

**Millis Zoning Board of Appeals
December 15, 2015
Veterans Memorial Building
Room 130**

BOARD MEMBERS PRESENT:

Chairman Don Roman, Peter Koufopoulos, and Jeff Butensky.

40 B Public Hearings:

Chairman Roman opened the hearing at 7:30 pm.

Clerk read the notice into the record.

No other correspondence was received.

The three members serving on the hearing will be Mr. Roman, Mr. Koufopoulos and Mr. Butensky. The procedures of the hearing were discussed.

The applicant began the presentation by explaining that the developer is proposing to develop Kensington Place as a friendly 40 B condominium community. This project is the culmination of a year and a half worth of work. This has been approved and endorsed by Town of Millis Board of Selectmen. The project was issued a project eligibility letter from Department of Housing and Community Development. The application is a friendly Comprehensive Permit under the LIP program.

The process of this project began August 2014. There were public meetings, staff meetings, and meetings with the town administrator. After ten months, the result included a Memorandum of Agreement which was signed June 2015. The town has the right of cancellation to the Memorandum of Agreement.

The Memorandum of Agreement was written to address what mitigation measures will be taken. The project eligibility letter was received on November 18, 2015. The project located 43 Van Kleeck Rd. This will be a cluster development of 12 detached, single family homes around one access/egress roadway on a 2.2 acre parcel of land. The project will have nine market rate homes, and three affordable priced homes. This will be a total of 12 detached single family homes.

The Memorandum of Agreement includes:

- The project shall consist of no more than or no fewer than 12 detached single residential units.
- Units will have no more than or no fewer than three bedrooms.
- No more or no less than 25% of the units shall be restricted as affordable.
- The project shall maintain existing vegetation between the improvements shown on plans and abutting property lines to the extent reasonably.
- The project shall connect to municipal water and sewer infrastructure.

- Applicant shall pay a building permit, electrical fees, plumbing and gas fees along with connection fees for water and sewer for each market rate unit.
- The following improvements will be made: asphalt sidewalk within the right of way of Van Kleeck Rd. from the projects driveway's intersection with Van Kleeck Road to the intersection of Van Kleeck Rd with Union Street.
- Remove existing earthen blockage between Van Kleeck Rd and Daniels Street.

There are two types of homes: 1. Model A homes are 1813 square feet and 2. Model B homes are 1727 square feet. All homes will have three bedrooms on the second floor, with garage, and a driveway to accommodate parking for two additional cars. These will also have patios on the back. The nine market rate homes will cost \$320,000 and the three affordable homes will cost \$173,000. There was a traffic study completed. The engineer showed the two areas which were designated as visitor parking. Member Roman, thought the parking area needs to be eliminated since there was plenty of parking on the street. The Board was made aware that there will be a Home Owners Association set up since this will remain a private and not public road.

The engineer explained that the site is a relatively flat and wooded. There is no intent to clear the site, they would like to keep as much wooded area as possible. There will be fencing and shrubbery added as part of the landscape plan. This project will have both public sewer and water. There is a recommendation for hydrant locations: every 500 ft.

Drainage:

The drainage will be controlled on site and will go into the drainage systems. The maintenance of the system will be private and the responsibility of the Homeowners Association. If there is something wrong with the system it will be the responsibility of the Homeowners Association and not the town. The language of the maintenance and responsibilities will be part of the deed of sale for the units.

Landscaping Plan:

There will be trees along roadway, plantings between units and also in the roadway outer area. There will be a 6 foot stockade fence. This was a recommendation from the Board of Selectmen. The type of fence has not been determined. The options are wood or vinyl. The detail sheet of the screening was shown.

There was discussion about the T shape of the road. This is unusual and is more difficult to plow snow. The ZBA would like a response from the Fire Chief in regards to this.

Action Item:

- The ZBA would like a response from the Fire Chief that this type of road works.

The applicant explained that this was discussed and after several meetings, the town staff recommended this.

The mail delivery will not be at the individual homes, but there will be one station at the entrance where the mail will be dropped off. It was recommended to have a pull off area for this.

There was a question about if there will be restrictions on what residents can do to the exterior of the buildings. The applicant responded that this has not been discussed but the regulatory agreement should be looked at.

The phasing of this will be through May 2019. This will include three phases with one of the affordable being built in each phase. The phasing of the affordable units is done for financial reasons. The affordable units are the hardest to sell.

Public Comments:

Resident, 87 Irving Street:

This resident had the following concerns:

- Drainage since the elevation is lower (where will the water drain?)
- Will there be a regular maintenance?
- Proof of inspection?
- Would like screening across the back of the property line.
- This resident wanted to know if this is within the groundwater protection area.

The Attorney responded that there is a waiver from groundwater protection.

The Engineer explained that the contractor must conform with the State Regulations that more water cannot leave the site than what was initially there. This is a requirement from the Department of Environmental Protection. This could be a condition of the approval along with the system being inspected semi-annually.

Resident, 81 Irving St:

The resident has concern about drainage onto his property and into his basement. He also wanted to know when the first horizontal line of trees will be put in place.

The Engineer responded that this will be part of the final steps of site.

Action Item:

- Engineer review this area.

Resident, 63 VanKleek:

This resident would like the existing vegetation to remain. The visual buffer was on the original plan.

There could be a condition that there needs to be privacy screening.

Resident, 28 VanKleek:

This resident has a sidewalk with a big rise and wants this addressed. Tom McDonough responded that the town will be doing the engineering and will tell him what to do.

Items to Review:

- Sidewalk (28 VanKleek)

- Keeping vegetation
- Expanding tree line
- Dumpsters
- Road (T)
- Alternate drainage structures to distribute water and look at mitigation to adjacent properties.
- Schedule of emptying dumpster (construction debris during excavation)

The curbing transition is going to be sloped granite. This will not be a berm. The length of van Kleeck will be berm.

The affordable units will be are spread throughout the development.

The town approved a swing gate for emergency access. This was a recommendation also from the Board of Selectmen.

The members will be conducting a site visit individually.

Hearing Continuation:

On a motion made by Jeff Butensky and seconded by Peter Koufopoulos, the Board voted to continue the hearing until Wednesday January 27, 2015 at 7:30 pm. Room 130.

Minutes:

November 17, 2015

On a motion made by Jeff Butensky and seconded by Peter Koufopoulos, the Board voted to accept the minutes from November 17, 2015.

Bills:

On a motion made by Jeff Butensky and seconded by Peter Koufopoulos, the Board voted to pay the bills as presented.

Future Meeting Dates:

- Wednesday, January 27, 2016

Adjourn:

On a motion made by Don Roman and seconded by Peter Koufopoulos, the Millis Zoning Board of Appeals voted unanimously to adjourn their meeting.

The meeting adjourned at 9:15 pm.

Respectfully Submitted,

Amy Sutherland
Secretary

Approved January 27, 2016