

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

Members present: George Yered, Acting Chair
James McKay, Acting Clerk
Catherine MacInnes
Nicole Riley
Richard Nichols, Associate Member

Barbara J. Thissell, P.E.

Members Absent: Robert Cantoreggi, Chair

Also present: Scott Fuzy, 15 Stony Brook Dr.
Paul Marier, 6 Beechwood Ln., Franklin (Fin, Fur & Feather Club)
John Kazis, 3 Gavin Ln., Walpole
Paul Hutnak, Andrews Engineering, Uxbridge
Bob Fox, Plymouth, MA
Marc Rosenfeld, 730 Main St.
Mike & Tina Giampietro, 12 Lawrence St., Milford
Dan Merrikin, Merrikin Engineering
Andy Bissanti, 148 Brook St., Franklin
Leo Braun, 371 Village St.
Jerry Gaita, 20 Pleasant St.
Giancarlo Gaita, 1062 Main St.
Jerry J. Gaita, 1062 Main St.
Chris Soffgan, 127 Middlesex St.
Toni Manzon, 127 MiddlesexSt.
Don Howe, 1064 Main St.

PUBLIC HEARING

979 MAIN STREET – CENTENNIAL PLACE

BUILDING MODIFICATION/PARKING/DRIVE-THRU

JOPA REALTY-JOHN KAZIS

(Note: This is a re-filed application after May Town Meeting where drive-throughs were allowed by Special Permit in the district)

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

Mr. Hutnak of Andrews Engineering, representing the applicant, presented the application and plans. The applicant seeks to amend an existing Special Permit for Centennial Place, 979 Main Street in Millis Massachusetts. The Special Permit for Site Plan Approval is sought pursuant to Section XIII, paragraph P, section b; of the Millis Zoning By-law, to allow the use of a drive through window in the Millis Center Economic Opportunity Overlay District (MCEOD). This application also seeks to amend

the Special Permit issued in 2007 pursuant to Section XII, paragraph Q of the Millis Zoning By-laws. Parking, building and open space modifications are proposed.

A site visit was conducted by the Planning Board on September 18, 2014, to view the site and outline/design of the drive-thru on-site. The Site Walk Report prepared by Ms. Thissell, dated September 18, 2014, was discussed. Mr. Yered stated that the radius of the drive-thru was adequate. Mr. Hutnak stated that bollards were added to the plan around the pedestrian crosswalk and outdoor seating area as requested by the Board. Ms. Thissell suggested a fence be installed along the curb line of the open space to prevent patrons from accidentally stepping into the entrance drive. Various conditions of approval were discussed. Ms. Thissell stated that the plans are acceptable, except for the signage. Mr. Kazis stated that he does not know how much leeway he will have with the signage. The Board will approve signage at a later date. It was also noted that the façade of the building does not comply with the approved set plan. Paneling along the base of the building was to be installed. There was discussion regarding the construction of the new police station. Due to the construction, a field change could be approved to allow shrubs and/or plantings in the area rather than the decorative paneling. This can be coordinated with the applicant, the DPW, and the Tree Warden. Ms. Thissell summarized her review letter dated September 10, 2014. Ms. Thissell stated that the applicant must submit a waiver for the proposed 0-foot separation from the parking area to the street right-of-way line. As time was running long and the applicant had to prepare the waiver, Mr. Hutnak requested a continuance to later in the meeting.

On a motion made by Ms. MacInnes, seconded by Ms. Riley, it was voted unanimously at 8:10 p.m. to continue the public hearing to 9:00 p.m.

Waiver of Site Plan Review Request**100 Larch Road****Fin, Fur & Feather Club****Paul Marier**

The Board met with Mr. Paul Marier, representing the Fin, Fur and Feather Club. Mr. Marier stated that they would like to replace one of the original buildings on the property – the Trap/Skeet house. According to Mr. Marier, it is proposed to replace the existing “over-sized shed” with a replacement building (30’ x 30’) to accommodate a larger storage area and handicap ramp. The building is used on Saturday and Sunday afternoons and there is only electricity in the house, he said. The building will be on footings, as is the current building. Mr. Marier stated that he spoke to the Army Corps of Engineers and this land is not part of their easement. According to Mr. Marier, as long as the building is not on a foundation, the ACOE does “not have any issues.” Mr. Marier requested a waiver of site plan review to allow construction of the replacement Trap/Skeet house.

On a motion made by Mr. Nichols, and seconded by Mr. McKay, 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 the Fin, Fur and Feather Club, 100 Larch Rd.

Braun Family Land Informal Discussion

Dean/Turner Street

Andrew Bissanti, Bissanti Realty

Mr. Bissanti requested an informal discussion. Mr. Bissanti stated that he was hired by the Braun family to market their property. The property is impacted by the Natural Heritage Endangered Species Act, he said. He discussed a 24.9 acre parcel of land owned by the Braun family on Dean/Turner Streets. According to Mr. Bissanti, much of the property is impacted by Natural Heritage restrictions. Some of the property is in Millis and some in Norfolk. He stated that he met with the Conservation Commission informally and it seems that access to the Millis side of the property could be approved if wetland replication were proposed. Mr. Bissanti asked what the Board would “entertain for development with part of the lot in another town.” He also asked if “common driveways” would be allowed.

Ms. MacInnes stated that, in her opinion, it is not the Board’s jurisdiction to tell representatives of the property what can or cannot be done with the land. An engineer or architect, etc., would need to be hired to review the zoning bylaws to discuss what can or cannot be done. Then if the applicant wishes to pursue something, an application would be filed for the Board to review. Common driveways are not allowed, Ms. MacInnes stated.

Waiver of Site Plan Review Request

1062 & 1066 Main Street

Jerry Gaita

The Board met with Mr. Jerry Gaita, who requested a Waiver of Site Plan Review for the above-mentioned locations in Millis Plaza.

Mr. Gaita stated that the entire second floor will be used for his son’s paving business. Mr. Gaita stated that all parking requirements are met as there will only be two employees for the paving business. There was discussion regarding parking of large trucks in the upper lot. Mr. Gaita stated that trucks would be parked out back, or at the restaurant, and would then be moved off-site in November through the spring as the paving work is seasonal. No paving trucks will be parked in the upper lot, he said. He stated that no hazardous substances would be stored in the trucks.

Mr. Gaita is also seeking a waiver of site plan review for 1066 Main Street, where a personal training service business will operate.

On a motion made by Mr. McKay, and seconded by Ms. MacInnes, 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 1062 Main Street (Gaita Bros. Paving) and 1066 Main Street (Private Fitness).

NEW BUSINESS:

FORM A APPLICATION

ANR PLAN

ACORN STREET

MICHAEL GIAMPIETRO/MARC ROSENFELD

Mr. Marc Rosenfeld, representing Mr. and Mrs. Giampietro, presented the application and plans. He stated that parcel 4 as shown on the plan is to remain an unbuildable parcel. Parcel 3 is to be combined with land of Mr. Giampietro to form Lot B. Lot B will then become a buildable lot with the frontage added, Mr. Rosenfeld stated.

On a motion made by Ms. MacInnes, seconded by Mr. McKay, it was voted unanimously (5-0) to approve and endorse an ANR plan entitled, "Plan of Land, Millis - MASS." for Michael A. & Tina M. Giampietro, 12 Lawrence Street, Millis, dated May 8, 2013, prepared by Carlson Survey Company, 261 Union St., Millis, MA, stamped by Wayne S. Carlson, R.L.S., for property located at 29 Acorn Street, Map 31, Parcels 17, 34, and a portion of 33, finding the Form A in order and subdivision control not required. The Planning Board found that the land shown on the accompanied plan does not constitute a subdivision within the meaning of the Subdivision Control Law, and therefore approved and endorsed the plan accordingly.

HOUSE NUMBER ASSIGNMENT

#31 ACORN STREET

MICHAEL GIAMPIETRO

House number 31 Acorn Street will be assigned to the new lot once the ANR plan is filed at the Norfolk County Registry of Deeds and a copy given to the Assessor's office.

HICKORY HILLS SUBDIVISION

INFORMAL DISCUSSION RE: REVISED PHASING PLAN & FIELD CHANGE

DAN MERRIKIN

MERRIKIN ENGINEERING

(Note: Mr. Merrikin provided a check in the amount of \$1,000.00 to Mr. McKay for the tree/pruning fund as per a condition on the Scenic Road decision for Hickory Hills.) Mr. Merrikin, representing the applicant, submitted a letter dated September 18, 2014, and a revised Phasing Plan. He stated that the Phase I construction effort needs to focus on Farm Street, the new sewer pump station, and the stormwater systems. Phase I will now include a portion of Pearl Street, all of Teresa Drive, stormwater basins 2 and 3 and the construction of the sewer pump station and force main. Mr. Merrikin stated that the Farm Street work is scheduled to start this fall.

On a motion made by Ms. Riley, seconded by Mr. McKay, it was voted unanimously to accept the revised Phasing Plan, entitled "Hickory Hills Phasing Plan of Land in Millis, MA," dated Feb. 6, 2014, revised 9/18/14.

Mr. Merrikin stated there was a change in the brand of proprietary stormwater cleansing units to be used. He requested that a field change be approved. Ms. Thissell was in favor of allowing the change.

On a motion made by Ms. Riley, seconded by Ms. MacInnes, it was voted unanimously to allow the installation of two Hydroworks HG5 stormwater cleansing units in lieu of the proposed two Stormceptor stormwater cleansing units at the Hickory Hills subdivision as a field change.

SOUTHEND FARM SUBDIVISION

EXTENSION REQUEST

DAN MERRIKIN

MERRIKIN ENGINEERING

Mr. Merrikin, representing the applicant, requested an extension on the time to complete construction of the infrastructure at Southend Farm. He stated that the subdivision approval required that all infrastructure be completed within eight years of the date the Decision became final. Mr. Merrikin summarized the minor items needed for completion.

On a motion made by Ms. Riley, seconded by Ms. MacInnes, it was voted unanimously at 9:05 p.m. to approve the extension for Southend Farm subdivision infrastructure until July 31, 2015.

PUBLIC HEARING, CONTINUATION

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The public hearing continuation was opened at 9:05 p.m.

Mr. Hutnak presented a waiver for the parking. Ms. MacInnes stated that although she is in favor of granting the waiver, this waiver request is for a unique situation and that a waiver granted to one applicant does not necessarily mean it is granted to another. Due to the unique lot layout with adequate parking provided on-site but limited short term parking available at business entrances, Ms. Thissell was in favor of granting the waiver.

On a motion made by Mr. Nichols and seconded by Mr. MacKay, it was voted unanimously in favor of granting a waiver from Section VIII.2.f. of the Town of Millis Zoning Bylaws to construct parking to within 0 feet of the Main Street right-of-way in lieu of the 15-foot setback required.

There being no further questions and on a motion made by Ms. MacInnes, seconded by Ms. Riley, it was voted unanimously to close the public hearing at 9:11 p.m.

OTHER BUSINESS:

DELIBERATION/VOTE:

**979 MAIN STREET – CENTENNIAL PLACE
BUILDING MODIFICATION/PARKING/DRIVE-THRU
JOPA REALTY-JOHN KAZIS**

There was discussion regarding the application/plans and conditions to be imposed if approved.

On a motion made by Ms. Catherine and seconded by Ms. Riley, it was voted unanimously to grant, with conditions, a Special Permit with Site Plan Approval to JOPA Realty LLC for the construction of a restaurant drive through window and Special Permit Modification at 979 Main Street, commonly known as Centennial Place.

**ASSISTED LIVING BYLAW
INFORMAL DISCUSSION**

Information on a proposed bylaw prepared by Ms. Riley will be discussed at the next meeting. An article for Town Meeting in the spring of 2015 will be discussed.

**SOLAR BYLAW
INFORMAL DISCUSSION**

Information on a proposed Solar Bylaw prepared by Mr. Nichols will be discussed at the next meeting. An article for Town Meeting in the spring of 2015 will be discussed.

MINUTES

On a motion made by Ms. Riley, seconded by Ms. MacInnes, it was unanimously voted to approve the minutes from July 22, 2014, as written.

On a motion made by Ms. Riley, seconded by Mr. McKay, it was unanimously voted to approve the minutes from September 4, 2014, as written.

ADJOURN

There being no further discussion and on a motion made by Ms. MacInnes, seconded by Ms. Riley and voted unanimously, the meeting was adjourned at 9:41 p.m.

Scheduled Planning Board Meetings: October 21, 2014
November 18, 2014

Respectfully submitted,

*Camille Standley
Administrative Assistant*