

**MILLIS PLANNING BOARD MINUTES**

**Tuesday, May 17, 2016**

**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: Robert Cantoreggi, Chair  
George Yered, Clerk  
James McKay  
Nicole Riley  
Richard Nichols, Associate  
  
Greg Lucas, BETA Engineering

Members Absent:

Also present: Scott Fuzy, 15 Stony Brook Dr.  
Judy Fiatarone, 112 Dover Rd.  
Janice & Bob McCoy, 106 Dover Rd.  
Arthur Payne, Jr., 94 Dover Rd.  
David & Beverly McCarter, 29 Bridge St.  
Sarah Occhino, 44 Dover Rd.  
Madeline Yusna, 93 Dover Rd.  
Michael Smith, 101 Dover Rd.  
Stephen Koss, 102 Dover Rd.  
Ann Marie & Stanley Roskey, 52 Dover Rd.  
Mary & Michael Corthell, 41 Crestview Dr.  
John McCafferty, 7 Ironwood Ln.  
Charles Steele, 4 Ironwood Ln.  
Martha Kessler, 275 Island Rd.  
Jen & Joe Parkhurst, 99 Dover Rd.  
Nancy & Thomas C. Snow, 20 Bridge St.  
Carol Coakley, 50 Bridge St.  
Hildebrand Izquierdo, 9 Ironwood Ln.  
Karin & Joseph Mailhot, 124 Dover Rd.  
Dorothy Hobson, 33 Dover Rd.  
Robert Truax, GLM Eng. Consultants, Holliston  
Adam J. Costa, Blatman, Bobrowski, Mead & Talerman, LLC  
Jim Williamson, Barberry Homes  
Peter Harkey, 256 Orchard St.  
Jen Payne, 94 Dover Rd.  
Tom McDonough, 118 Norfolk Rd.  
Tibel Rubin, 10 Crestview  
John Ottenstein, 10 Crestview  
Jason Sobel, Green International Affiliates  
Shirley Sheridan, BHI  
Megan Tufts, 60 Bridge St.  
Phyllis McGuinness, 27 Dover Road  
Betty Steinman, 17 Ironwood Lane

Steve Barber, 13 Ironwood Lane  
Jessica Kepple, 6 Ironwood Lane  
George Sgourakes, 41 Bullard Lane  
Esther & Stephen Bello, 12 Ironwood Lane  
Daniel Merrikin, Merrikin Engineering, 730 Main St.  
Colleen DeBenedetto, Clean Energy Collective  
Robert J. Valchuis, 1370 Main St.  
Stephen Hart, 1370 Main St.

**SPECIAL PERMIT APP. FOR SITE PLAN APPROVAL, PUBLIC HEARING,  
CONT. - LARGE-SCALE GROUND-MOUNTED SOLAR INSTALLATION  
OFF MAIN STREET - CLEAN ENERGY COLLECTIVE**

The public hearing continuation was opened at 7:31 p.m. with notice being read by Mr. McKay, Acting Clerk.

Mr. Yered read a letter from Ms. Colleen DeBenedetto, dated March 25, 2016, requesting a withdrawal, without prejudice, of the application.

Ms. DeBenedetto thanked the Board for their time, however, they “have nothing solid at this point in time” to proceed.

On a motion made by Mr. Yered, seconded by Mr. Nichols, it was voted unanimously at 7:34 p.m. to close the public hearing.

On a motion made by Ms. Riley, seconded by Mr. Nichols, it was voted unanimously (5-0) to approve the withdrawal request, without prejudice, of the Special Permit Application for Site Plan Approval for Clean Energy Collective for the proposed solar installation off Main Street.

**SPECIAL PER. APP. WITH SITE PLAN APPROVAL, PUBLIC HEARING,  
CONTINUED**

**“DOVER ROAD RESIDENCES” – ASSISSTED LIVING FACILITY  
BRIDGE STREET & DOVER ROAD  
BARBERRY HOMES, LCC**

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

Mr. Yered announced to those in attendance that the Board has received and read the numerous letters from abutters and residents regarding their concerns about the project. The letters are all part of the public record, he stated.

Atty. Adam Costa, representing the applicant, Barberrry Homes, LLC, provided a summary of the last public hearing. He submitted a letter, dated May 17, 2016, regarding “Supplemental Information” about the Dover Road Residences. He stated that the objective of the letter was to respond to some of the comments by the Board and the

residents. It is an “explanation as to why we believe we meet the standards” for an assisted living residence.

Mr. Robert Truax stated that there were a few minor modifications to the plan incorporating BETA’s comments and revisions to landscaping. Mr. Truax provided a letter, dated May 10, 2016, in response to BETA’s comment letter. A revised Stormwater Management Plan and Stormwater Pollution Prevention Plan were also submitted, he said. The revised submittals were not provided in time to allow BETA Engineering to review prior to the hearing. Discussion regarding the revisions will take place at the next hearing.

Mr. Truax presented a revised layout/landscaping plan where an earthen berm is shown out front from the parking lot to the street to provide screening. There will be plantings throughout the berm. He stated that this design would provide screening along the streetscape. This berm/landscaping is proposed on both the Bridge Street side and Dover Road side. Mr. Truax stated that they would like the Board to “consider” 9’ x 18’ parking spaces. The gas generator would be in a concealed compartment/housing and the dumpsters would be fenced and emptied two times a week, he said.

Atty. Costa stated that the application filed by the applicant complies with both “housing for the elderly” and the Assisted Living Residences Bylaw passed at the May 9, 2016 Town Meeting. He stated there are two specific sets of criteria/requirements and the applicant complies with the more rigorous ALR Bylaw standards. The applicant has designed the project to meet the new bylaw standards.

Mr. Greg Lucas from BETA Group, the Planning Board’s consulting engineer, stated that the revisions were delivered to him earlier in the day, thereby not allowing time for review prior to the hearing. He stated they had only received responses from the traffic consultants. Mr. Lucas discussed the traffic study review. He stated that the overall increase in traffic is not significant, however, the “challenge is the traffic already there is significant.” According to Mr. Lucas, the problem at the intersections will continue. Exiting Dover Road is classified as a “Level Service F” by Mass DOT and that will not change with the proposed development. “There is a significant delay today and there will be a significant delay in the future,” he said. Mr. Lucas stated that the major concern was more of safety with the driveway to the site. Traffic entering and exiting the site safely was BETA’s concern. He suggested that the applicant may want to re-locate the first driveway. From a traffic perspective, he said, the project “does not generate a lot more traffic; there already is a lot of traffic.”

Ms. Judy Fiatarone expressed concerns over the current traffic. She questioned how increased ambulance runs, extra cars for visitors, residents and employees to the facility would impact the traffic. She stated it “certainly will add more cars.” Mr. Jason Sobel of Green International Affiliates summarized how the traffic study and trip generation was done/calculated. He stated that the traffic data was collected in January of 2016. According to Mr. Sobel, there is no truck “load limit” on Dover Road. Ms. Nancy Snow

stated that there is a “slight curve” in Dover Road which causes “a blind spot” making a left turn. In part, she questioned the logic of the location of the driveway.

Others in attendance raised concerns over the traffic and overall safety issues due to the roadway conditions. Others spoke of considering another location (along Route 109) for the project; not in the middle of a residential neighborhood. Concerns were raised over the amount of people (workers, guests, medical staff, etc.) that would be coming and going from the facility; along with deliveries to be made. Others questioned what the traffic and noise would be like over the summer months during construction.

Mr. David Carter of Barberry Homes discussed the construction traffic. He stated there is a process of “sequencing events.” He said that parking lots would be established for storage, staging, and parking. They do not expect a large volume of trucks. Mr. McKay stated that the Planning Board’s Decision, if the application is approved, contains construction guidelines.

Mr. George Sgourakes presented a sketch and raised concerns over the interpretation of the bylaws regarding the “Front Yard” and “Side Yard” definitions. Mr. Cantoreggi stated that although he appreciates Mr. Sgourakes’ time, his concerns are out of the scope of the project being presented. Mr. Cantoreggi stated that if there were any issues regarding the definitions, he would consult Town Counsel for interpretation.

Ms. Martha Kessler raised concerns about visitor parking for the facility and how the increase in visitors for holidays, etc. would be handled. Mr. Carter explained that the new ALR bylaw has requirements for parking. He stated that their proposal complies with both “housing for the elderly” and the ALR bylaw as far as adequacy for parking.

Ms. Kessler read the “Elderly Housing” definition from the State Statute and stated that the project proposed “sounds like it is Assisted Living and not Elderly Housing.” She questioned what would happen if the units did not sell and what would the cost of the units be? She and others questioned how the project would benefit Millis residents and if Millis residents could afford the units. Mr. Carter responded that the application is not “Elderly Housing,” rather “Housing for the Elderly,” which is an allowed use by Special Permit under the local Millis bylaw, not the State. “We qualify as an assisted living facility and will operate as such,” he said. There is a growing need for this type of facility, Mr. Carter stated, and if it is not full, “it will hurt” him “a lot.”

Atty. Costa stated that his letter submitted tonight, dated May 17, 2016, addresses many concerns raised. He stated that the Applicant believes that the proposed facility satisfies not only the criteria for a Special Permit for Housing for the Elderly, it also satisfies the criteria for project approval under the new “Assisted Living Residences” Bylaw. They are proposing something consistent with the Bylaws and are not seeking any relief from the Zoning Board of Appeals, he said.

On a motion made by Mr. Cantoreggi, seconded by Ms. Riley, it was voted unanimously at 9:11 p.m. to continue the public hearing to Tuesday, June 14, 2016, 7:30 p.m.

**HICKORY HILLS DEFINITIVE SUBDIVISION  
TRIPARTITE AGREEMENT – SUBDIVISION SECURITY  
REQUEST FOR SECOND COVENANT RELEASE**

Mr. Merrikin submitted a letter dated April 30, 2016. He is requesting, on behalf of the applicant, a release of fourteen more lots from the Covenant and a new bond amount to be set. The Board reviewed the revised Construction Cost Estimate provided by BETA Group (updated 5/16/2016).

On a motion made by Mr. Cantoreggi, seconded by Ms. Riley, it was voted unanimously (5-0) to set the bond amount to \$383,220 as recommended by BETA Group, Inc.

On a motion made by Ms. Riley, seconded by Mr. Cantoreggi, it was voted unanimously (5-0) to release Lots 1A, 2A, 3A, 4A, 13, 14,15, 16, 17,18, 19, 20, 21 and 22 from the Covenant for Hickory Hills Definitive Subdivision.

On a motion made by Mr. Cantoreggi, seconded by Ms. Riley, it was voted unanimously (5-0) to execute an amendment to the Tripartite Agreement.

**SPECIAL PERMIT APPLICATION, PUBLIC HEARING  
1370 MAIN STREET – PRO STAR ELECTRIC  
STEPHEN HART/ROBERT VALCHUIS**

The public hearing was opened at 9:24 p.m. with notice being read by Mr. Yered, Clerk.

The letter from Mr. Hart, dated April 28, 2016, was read by Mr. Yered. Mr. Hart is seeking a Special Permit to operate a light industrial business for Pro Star Electric – a solar installation company. Mr. Hart also requested a Waiver of Site Plan Approval. There will be no exterior changes and there is more than adequate parking, he said. Photographs of the property were provided by Mr. Valchuis, owner of the property. Mr. Hart stated they are electrical contractors and they need an office space and space to store some equipment and stock. The Board discussed the memo from Barbara Thissell, Board of Health Director. It was determined that no Environmental Health Impact Report is needed. Mr. Hart was instructed by the Board that any exterior changes (parking/pavement, etc.) would require permission from the Planning Board.

On a motion made by Mr. Cantoreggi, seconded by Ms. Riley, it was voted unanimously at 9:36 p.m. to close the public hearing.

On a motion made by Ms. Riley and seconded by Mr. McKay, it was unanimously voted (5-0) to waive Site Plan Review and to grant to the applicant, Steven Hart, Electrical Contractor, a special permit, with conditions, pursuant to Section V, Use Regulations, Retail & Service #18; of the Millis Zoning By-laws of the Town of Millis, for Pro Star Electric at 1370 Main Street, Assessors' Map 21, Parcel 16.

**OTHER BUSINESS:**

**MINUTES**

On a motion made by Mr. Cantoreggi, seconded by Ms. Riley, it was unanimously voted to approve the minutes from April 26, 2016, as written.

**RECOMMENDATION OF MR. NICHOLS  
PLANNING BOARD MEMBER**

On a motion made by Mr. McKay, seconded by Mr. Yered, it was voted unanimously to nominate and recommend the appointment of Mr. Richard Nichols from Associate Planning Board member to Planning Board member.

**RECOMMENDATION OF MR. MCKAY  
CPC REPRESENTATIVE**

On a motion made by Mr. Yered, and seconded by Mr. Cantoreggi, it was unanimously voted to recommend the appointment of Mr. James McKay as the Planning Board designate to the Community Preservation Committee to replace Ms. Catherine MacInnes.

**ADJOURN**

There being no further discussion and on a motion made by Mr. Cantoreggi, seconded by Mr. Yered and voted unanimously, the meeting was adjourned at 9:40 p.m.

Scheduled Planning Board Meetings: June 14, 2016

*Respectfully submitted,*

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*Camille Standley  
Administrative Assistant*