, 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 39 Main Street, King Street Café on the Charles.

PETITION FOR RE-ZONING 1280 MAIN STREET
AMENDMENT TO ZONING MAP – BRUCE A. BERRY
PUBLIC HEARING

The public hearing was opened at 7:36 p.m. with notice being read Mr. McKay, Acting Clerk.

The article below was submitted by petition and filed by Mr. Berry:

To see if the Town will vote to amend the Town of Millis Zoning Bylaw, Section III C, Establishment of Zoning District, in order to amend the Town of Millis Zoning Map to change the zoning district of 1280 Main Street, as shown on Assessor's Map 22, Lot 27, presently located in a split zoning district resulting in the property being zoned in part as "Industrial I-P-2" and in part as "Residential R-S", so that the entire property, consisting of approximately 23.8 acres of land, is located within the I-P-2 zoning district, to allow industrial purposes, including the use of the property for a large scale ground mounted solar photovoltaic installation.

Mr. Greg Carey of Clean Energy Collective, representing Mr. Bruce A. Berry of J&B Realty Trust, the petitioner, provided a summary of the re-zoning petition. He stated that the majority of the acreage is zoned Industrial (I-P-2). There are 7 acres zoned Residential, he said. According to Mr. Carey, the land has always been assessed as Industrial. He stated that the land has been used exclusively for commercial and business purposes for over thirty years. Mr. Carey explained that the reason for the petition is due to a solar installation site plan application which was recently filed with the Planning Board. He stated the project, which is located on approximately 3.9 acres of the property, was initially discussed informally with the Building Inspector. At that time, they were told that the zoning on the larger portion of the property is the zoning district for the entire property, Mr. Carey said. After filing the application, they were told that "split zoning had changed" and the project requires re-zoning. Mr. Carey stated that Mr. Berry does not think Residential is a "proper use" of the property.

Mr. Carey discussed the potential financial benefits to the Town with respect to the solar installation proposed on a portion of the property. In addition to the increased real estate taxes to be generated from the property, CEC (Clean Energy Collective) would also be paying the Town Personal Property taxes for the solar array annually. He said that although not determined conclusively yet by the Assessor's Office, these taxes can be between \$10,000 and \$20,000 per year. Additionally, CEC is proposing to develop the array as a "community solar" project, therefore enabling Millis residents, businesses, and the Town of Millis to participate in the "Roofless Solar Program" and earn a 15% discount of monthly electric bills. Mr. Carey stated that this is all possible with "absolutely no capital investment or maintenance fees."

Mr. Carey stated that with respect to the potential solar use, abutter concerns, which were raised during the Planning Board public hearing February 7, 2017, were considered. He said that in addition to the 7-foot high wooden fence on the south side of the array, CEC has also agreed to provide additional landscaping buffers which will screen the fence and

array. According to Mr. Carey, Mr. Berry and CEC want to “be good neighbors and will work” with the direct abutters on Cedar Street.

There was some discussion/question from those in attendance regarding the specifics on the solar array. Mr. Ryan, an abutter to the property, asked that the information regarding distances and height “is accurate.” He expressed concern over the potential depreciation in value of his property/home, along with other abutters on the south side, should the re-zoning be approved for the solar facility. Mr. Cantoreggi stated that discussion of the site details will take place during the Site Plan Review Application public hearings before the Planning Board. He stated that the purpose of this hearing was to focus on the re-zoning petition.

Mr. Berry stated that he was granted a special permit in 1997 to store construction equipment on the property and could have parked the vehicles in the location proposed for the solar array. He said that he “chose the solar panels for that section” rather than having his neighbors “looking at construction equipment.”

Mr. Hodgman spoke in favor of the petition stating that he is “closest” to the property and the solar use “is the most benign use for this property –it is green. I cannot see a problem with it.” Mr. Fuzy stated that he was in favor of the re-zoning as it could “potentially be a benefit to the Town” regarding the revenue.

There being no further discussion, on a motion made by Mr. McKay, seconded by Mr. Yered, it was unanimously voted to close the public hearing on the petition for proposed re-zoning of 1280 Main Street at 8:07 p.m.

On a motion made by Ms. Riley, seconded by Mr. McKay, it was unanimously voted (5-0) **to recommend approval of the petition article as written** at the annual Spring 2017 Town Meeting.

DEFINITIVE SUBDIVISION PLAN APPROVAL APPLICATION
62 DOVER ROAD, PUBLIC HEARING, CONT.

R.L. SULLIVAN

The public hearing continuation was opened at 8:09 p.m. with notice being read by Mr. Yered, Clerk.

Mr. Danell Baptiste of Guerriere & Halnon, Inc., representing the applicant, presented the re-designed plans for the four-lot subdivision entitled, “Dover Estates, A Private Definitive Subdivision in Millis, Massachusetts,” with a revision date of March 15, 2017. He summarized the revisions, stating that the definitive right-of-way has been “moved over 150 feet,” and drainage/Stormwater BMP has been added. The applicant has proposed a stormwater management system, including a drainage swale and infiltration basin, as well as onsite roof infiltration systems for each home. There will be 4-5 foot retaining wall along the back of the property. The utility plan was presented where a hydrant was added. Mr. Sullivan stated that he is also making a concerted effort to find an interested party to reclaim historic building materials from the home and barn, which are slated for demolition.

Mr. Cantoreggi stated that BETA Engineering, the Board's consulting engineers, did not receive the revised plans until Friday. He informed Mr. Baptiste that submittals must be filed at least two weeks prior to the scheduled public hearing.

Mr. Cantoreggi stated that the Board will need to know who is going to be responsible for maintaining the infiltration basin, etc. Mr. Sullivan said that he has talked to his attorney and "Lot 4 is going to take care of it." The Planning Board will require that the Homeowner's Association documentation be reviewed by Town Counsel at the applicant's expense, Mr. Cantoreggi stated.

Mr. Sullivan stated that he does not intend to clear cut the lots. Mr. Cantoreggi stated that a tree donation will be made by the applicant so trees may be planted elsewhere in Town. A donation to the fire call system will be required and can be discussed with the Fire Chief.

The waivers were discussed. Mr. Cantoreggi recommended that the applicant designate the roadway as a "Type 1."

There were no further questions and on a motion made by Mr. Cantoreggi, seconded by Mr. Yered, it was voted unanimously to close the public hearing.

DELIBERATION/VOTE

DEFINITIVE SUBDIVISION PLAN APPROVAL APPLICATION

62 DOVER ROAD - R.L. SULLIVAN

The Board discussed the application and reviewed the plans. The waivers requested were granted. Conditions were discussed. The applicant will be required to submit funds in lieu of sidewalks and trees. Funds for a contribution towards the town-wide wireless fire and police alarm system shall also be submitted (amount to be determined by the Fire Chief). Special conditions, in addition to the standard conditions, will be required.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was voted unanimously (5-0) to approve, with conditions, the Dover Estates Definitive Subdivision.

SPECIAL PERMIT/SITE PLAN APPROVAL

LARGE-SCALE GROUND-MOUNTED SOLAR FACILITY

PUBLIC HEARING, CONT.- 1280 MAIN STREET

CLEAN ENERGY COLLECTIVE

The public hearing continuation was opened at 8:32 p.m. with notice being read by Mr. Yered, Clerk.

In an email dated March 22, 2017, Mr. Greg Carey, Director of Real Estate and Permitting for Clean Energy Collective, requested a continuation of the public hearing.

On a motion made by Mr. Yered, seconded by Ms. Riley, it was voted unanimously at 8:33 p.m. to continue the public hearing to Tuesday, May 23, 2017, 7:35 p.m.

APPROVAL OF DEFINITIVE PLAN APPLICATION, PUBLIC HEAR., CONT.
GLEN ELLEN SENIOR RESIDENTIAL COMMUNITY DEVELOPMENT
TOLL BROTHERS

The public hearing continuation was opened at 8:35 p.m. with notice being read by Mr. Yered, Clerk.

In an email dated March 28, 2017, Mr. Scott Miccile of Toll Brothers, Inc., requested a continuation of the public hearing.

On a motion made by Mr. Cantoreggi, seconded by Mr. Yered, it was voted unanimously at 8:36 p.m. to continue the public hearing to Wednesday, April 26, 2017, 7:35 p.m.

REQUEST FOR WAIVER OF SITE PLAN REVIEW
35 MAIN STREET – CHARLES CAFÉ
TIM CUSHMAN

The Board met with Mr. Tim Cushman, owner of the property. The Planning Board reviewed the letter submitted by Phil Kaplan of Kaplan Thompson Architects, dated March 28, 2017 and the proposed site plan. Mr. Cushman stated that the building will be renovated within the existing footprint; however they would like to add two structures - an outdoor greenhouse and smokehouse - within the proposed setbacks. Mr. Cushman hopes to open the restaurant within a year. He stated that the building permit process, ZBA and Conservation Commission approvals process would address any issues and concerns that may arise.

Mr. Cantoreggi explained that the Planning Board has no issues with the interior work proposed to the existing building, however, the addition of the greenhouse and smokehouse structures proposed would trigger a Site Plan Review application.

On a motion made by Ms. Riley, and seconded by Mr. McKay, it was voted unanimously (5-0), 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 interior work of the existing structure only** at 35 Main Street, Charles Café. Any construction of other additional structures will require the filing of a Special Permit for Site Plan Approval.

1178 MAIN STREET - INFORMAL DISCUSSION
MAR-CIA TESTA, G.K. DEVELOPMENT, INC.

(Note: Ms. Riley recused herself from this discussion.)

Ms. Testa stated that they are looking at the property at 1178 Main Street and proposing to build a facility to house their construction office. She stated that although the use of the building is allowed, the last change in zoning prohibits outside storage of construction equipment. According to Ms. Testa, they would build “an aesthetically-pleasing building.” The “issue,” she said, is the “storing of construction equipment in the back of the building.” If outside storage is allowed, they would like to proceed. There will be no construction debris, Ms. Testa said. The construction equipment will be stored inside “if

possible.” Ms. Testa stated that before they moved to the next step towards Site Plan Approval, she wanted feedback from the Board on the outside storage issue.

Mr. Cantoreggi stated that the Board has worked diligently to create a “nice, downtown area,” and that an “aesthetically-pleasing” building would fit in. There is some leeway for outside storage for the Board, he said, with screening and fencing as options to mitigate.

Ms. Testa will have conceptual plans drawn up and come back for another Informal Discussion.

OTHER BUSINESS:

MINUTES

On a motion made by Mr. Yered, seconded by Mr. McKay, it was unanimously voted to approve the regular session meeting minutes from March 1, 2017, as written.

On a motion made by Mr. Yered, seconded by Mr. McKay, it was unanimously voted to approve the regular session meeting minutes from March 8, 2017, as written.

ADJOURN

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

Scheduled Planning Board Meetings: April 26, 2017 (Wednesday – Room 130)
May 23, 2017 (Tuesday – Room 229)

Respectfully submitted,

Camille Standley
Administrative Assistant