



# TOWN OF MILLIS

Robert Cantoreggi, *Chairman*  
George Yered, *Clerk*  
James McKay  
Nicole Riley  
Richard Nichols  
Carlo Molinari, *Associate Member*

## OFFICE OF THE PLANNING BOARD

900 Main Street • Millis, MA 02054

Phone: 508-376-7045

Fax: 508-376-7053

Camille Standley  
Administrative Assistant  
[cstandley@millis.net](mailto:cstandley@millis.net)

The Planning Board has **approved, with conditions**, the Special Permit on the application of Jim Williamson, Barberry Homes, LLC, 10 Speen Street, Framingham, Massachusetts who requests:

a **Special Permit for/with Site Plan Approval** pursuant to Section V, Use Regulations, Paragraph E, Table 1. Use Regulations, Residential #5, Housing for the elderly, and Section XIII, Special Permit Conditions, Paragraph C, Site Plan Review; of the Millis Zoning By-laws of the Town of Millis, to construct an assisted living facility/residence known as "Dover Road Residences" on an approximately 7.697-acre site located at the intersection of Dover Road and Bridge Street. (Assessor Map 18, Parcels 4 & 5, and Assessor Map 27, Parcel 1).

A copy of this decision was filed in the office of the Town Clerk of Millis on October 19, 2016. The decision is also on the Planning Board's webpage at [www.millis.net](http://www.millis.net).

Any person aggrieved by this decision of the Planning Board may appeal said decision pursuant to Massachusetts General Law Chapter 40A, Section 17, by bringing an action within twenty (20) days after the decision has been filed in the office of the Town Clerk. Notice of the action with a copy of the complaint shall be given to the Town Clerk so as to be received within twenty (20) days. A copy of said complaint shall be given to the Planning Board.

No variance or special permit, or any extension, modification or renewal thereof shall take effect until a copy of that decision bearing the certification of the Town Clerk that 20 days have elapsed and no appeal has been filed or that if such an appeal has been filed that it has been denied or dismissed, is recorded in the Registry of Deeds for the county or district in which the land is located and is indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's title certificate. The fee for recording or registering shall be paid by the owner or applicant.

**To the Applicant:** After 20 days have gone by from the above date, check with the Town Clerk's office and obtain a certified copy of the Board's decision. Be sure that the special permit is recorded at the Registry with your deed. The permit is not valid until it is recorded. A copy of the receipt from the Registry of Deeds must be filed with the Planning Board and Building Department when you apply for a building permit for the proposed construction. Also, prior to applying for a building permit for construction, contact the Planning Board for endorsement of the approved site plan.

*Camille Standley*

Camille Standley, Administrative Assistant

cc: Building Dept., BOH, BOS, Master Plan Implementation Comm., Assessor, Abutters, File  
Decision cover ltr notice Dover Rd. Residences Elderly Hsg 10-18-16.doc

Received: Oct. 19, 2016  
@ 10:30 A.M.  
Patricia M. Speer  
Asst. Town Clerk



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October 18, 2016

### DECISION OF THE MILLIS PLANNING BOARD ON THE SPECIAL PERMIT WITH SITE PLAN APPROVAL APPLICATION SUBMITTED BY BARBERRY HOMES, LLC, FOR "DOVER ROAD RESIDENCES"

An application was filed with the Millis Town Clerk's office on March 9, 2016, by Jim Williamson, Barberrry Homes, LLC, 10 Speen Street, Framingham, Massachusetts who requests;

a **Special Permit for/with Site Plan Approval** pursuant to Section V, Use Regulations, Paragraph E, Table 1. Use Regulations, Residential #5, Housing for the elderly, and Section XIII, Special Permit Conditions, Paragraph C, Site Plan Review;

of the Millis Zoning By-laws of the Town of Millis, to construct an assisted living facility/residence known as "Dover Road Residences" on an approximately 7.697-acre site located at the intersection of Dover Road and Bridge Street.

The property which is the subject of this application is identified as Assessors' Map 18 Parcel 4. Said property is owned by Douglas H. McCarter, 34 Bridge Street, Millis, Massachusetts. The property is zoned Residential-Suburban (R-S).

In accordance with the provision of G. L. c. 41, Section 81-T, notice of hearing was published in The Milford Daily News on March 28, 2016 and April 4, 2016. Abutters to the property were properly notified of the public hearing by mail. A list of the abutters is on file in the Town Clerk's office, 900 Main Street, Millis, Massachusetts.

A public hearing in accordance with said notice was held on April 26, 2016, and continued hearings were held on May 17, 2016, June 14, 2016, July 12, 2016, August 9, 2016 and September 6, 2016. The public hearing was closed on September 6, 2016. (Note: A Special Permit for/with Site Plan Approval under Section XIII. Special Permit Conditions, Subsection U. Assisted Living Residences was filed on June 13, 2016 and hearings were held concurrently for both applications.)

The applicant was represented by Adam J. Costa of Blatman, Bobrowski, Mead & Talerman, LLC, David Carter, Barberry Homes, Jim Williamson, Barberry Homes, and Robert Truax, P.E., of GLM Engineering Consultants, Inc. The consulting engineer for the Planning Board on this application was the BETA Group, Inc.

The following submissions were received through the public hearing process:

- "Special Permit Application For/With Site Plan Approval" with attachments, filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk March 9, 2016
- Stormwater Management Report for "The Dover Road Residences," dated March 7, 2016, prepared by GLM Engineering Consultants
- Plans entitled, "Site Development Plans, "The Dover Road Residences" Assisted Living Community," (22 sheets) dated March 7, 2016, prepared by GLM Engineering Consultants
- Traffic Impact and Access Study, Proposed Assisted Living Facility, Millis, Massachusetts, dated March 2016, prepared by Green International Affiliates, Inc.
- "The Dover Road Residences," Bridge Street, Millis, Massachusetts, Layout Plan (10 pages 11" x 14"), dated March 7, 2016, prepared by GLM Engineering Consultants
- Memorandum to the Millis Planning Board from Barbara Thissell, Director of Millis Board of Health, dated March 28, 2016
- Correspondence to Millis Planning Board from BETA Engineering, dated April 18, 2016
- Correspondence to Millis Planning Board from Jason S. Sobel, P.E., PTOE, of Green International Affiliates, Inc., dated April 26, 2016
- Landscape Presentation Site Plan, Dover Road Residences, prepared by Terraink, dated April 2016

- Correspondence to Millis Planning Board from Adam J. Costa, Blatman, Bobrowski, Mead & Talerman, LLC, dated May 17, 2016
- Correspondence to Millis Planning Board from GLM Engineering Consultants, dated May 10, 2016
- Plans entitled, "Site Development Plans, "The Dover Road Residences" Assisted Living Community," (22 sheets) dated March 7, 2016, revised May 10, 2016, prepared by GLM Engineering Consultants
- Landscape Plans (2 sheets), dated March 8, 2016, revised May 10, 2016, prepared by Terraink for GLM Consultants
- Stormwater Pollution Prevention Plan (SWPPP), Progress Print, prepared by GLM Engineering Consultants
- Stormwater Management Report for "The Dover Road Residences," dated March 7, 2016, revised May 10, 2016, prepared by GLM Engineering Consultants
- Correspondence to the Millis Planning Board from Green International Affiliates, Westford, MA, dated April 26, 2016
- Grading, Drainage & Utility Plan, The Dover Road Residences, prepared by GLM Engineering, dated March 7, 2016, received May 17, 2016
- Correspondence to Millis Planning Board from BETA Engineering, dated June 3, 2016
- Correspondence to Millis Planning Board from Fire Chief Richard Barrett, received June 7, 2016
- "Fiscal Impact Analysis, 107 Unit Assisted Living/Memory Care Facility, Bridge Street, Millis, Massachusetts," dated April 25, 2016, from Connery Associates
- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane (with photos), dated April 16, 2016
- Email with attached correspondence to Millis Planning Board (and other Boards) from Sarah Occhino, 44 Dover Road, dated April 27, 2016
- Correspondence to Millis Planning Board from Janice & Robert McCoy, 106 Dover Road, dated April 29, 2016
- Email (with attached visuals) to George Yered, Planning Board, from Jen (Rudolph) Parkhurst, dated April 30, 2016
- Correspondence to Millis Planning Board from Mary Calo and Megan Tufts, 60 Bridge Street, dated May 1, 2016
- Email from Karin Mailhoit, 124 Dover Road, dated May 9, 2016

- Correspondence from Robin Spangenberg, 18 Crestview Drive, dated May 11, 2016
- Email from Judy Fiatarone, 112 Dover Road, dated May 15, 2016
- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane (with photos), dated May 16, 2016
- Correspondence to Millis Planning Board from Tibel Rubin and John Ottenstein, 10 Crestview Drive, dated May 16, 2016
- Correspondence to Millis Planning Board from Jennifer Parkhurst, dated May 17, 2016 (with attachments)
- Correspondence to Millis Planning Board from Dr. Pamela Ahmed, 8 Ironwood Lane, dated May 17, 2016
- Email from Karin Mailhoit, 124 Dover Road, dated May 19, 2016, with attached email/letter from Joe Mailhiot received May 19, 2016
- Correspondence to Millis Planning Board on behalf of Mrs. Betty Steinman, from David J. Luca, Esq., dated June 13, 2016
- Email from James Gilmartin to the Planning Board Chairman, dated June 14, 2016
- Correspondence to Millis Planning Board from GLM Engineering Consultants, dated June 9, 2016
- Plans entitled, "Site Development Plans, "The Dover Road Residences" Assisted Living Community," (27 sheets) dated March 7, 2016, revised June 8, 2016, prepared by GLM Engineering Consultants
- Stormwater Management Report for "The Dover Road Residences," dated June 8, 2016, revised May 10, 2016, prepared by GLM Engineering Consultants
- "Special Permit Application For/With Site Plan Approval" Filed Under Section XIII. U. Assisted Living Residences," filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk June 13, 2016 (Map 18, Parcel 4)
- "Special Permit Application For/With Site Plan Approval" Filed Under Section XIII. U. Assisted Living Residences," filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk June 13, 2016 (Map 18, Parcel 5)
- "Special Permit Application For/With Site Plan Approval" Filed Under Section XIII. U. Assisted Living Residences," filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk June 13, 2016 (Map 27, Parcel 1)

- Correspondence to Millis Planning Board from BETA Engineering, dated June 27, 2016
- Correspondence, with attachments, to Anthony Vivirito of The Architectural Team, from Jonah Sacks of Acentech, dated July 6, 2016 (Noise Emissions & Lighting)
- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane, dated July 12, 2016
- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane, dated July 19, 2016
- Correspondence to the Millis Planning Board from Green International Affiliates, Westford, MA, dated July 27, 2016
- Correspondence to Millis Planning Board from Greg E. Lucas, PE, BETA Engineering, dated July 28, 2016
- Signed Petition entitled, "Preserve Residential Suburban Zoning in Millis," received August 9, 2016
- Correspondence to the Millis Planning Board from Susan Steele, dated August 15, 2016, with attachments (fencing)
- Correspondence to Ms. Susan Steele & Millis Planning Board from Michael Juliano, PE, PLS, Eaglebrook Engineering & Survey, LLC, dated August 22, 2016 (Stormwater Review)
- Correspondence to Lisa Jane Hardin, Town Clerk, from Maura Healey, Attorney General, dated August 23, 2016
- Correspondence to Millis Planning Board from Adam J. Costa, Blatman, Bobrowski, Mead & Talermin, LLC, dated August 26, 2016 re: Petition
- Memorandum to Brutus Cantoreggi from Chris Luppino/Phil Paradis, PE, BETA Engineering, dated August 30, 2016
- Correspondence to Town of Millis from Jerome R. Dixon, Architect, Architect's Studio, dated August 31, 2016
- Signed Petition entitled, "Preserve Residential Suburban Zoning in Millis," received September 6, 2016

## FINDINGS

Regarding the requests for Special Permits, Section XII.Q of the Zoning By-Laws of the Town of Millis requires the following general conditions to be fulfilled prior to the granting of an application for a special permit:

(a) Special permits shall only be issued following public hearings held within 65 days after filing of an application with the Special Permit Granting Authority, a copy of which shall be given forthwith to the Town Clerk by the applicant.

**Finding:** The application was filed with the office of the Town Clerk on March 9, 2016; and the initial public hearing was held on April 26, 2016. The Planning Board therefore finds that this requirement has been met.

(b) The use requested by the applicant is listed in the Table 1 Use Regulations of the Millis Zoning By-laws as a special permit in the district for which application is made or is so designated elsewhere in the By-laws.

**Finding:** The proposed site development requires a Special Permit from the Planning Board pursuant to Section V, Table 1, Use Regulations, Residential, Use no. 5 - Housing for the elderly. The Planning Board therefore finds that this requirement has been met.

(c) The requested use is essential or desirable to the public convenience or welfare.

**Finding:** The Board finds that the proposed development of an assisted living community will be an asset to the Town by providing senior living options that are not otherwise available in Town. A fiscal impact analysis was conducted and concluded that the proposed development, while adding an additional dimension to senior living options in Millis, is anticipated to generate an annual fiscal benefit for the community as a whole. The extension of the Town water and sewer main on Dover Road from Route 109 will provide the benefit of municipal services to the current and future residents on that street. The Board therefore finds that the proposed development is desirable to the public convenience and welfare.

(d) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

**Finding:** The applicant has provided a traffic study that was reviewed by an independent traffic review consultant on behalf of the Town. Capacity

analysis results of the study show that the proposed development project will not significantly alter traffic operations within the study area. Movements which operate at unfavorable levels of service today will continue to do so in the future, with negligible increase in delay or queue length as a result of site-generated traffic. The requested use will therefore not create undue traffic congestion, or unduly impair pedestrian movement. The Planning Board finds that the applicant has allowed adequate sight distance for access and egress point of the development so as not to endanger pedestrian safety with regard to traffic flow onto adjacent roadways. The Planning Board therefore finds that this requirement has been met.

(e) The requested use will not overload any municipal services to such an extent that the requested use or any developed use in the immediate area or in any other area of the town will be unduly subject to hazards affecting health, safety, or the general welfare.

**Finding:** The site will be serviced by municipal water and sewer systems. As part of this project, the applicant will install new 8-inch sewer main in Bridge Street as an extension from the sewer main in Route 109 as well as a new 8-inch water main loop in Bridge Street connecting Route 109 to Dover Road. Millis DPW has indicated the sewer and water main extensions are acceptable and that the sewer and water systems are adequate for the use. The applicant has proposed the installation of a new stormwater management system on the site that is in compliance with the Massachusetts Stormwater Management Standards and Town of Millis Stormwater Management Regulations as reviewed and confirmed by an independent review consultant on behalf of the Town. The Fire Chief has been consulted and indicated that the department will have the capacity to meet the needs of emergency services for the proposed development. The requested use will not overload any municipal services to such an extent that the requested use or any developed use in the immediate area or in any other area of the town will be unduly subject to hazards affecting health, safety, or general welfare. The Planning Board therefore finds that this requirement has been met.

(f) Any special regulations for the use set forth in Section XI (Special Flood Hazard District), are fulfilled.

**Finding:** A portion of the property is within the limit of the FEMA Flood Zone along the embankment of the bordering vegetated wetlands, however, all work proposed is outside of this flood hazard area. This requirement is not applicable.

(g) The requested use will not impair the integrity or character of the district or adjoining zones, not be detrimental to the health, morals, or welfare.

**Finding:** The site is located within the Residential-Suburban (R-S) Zoning District in a residential neighborhood. The Planning Board finds that the proposed residential use is in character with the surrounding area which is zoned residentially. The architecture proposed mimics the New England style homes in the surrounding area. Appropriate measures have been taken to protect abutting properties from light overcast and visual impacts. As such, the requested use will not impair the integrity or character of the district or adjoining zones, not be detrimental to the health, morals, or welfare of the citizens of Millis. The Planning Board therefore finds that this requirement has been met.

(h) A special permit granted under the provision of the Millis Zoning by-laws shall lapse within one year, and including such time required to pursue or await the determination of an appeal, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.

**Finding:** The applicant shall adhere to such requirements and the Planning Board therefore finds that this requirement has been met.

Section XIII.C.5 of the Zoning By-laws of the Town of Millis requires the following matters be evaluated prior to the granting of an application for Site Plan Review:

(a) Protection of adjoining premises against detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light and air.

**Finding:** The site plan includes the construction of a stormwater management system designed to comply with the DEP Stormwater Management Standards. Construction-stage erosion controls will be implemented to prevent soil erosion during construction. The plan maintains natural wooded buffers and proposed landscaped buffers along the property line setbacks to protect the abutting properties. Based on the plan submitted and additional information provided in regards to dumpsters, generator and HVAC units, along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(b) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly.

**Finding:** The site plan includes appropriately designed vehicular and pedestrian circulation features such as driveways, parking areas, pedestrian walkways and handicap accessibility as well as a dedicated loading area located behind the proposed building. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(c) Protection and enhancement of existing site features.

**Finding:** The majority of the existing wooded area of the site will be cleared for this development, however, the Approved Site Plan depicts the limit of tree disturbance to maintain a wooded buffer along all property lines with the designated setbacks. In addition, the plan incorporates extensive landscaping of native species that will provide seasonal interest and color including a landscape berm along the property frontage providing screening along Dover Road and Bridge Street. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(d) Adequacy of the arrangement for parking and loading spaces in relation to the proposed use of the premises.

**Finding:** The site plan includes appropriately configured parking and loading areas meeting all parking and loading regulations of the Zoning By-law. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(e) Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site.

**Finding:** The site plan includes a dumpster at the rear of the building adjacent to the maintenance building which will be regularly emptied. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(f) Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of the by-law.

**Finding:** The proposed structure meets all setback and area, height and bulk regulation requirements of the Bylaw. As previously mentioned, the site plan depicts the limit of tree disturbance to maintain a wooded buffer along all property lines with the designated setbacks. In addition, the proposed development incorporates extensive landscaping of native species that will provide seasonal interest and color including a landscape berm along the property frontage providing screening along Dover Road and Bridge Street. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(g) Protection of environmental features, particularly groundwater resources, on the site and in adjacent areas, adequate protection to prevent pollution of surface and groundwater, soil erosion, increase runoff, changes in groundwater recharge or elevation and flooding.

**Finding:** The site plan includes the construction of a stormwater management system designed to comply with the DEP Stormwater Management Standards. Construction-stage erosion controls will be implemented to prevent soil erosion during construction. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

## DECISION

At a meeting held on October 11, 2016, acting upon a motion of Mr. James McKay and seconded by Ms. Nicole Riley, with Mr. Robert Cantoreggi and Mr. Richard Nichols voting in the affirmative, and with Mr. George Yered opposed, it was voted 4-1 in favor to grant to the applicant, Jim Williamson of Barberry Homes, LLC, a **Special Permit for/with Site Plan Approval** pursuant to Section V, Use Regulations, Paragraph E, Table 1. Use Regulations, Residential #5, Housing for the elderly, for property located at the intersection of Bridge Street and Dover Road for an Assisted Living Community, said location as described herein and on the plans. The site and the approved development are depicted on a twenty-seven sheet plan set entitled "Site Development Plan, 'The Dover Road Residences,' Assisted Living Community, Millis, Massachusetts," dated March 7, 2016 with a final revision date of June 8, 2016, prepared by GLM Engineering Consultants, Inc. (hereinafter referred to as the "Approved Site Plan").

Special Permit/Site Plan Approval is subject to the following conditions:

1. All necessary approvals from other Town Boards and Commissions must be obtained by the applicant. Proof of said approvals, where needed, shall be forwarded to the Millis Planning Board. Approvals and/or permits shall reference the Approved Site Plan.
2. All provisions of the Millis Zoning By-laws shall be observed unless otherwise approved herein and authorized by variance from the Millis Zoning Board of Appeals.
3. This special permit granted under the provisions of the Millis Zoning By-laws shall lapse within twenty-four (24) months from the filing of this decision with the Town Clerk, and including such time required to pursue or await the determination of an appeal from the grant thereof. If the applicant, for good cause, needs to be granted an extension of up to one (1) year for completion of the project, such an extension will not be unreasonably withheld.
4. This permit is for the development of a proposed assisted living community at the intersection of Dover Road with Bridge Street. The site is currently an undeveloped 7.7 acre wooded lot. As shown on the Approved Site Plan, proposed development includes constructing a 62,411 SF main building, seven outlying cottages and accessory buildings with a combined area of 79,425 SF and 93 proposed parking spaces. The plan includes utility, lighting, and landscape design. The plan also proposes stormwater management in an infiltration basin on an adjacent lot of the same property owner which is also wooded in the existing conditions. Access to this adjacent lot is through an existing 20' wide drainage easement where drainage piping is proposed to carry stormwater from the site to the proposed infiltration basin. Any desired changes in use must be submitted the Board for review and determination as to whether an amendment or modification of the permit is required.
5. All construction activities shall be in accordance with "Stormwater Pollution Prevention Plan for Construction Activities" submitted by the applicant.
6. All construction activities and future use of the site shall be in accordance with the provisions of the document submitted by the applicant entitled "Stormwater Management Report - The Dover Road Residences" prepared by GLM Engineering Consultants Inc., revision date June 8, 2016, and the "Long-term Pollution Prevention and Stormwater Operation & Maintenance Plan" prepared by GLM Engineering Consultants Inc.,

revision date June 8, 2016. This document contains the Site Operations and Maintenance Plan which will apply to the ongoing use of the property.

7. The applicant shall identify the name, address and phone number of the contact person for construction management of the project. Said contact person shall be available 24 hours per day, seven days per week throughout construction. This information shall be provided to the dispatcher's office of the Millis Police and Fire Departments, the office of the Department of Public Works, and any other department deemed necessary by the Planning Board. In addition, this information should be posted in a prominent location on the required temporary construction fencing.
8. The applicant shall submit Electric, Telephone and gas utilities designs to the Town for review and approval after designs are complete and prior to construction.
9. The applicant shall submit sprinkler system and water service sizing and design to the Town for review and approval after designs are complete and prior to construction.
10. The applicant shall submit grease trap sizing and design to the Board of Health for review and approval after designs are complete and prior to construction.
11. The applicant shall obtain a Stormwater Management Permit from the Board of Selectman.
12. Prior to the start of construction, the applicant shall conduct a pre-construction meeting with the Assistant Director of the Department of Public Works, the Planning Board's Engineer, and any other persons the Planning Board or its engineer deems appropriate.
13. No construction or preconstruction activities (including dumpster loading or unloading) shall be started prior to 7:00 A.M. or continue beyond 6:00 P.M. No work will be permitted on the site on Sundays or on holidays observed in Norfolk County, Massachusetts. A sign stating these construction activity hours shall be posted at the construction entrance. There are no exceptions to these times/days unless authorized by the Planning Board Chair upon a showing of good cause.

14. There shall be no loading/unloading or stacking of construction vehicles/equipment and materials or idling of delivery trucks on Dover Road or Bridge Street at any time. A sign stating this shall be posted at the construction entrance. All construction vehicles and worker's vehicles must park on-site; no parking on Dover Road, Bridge Street or the Ironwood subdivision.
15. Areas of disturbance, including stockpiling areas shall be protected by temporary fencing throughout construction.
16. Areas of disturbance shall be limited to the greatest extent practical. Disturbed areas that will not be built upon, paved or grassed within 14 days shall be temporarily stabilized with grass.
17. Installation of erosion control devices shall precede all other construction. Flooding of abutting properties during construction shall not be allowed.
18. A dumpster shall be maintained on-site throughout construction. All trash shall be collected daily and deposited in the dumpster. No trash shall be buried on-site.
19. If it is determined by the Board that construction related dust is excessive, remediation shall be implemented within 24 hours. Dust control shall be by water truck, calcium chloride shall not be allowed.
20. Upon completion of construction and the establishment of vegetation, sedimentation and debris shall be removed from all components of the stormwater recharge system, including but not limited to catch basins and proprietary stormwater treatment devices. Accumulates shall be properly disposed of off-site.
21. The Planning Board and any of its representatives shall be allowed to inspect the premises at any time.
22. An "as-built" plan shall be submitted for approval to the Planning Board prior to occupancy. Facility shall not be allowed to partial occupancy at any time without the approval of the Planning Board.
23. The property owner shall maintain on-site files including records of inspection, maintenance, and corrective actions for work performed in accordance with the operations and maintenance plans prepared by the Applicant. Such files shall be available for inspection by the town.

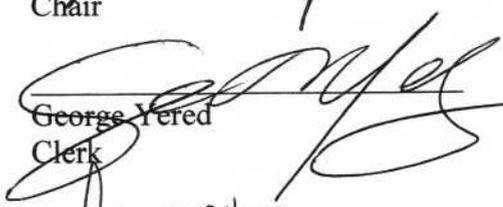
24. A copy of the final Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Town for review and comment prior to construction.
25. The signatures of the prospective owners shall be provided in the Long-Term Operations & Maintenance Plan prior to construction.
26. Observation of the subsoil prior to the installation of the infiltration basin and observation of the installation of the impermeable core of the basin embankment by a representative of the Town is required.
27. Should landscaping be damaged by snow plowing, road salt or any other means, such landscaping shall be replaced as soon as weather permits. All plantings shall be evaluated and repaired/refurbished each spring.
28. Site entrance sign to be designed in accordance with Section VII of the By-Law and submitted to Town for approval.
29. Once the project is complete, no dumpster pick-up or delivery activities shall occur prior to 7:00 A.M. or continue beyond 6:00 P.M. These activities are not permitted on Sundays or on holidays observed in Norfolk County, Massachusetts.
30. The applicant shall not exceed the maximum building height of 35 feet including ornamental structures. As such, **the decorative cupola shown on the architectural elevation plans is not permitted.**
31. The applicant may be required to install regulatory and warning signs with flashing LED's, including stop and stop ahead signs on Bridge Street at the intersection with Dover Road, at the Town's discretion.
32. The applicant shall provide sidewalks along Bridge Street between the two entrance driveways and connecting to the existing sidewalk on the east side of Dover Road. The applicant shall install accessible ramps at all curbs and a painted crosswalk on Dover Road at the intersection with Bridge Street to connect the existing sidewalks on either side of Dover Road. The asphalt curb on the radius of the Bridge Street and Dover Road intersection shall be replaced with vertical granite curbing. This work shall be designed and constructed in accordance the attached Sidewalk Sketch Plan (Figure No. 1) and approved by the Town.

33. Prior to construction, a permanent solid stockade fence of 6-ft in height shall be installed along the entire length of the property abutting 4 Ironwood Lane for abutter screening. If damaged the fence shall be repaired as soon as practical. Further the fence shall be inspected each spring and repaired/fortified each spring if necessary to ensure that both sides of the fence are clean, functional and aesthetically pleasing.
34. The applicant shall install a perforated underdrain at the limit of work line of the easterly property line abutting 4 Ironwood Lane. The top of the underdrain pipe should be located at the top of the till layer with a connection to the onsite drainage system.
35. The applicant shall direct runoff from all roof areas to the infiltration basin through the onsite storm drainage system in order to promote stormwater infiltration and provide recharge.
36. Signage for identifying separate employee parking from resident/visitor parking shall be provided.
37. The applicant shall provide details and location for integrated call, security, telephone, and other communication systems, including connection to individual dwelling units, for review and approval by the Millis Fire Department.
38. The applicant (which for purposes of this Decision shall include the applicant and the owner(s) of the property and any and all successors in interest to the benefit of the instant special permit relief) shall adhere at all times to each and every factual finding set forth herein and shall adhere at all times to each and every condition set forth herein; and, in the event that any factual finding is no longer accurate and/or any condition(s) set forth herein is invalidated or not satisfied for any reason, then the special permit relief granted hereunder shall be null and void, unless a duly approved modification to the special permit is obtained.
39. This special permit shall expire if it is not duly both recorded and duly exercised within one year (as provided for under the Findings set forth above); and, furthermore, this special permit relief shall be **null and void** if the alternative special permit relief issued on even date for the subject property is exercised and, if that occurs, the project shall proceed only under the alternative special permit relief issued for the project and only one of the two special permits shall be exercised, not both.

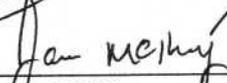
MILLIS PLANNING BOARD.

  
Robert Cantoreggi  
Chair

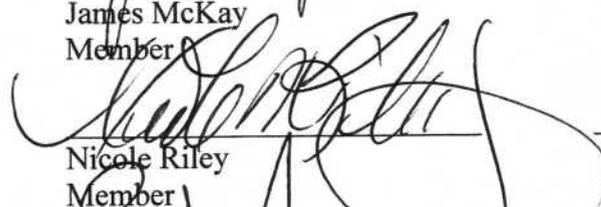
Approve     deny     abstain

  
George Yered  
Clerk

Approve     deny     abstain

  
James McKay  
Member

Approve     deny     abstain

  
Nicole Riley  
Member

Approve     deny     abstain

  
Richard Nichols  
Member

Approve     deny     abstain

DATE VOTED:    October 11, 2016

DATED FILED WITH THE OFFICE OF THE TOWN CLERK:    October 19, 2016

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN TWENTY (20) DAYS AFTER THE DATE THIS DECISION IS FILED IN THE OFFICE OF THE TOWN CLERK.





# TOWN OF MILLIS

Robert Cantoreggi, *Chairman*  
George Yered, *Clerk*  
James McKay  
Nicole Riley  
Richard Nichols  
Carlo Molinari, *Associate Member*

## OFFICE OF THE PLANNING BOARD

900 Main Street • Millis, MA 02054

Phone: 508-376-7045

Fax: 508-376-7053

Camille Standley  
Administrative Assistant  
[cstandley@millis.net](mailto:cstandley@millis.net)

The Planning Board has **approved, with conditions**, the Special Permit on the application of Jim Williamson, Barberry Homes, LLC, 10 Speen Street, Framingham, Massachusetts who requests:

a **Special Permit for/with Site Plan Approval** pursuant to Section XIII, Subsection U. Assisted Living Residences, of the Zoning By-laws of the Town of Millis, to construct an assisted living facility/residence known as "Dover Road Residences" on an approximately 7.697-acre site located at the intersection of Dover Road and Bridge Street. (Assessor Map 18, Parcels 4 & 5, and Assessor Map 27, Parcel 1).

A copy of this decision was filed in the office of the Town Clerk of Millis on October 19, 2016. The decision is also on the Planning Board's webpage at [www.millis.net](http://www.millis.net).

Any person aggrieved by this decision of the Planning Board may appeal said decision pursuant to Massachusetts General Law Chapter 40A, Section 17, by bringing an action within twenty (20) days after the decision has been filed in the office of the Town Clerk. Notice of the action with a copy of the complaint shall be given to the Town Clerk so as to be received within twenty (20) days. A copy of said complaint shall be given to the Planning Board.

No variance or special permit, or any extension, modification or renewal thereof shall take effect until a copy of that decision bearing the certification of the Town Clerk that 20 days have elapsed and no appeal has been filed or that if such an appeal has been filed that it has been denied or dismissed, is recorded in the Registry of Deeds for the county or district in which the land is located and is indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's title certificate. The fee for recording or registering shall be paid by the owner or applicant.

**To the Applicant:** After 20 days have gone by from the above date, check with the Town Clerk's office and obtain a certified copy of the Board's decision. Be sure that the special permit is recorded at the Registry with your deed. The permit is not valid until it is recorded. A copy of the receipt from the Registry of Deeds must be filed with the Planning Board and Building Department when you apply for a building permit for the proposed construction. Also, prior to applying for a building permit for construction, contact the Planning Board for endorsement of the approved site plan.

*Camille Standley*  
Camille Standley  
Administrative Assistant

cc: Building Dept., BOH, BOS, Master Plan Implementation Comm., Assessor, Abutters, File

Received: October 19, 2016  
@ 10:30 A.M.  
Patricia M. Spigin  
Asst. Town Clerk



## TOWN OF MILLIS

Robert Cantoreggi, *Chairman*  
George Yered, *Clerk*  
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Fax: 508-376-7053

Camille Standley  
Administrative Assistant  
[cstandley@millis.net](mailto:cstandley@millis.net)

October 18, 2016

### DECISION OF THE MILLIS PLANNING BOARD ON THE SPECIAL PERMIT WITH SITE PLAN APPROVAL APPLICATION SUBMITTED BY BARBERRY HOMES, LLC, FOR "DOVER ROAD RESIDENCES"

An application was filed with the Millis Town Clerk's office on June 13, 2016, 2016, by Jim Williamson, Barberry Homes, LLC, 10 Speen Street, Framingham, Massachusetts who requests;

a **Special Permit for/with Site Plan Approval** pursuant to Section XIII, Subsection U. Assisted Living Residences, of the Zoning By-laws of the Town of Millis, to construct an assisted living facility/residence known as "Dover Road Residences" on an approximately 7.697-acre site located at the intersection of Dover Road and Bridge Street.

The property which is the subject of this application is identified as Assessors Map 18, Parcel 4 owned by Dover Road LLC, Donald & Kenneth McCarter, Managers, Assessors Map 18, Parcel 5 owned by David McCarter, and Assessors Map 27, Parcel 1 owned by Douglas & Marjorie McCarter. The property is zoned Residential-Suburban (R-S).

In accordance with the provision of G. L. c. 41, Section 81-T, notice of hearing was published in The Milford Daily News on June 22, 2016 and June 29, 2016. Abutters to the property were properly notified of the public hearing by mail. A list of the abutters is on file in the Town Clerk's office, 900 Main Street, Millis, Massachusetts.

A public hearing in accordance with said notice was held on July 12, 2016, and continued hearings were held on August 9, 2016 and September 6, 2016. The public hearing was closed on September 6, 2016. (Note: A Special Permit

for/with Site Plan Approval under Section V. Use Regulations, Residential #5, Housing for the elderly, and Section XIII. Special Permit Conditions, Paragraph C, Site Plan Review was filed on March 9, 2016 and hearings were held concurrently for both applications.)

The applicant was represented by Adam J. Costa of Blatman, Bobrowski, Mead & Talerman, LLC, David Carter, Barberry Homes, Jim Williamson, Barberry Homes, and Robert Truax, P.E., of GLM Engineering Consultants, Inc. The consulting engineer for the Planning Board on this application was the BETA Group, Inc.

The following submissions were received through the public hearing process:

- "Special Permit Application For/With Site Plan Approval" with attachments, filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk March 9, 2016
- Stormwater Management Report for "The Dover Road Residences," dated March 7, 2016, prepared by GLM Engineering Consultants
- Plans entitled, "Site Development Plans, "The Dover Road Residences" Assisted Living Community," (22 sheets) dated March 7, 2016, prepared by GLM Engineering Consultants
- Traffic Impact and Access Study, Proposed Assisted Living Facility, Millis, Massachusetts, dated March 2016, prepared by Green International Affiliates, Inc.
- "The Dover Road Residences," Bridge Street, Millis, Massachusetts, Layout Plan (10 pages 11" x 14"), dated March 7, 2016, prepared by GLM Engineering Consultants
- Memorandum to the Millis Planning Board from Barbara Thissell, Director of Millis Board of Health, dated March 28, 2016
- Correspondence to Millis Planning Board from BETA Engineering, dated April 18, 2016
- Correspondence to Millis Planning Board from Jason S. Sobel, P.E., PTOE, of Green International Affiliates, Inc., dated April 26, 2016
- Landscape Presentation Site Plan, Dover Road Residences, prepared by Terraink, dated April 2016
- Correspondence to Millis Planning Board from Adam J. Costa, Blatman, Bobrowski, Mead & Talerman, LLC, dated May 17, 2016
- Correspondence to Millis Planning Board from GLM Engineering Consultants, dated May 10, 2016

- Plans entitled, "Site Development Plans, "The Dover Road Residences" Assisted Living Community," (22 sheets) dated March 7, 2016, revised May 10, 2016, prepared by GLM Engineering Consultants
- Landscape Plans (2 sheets), dated March 8, 2016, revised May 10, 2016, prepared by Terraink for GLM Consultants
- Stormwater Pollution Prevention Plan (SWPPP), Progress Print, prepared by GLM Engineering Consultants
- Stormwater Management Report for "The Dover Road Residences," dated March 7, 2016, revised May 10, 2016, prepared by GLM Engineering Consultants
- Correspondence to the Millis Planning Board from Green International Affiliates, Westford, MA, dated April 26, 2016
- Grading, Drainage & Utility Plan, The Dover Road Residences, prepared by GLM Engineering, dated March 7, 2016, received May 17, 2016
- Correspondence to Millis Planning Board from BETA Engineering, dated June 3, 2016
- Correspondence to Millis Planning Board from Fire Chief Richard Barrett, received June 7, 2016
- "Fiscal Impact Analysis, 107 Unit Assisted Living/Memory Care Facility, Bridge Street, Millis, Massachusetts," dated April 25, 2016, from Connery Associates
- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane (with photos), dated April 16, 2016
- Email with attached correspondence to Millis Planning Board (and other Boards) from Sarah Occhino, 44 Dover Road, dated April 27, 2016
- Correspondence to Millis Planning Board from Janice & Robert McCoy, 106 Dover Road, dated April 29, 2016
- Email (with attached visuals) to George Yered, Planning Board, from Jen (Rudolph) Parkhurst, dated April 30, 2016
- Correspondence to Millis Planning Board from Mary Calo and Megan Tufts, 60 Bridge Street, dated May 1, 2016
- Email from Karin Mailhoit, 124 Dover Road, dated May 9, 2016
- Correspondence from Robin Spangenberg, 18 Crestview Drive, dated May 11, 2016
- Email from Judy Fiatarone, 112 Dover Road, dated May 15, 2016

- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane (with photos), dated May 16, 2016
- Correspondence to Millis Planning Board from Tibel Rubin and John Ottenstein, 10 Crestview Drive, dated May 16, 2016
- Correspondence to Millis Planning Board from Jennifer Parkhurst, dated May 17, 2016 (with attachments)
- Correspondence to Millis Planning Board from Dr. Pamela Ahmed, 8 Ironwood Lane, dated May 17, 2016
- Email from Karin Mailhoit, 124 Dover Road, dated May 19, 2016, with attached email/letter from Joe Mailhiot received May 19, 2016
- Correspondence to Millis Planning Board on behalf of Mrs. Betty Steinman, from David J. Luca, Esq., dated June 13, 2016
- Email from James Gilmartin to the Planning Board Chairman, dated June 14, 2016
- Correspondence to Millis Planning Board from GLM Engineering Consultants, dated June 9, 2016
- Plans entitled, "Site Development Plans, "The Dover Road Residences" Assisted Living Community," (27 sheets) dated March 7, 2016, revised June 8, 2016, prepared by GLM Engineering Consultants
- Stormwater Management Report for "The Dover Road Residences," dated June 8, 2016, revised May 10, 2016, prepared by GLM Engineering Consultants
- "Special Permit Application For/With Site Plan Approval" Filed Under Section XIII. U. Assisted Living Residences," filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk June 13, 2016 (Map 18, Parcel 4)
- "Special Permit Application For/With Site Plan Approval" Filed Under Section XIII. U. Assisted Living Residences," filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk June 13, 2016 (Map 18, Parcel 5)
- "Special Permit Application For/With Site Plan Approval" Filed Under Section XIII. U. Assisted Living Residences," filed by Jim Williamson, Barberry Homes, LLC, filed with the Town Clerk June 13, 2016 (Map 27, Parcel 1)
- Correspondence to Millis Planning Board from BETA Engineering, dated June 27, 2016

- Correspondence, with attachments, to Anthony Vivirito of The Architectural Team, from Jonah Sacks of Acentech, dated July 6, 2016 (Noise Emissions & Lighting)
- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane, dated July 12, 2016
- Correspondence to Millis Planning Board from Susan H. Steele, 4 Ironwood Lane, dated July 19, 2016
- Correspondence to the Millis Planning Board from Green International Affiliates, Westford, MA, dated July 27, 2016
- Correspondence to Millis Planning Board from Greg E. Lucas, PE, BETA Engineering, dated July 28, 2016
- Signed Petition entitled, "Preserve Residential Suburban Zoning in Millis," received August 9, 2016
- Correspondence to the Millis Planning Board from Susan Steele, dated August 15, 2016, with attachments (fencing)
- Correspondence to Ms. Susan Steele & Millis Planning Board from Michael Juliano, PE, PLS, Eaglebrook Engineering & Survey, LLC, dated August 22, 2016 (Stormwater Review)
- Correspondence to Lisa Jane Hardin, Town Clerk, from Maura Healey, Attorney General, dated August 23, 2016
- Correspondence to Millis Planning Board from Adam J. Costa, Blatman, Bobrowski, Mead & Talermin, LLC, dated August 26, 2016 re: Petition
- Memorandum to Brutus Cantoreggi from Chris Luppino/Phil Paradis, PE, BETA Engineering, dated August 30, 2016
- Correspondence to Town of Millis from Jerome R. Dixon, Architect, Architect's Studio, dated August 31, 2016
- Signed Petition entitled, "Preserve Residential Suburban Zoning in Millis," received September 6, 2016

## FINDINGS

Regarding the requests for Special Permits, Section XII.Q of the Zoning By-Laws of the Town of Millis requires the following general conditions to be fulfilled prior to the granting of an application for a special permit:

(a) Special permits shall only be issued following public hearings held within 65 days after filing of an application with the Special Permit Granting Authority, a copy of which shall be given forthwith to the Town Clerk by the applicant.

**Finding:** The application was filed with the office of the Town Clerk on June 13, 2016; and the initial public hearing was held on July 12, 2016. The Planning Board therefore finds that this requirement has been met.

(b) The use requested by the applicant is authorized by a Special Permit under Section XIII Special Permit Conditions of the Millis Zoning By-laws, Subsection U - Assisted Living Residences (ALR).

**Finding:** The proposed site development of an ALR under the ALR Bylaw (Section XIII. U) may be authorized by a Special Permit from the Planning Board following the requirements for a Special Permit as set forth in MGL Chapter 40A and pursuant to Section XII. Q. Special Permits of this Bylaw. The Planning Board therefore finds that this requirement has been met.

(c) The requested use is essential or desirable to the public convenience or welfare.

**Finding:** The Board finds that the proposed development of an assisted living community will be an asset to the Town by providing senior living options that are not otherwise available in Town. A fiscal impact analysis was conducted and concluded that the proposed development, while adding an additional dimension to senior living options in Millis, is anticipated to generate an annual fiscal benefit for the community as a whole. The extension of the Town water and sewer main on Dover Road from Route 109 will provide the benefit of municipal services to the current and future residents on that street. The Board therefore finds that the proposed development is desirable to the public convenience and welfare.

(d) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

**Finding:** The applicant has provided a traffic study that was reviewed by an independent traffic review consultant on behalf of the Town. Capacity

analysis results of the study show that the proposed development project will not significantly alter traffic operations within the study area. Movements which operate at unfavorable levels of service today will continue to do so in the future, with negligible increase in delay or queue length as a result of site-generated traffic. The requested use will therefore not create undue traffic congestion, or unduly impair pedestrian movement. The Planning Board finds that the applicant has allowed adequate sight distance for access and egress point of the development so as not to endanger pedestrian safety with regard to traffic flow onto adjacent roadways. The Planning Board therefore finds that this requirement has been met.

(e) The requested use will not overload any municipal services to such an extent that the requested use or any developed use in the immediate area or in any other area of the town will be unduly subject to hazards affecting health, safety, or the general welfare.

**Finding:** The site will be serviced by municipal water and sewer systems. As part of this project, the applicant will install new 8-inch sewer main in Bridge Street as an extension from the sewer main in Route 109 as well as a new 8-inch water main loop in Bridge Street connecting Route 109 to Dover Road. Millis DPW has indicated the sewer and water main extensions are acceptable and that the sewer and water systems are adequate for the use. The applicant has proposed the installation of a new stormwater management system on the site that is in compliance with the Massachusetts Stormwater Management Standards and Town of Millis Stormwater Management Regulations as reviewed and confirmed by an independent review consultant on behalf of the Town. The Fire Chief has been consulted and indicated that the department will have the capacity to meet the needs of emergency services for the proposed development. The requested use will not overload any municipal services to such an extent that the requested use or any developed use in the immediate area or in any other area of the town will be unduly subject to hazards affecting health, safety, or general welfare. The Planning Board therefore finds that this requirement has been met.

(f) Any special regulations for the use set forth in Section XI (Special Flood Hazard District), are fulfilled.

**Finding:** A portion of the property is within the limit of the FEMA Flood Zone along the embankment of the bordering vegetated wetlands, however, all work proposed is outside of this flood hazard area. This requirement is not applicable.

(g) The requested use will not impair the integrity or character of the district or adjoining zones, not be detrimental to the health, morals, or welfare.

**Finding:** The site is located within the Residential-Suburban (R-S) Zoning District in a residential neighborhood. The Planning Board finds that the proposed residential use is in character with the surrounding area which is zoned residentially. The architecture proposed mimics the New England style homes in the surrounding area. Appropriate measures have been taken to protect abutting properties from light overcast and visual impacts. As such, the requested use will not impair the integrity or character of the district or adjoining zones, not be detrimental to the health, morals, or welfare of the citizens of Millis. The Planning Board therefore finds that this requirement has been met.

(h) A special permit granted under the provision of the Millis Zoning by-laws shall lapse within one year, and including such time required to pursue or await the determination of an appeal, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.

**Finding:** The applicant shall adhere to such requirements and the Planning Board therefore finds that this requirement has been met.

Section XIII. U. of the Zoning By-laws of the Town of Millis requires the following matters be evaluated prior to the granting of an application for Site Plan Review:

**Developmental Standards**

(a) The proposed use shall not produce adverse effects on the use or development of the neighboring area because of noise, traffic, lighting or other nuisances.

**Finding:** The applicant has provided a traffic study that was reviewed by an independent traffic review consultant on behalf of the Town. Capacity analysis results of the study show that the proposed development project will not significantly alter traffic operations within the study area. The applicant has provided a noise emission assessment for the mechanical systems and lighting illuminance plans. Based on the plan submitted and additional information provided in regards to lighting, traffic, and noise related to generator and HVAC units, along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(b) The site shall not create or generate excessive noise, air pollution and other harmful physical influences.

**Finding:** Based on the plan submitted and additional information provided in regards to dumpsters, generator and HVAC units, along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(c) All utilities on the site shall be installed underground pursuant to approved methods of installation and construction

**Finding:** The applicant shall adhere to such requirements and the Planning Board therefore finds that this requirement has been met.

(d) The ALR shall have an integrated emergency call, security, telephone and other communication systems to provide monitoring for its residents and direct line connection to the Millis Fire Department. Additionally, each individual Dwelling Unit shall be equipped with an emergency call system linked to a central office within the ALR development, which shall be staffed 24 hours a day.

**Finding:** The applicant shall adhere to such requirements and the Planning Board therefore finds that this requirement has been met.

(e) All roadways, walkways and paths shall be privately maintained with respect to upkeep and snow and ice removal.

**Finding:** The applicant shall adhere to such requirements and the Planning Board therefore finds that this requirement has been met.

(f) Open space shall be used to protect valuable natural environments such as streams, valleys, outstanding vegetation or scenic spots.

**Finding:** The site is a naturally wooded area without any streams or valleys, and the usual vegetation found in the surrounding area. The site plan depicts the limit of tree disturbance of the existing wooded lot to preserve a wooded buffer along all property lines with the designated setbacks. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(g) The site, when utilized for the purposes of this Section and combined with any other use or uses allowed in the underlying zone district, shall be of sufficient size, shape, topography and location as determined by the Planning Board to be capable of accommodating such multiple uses.

**Finding:** The site is not proposed to be combined with any other uses. This requirement is not applicable.

### **Technical Quality**

- (a) Protection of adjoining premises by provisions to control surface water drainage, to maintain adequate sound and sight buffers and to preserve views, light and air.

**Finding:** The site plan includes the construction of a stormwater management system designed to comply with the DEP Stormwater Management Standards. Construction-stage erosion controls will be implemented to prevent soil erosion during construction. As mentioned previously, the proposed structure meets all setback requirements of the Zoning By-law. The site plan depicts the limit of tree disturbance to maintain a wooded buffer along all property lines with the designated setbacks and additional landscape screening along the property frontage to provide sound and sight buffers.

- (b) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent street, and compliance with other regulations for the handicapped and elderly.

**Finding:** The site plan includes appropriately designed vehicular and pedestrian circulation features such as driveways, parking areas, pedestrian walkways and handicap accessibility as well as a dedicated loading area located behind the proposed building. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

- (c) Protection and enhancement of existing site features.

**Finding:** The majority of the existing wooded area of the site will be cleared for this development, however, the Approved Site Plan depicts the limit of tree disturbance to maintain a wooded buffer along all property lines with the designated setbacks. In addition, the plan incorporates extensive landscaping of native species that will provide seasonal interest and color including a landscape berm along the property frontage providing screening along Dover Road and Bridge Street. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

- (d) Relationship of structures and open spaces to the natural landscape, existing structures and other community assets in the area.

**Finding:** The proposed structure meets all setback and area, height and bulk regulation requirements of the Bylaw. As previously mentioned, the site plan depicts the limit of tree disturbance to maintain a wooded buffer along all property lines with the designated setbacks. In addition, the proposed development incorporates extensive landscaping of native species that will provide seasonal interest and color including a landscape berm along the property frontage providing screening along Dover Road and Bridge Street. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

- (e) Protection of environmental features, particularly groundwater resources, on the site and in adjacent areas and adequate protection to prevent pollution of surface and groundwater and adequate measures to prevent soil erosion, increased stormwater volume and rate of runoff, changes in groundwater recharge level(s) or elevations(s) and flooding.

**Finding:** The site plan includes the construction of a stormwater management system designed to comply with the DEP Stormwater Management Standards. Construction-stage erosion controls will be implemented to prevent soil erosion during construction. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

## DECISION

At a meeting held on October 11, 2016, acting upon a motion of Ms. Nicole Riley and seconded by Mr. James McKay, with Mr. Robert Cantoreggi and Mr. Richard Nichols voting in the affirmative, and with Mr. George Yered opposed, it was voted 4-1 in favor to grant to the applicant, Jim Williamson of Barberry Homes, LLC, a **Special Permit for/with Site Plan Approval** pursuant to Section XIII, Subsection U. Assisted Living Residences, of the Zoning By-laws of the Town of Millis, for property located at the intersection of Bridge Street and Dover Road for an Assisted Living Community, said location as described herein and on the plans. The site and the approved development are depicted on a twenty-seven sheet plan set entitled "Site Development Plan, 'The Dover Road Residences,' Assisted Living Community, Millis, Massachusetts," dated March 7, 2016 with a final revision

date of June 8, 2016, prepared by GLM Engineering Consultants, Inc. (hereinafter referred to as the "Approved Site Plan").

Special Permit/Site Plan Approval is subject to the following conditions:

1. All necessary approvals from other Town Boards and Commissions must be obtained by the applicant. Proof of said approvals, where needed, shall be forwarded to the Millis Planning Board. Approvals and/or permits shall reference the Approved Site Plan.
2. All provisions of the Millis Zoning By-laws shall be observed unless otherwise approved herein and authorized by variance from the Millis Zoning Board of Appeals.
3. This special permit granted under the provisions of the Millis Zoning By-laws shall lapse within twenty-four (24) months from the filing of this decision with the Town Clerk, and including such time required to pursue or await the determination of an appeal from the grant thereof. If the applicant, for good cause, needs to be granted an extension of up to one (1) year for completion of the project, such an extension will not be unreasonably withheld.
4. This permit is for the development of a proposed assisted living community at the intersection of Dover Road with Bridge Street. The site is currently an undeveloped 7.7 acre wooded lot. As shown on the Approved Site Plan, proposed development includes constructing a 62,411 SF main building, seven outlying cottages and accessory buildings with a combined area of 79,425 SF and 93 proposed parking spaces. The plan includes utility, lighting, and landscape design. The plan also proposes stormwater management in an infiltration basin on an adjacent lot of the same property owner which is also wooded in the existing conditions. Access to this adjacent lot is through an existing 20' wide drainage easement where drainage piping is proposed to carry stormwater from the site to the proposed infiltration basin. Any desired changes in use must be submitted the Board for review and determination as to whether an amendment or modification of the permit is required.
5. All construction activities shall be in accordance with "Stormwater Pollution Prevention Plan for Construction Activities" submitted by the applicant.
6. All construction activities and future use of the site shall be in accordance with the provisions of the document submitted by the applicant entitled

"Stormwater Management Report - The Dover Road Residences" prepared by GLM Engineering Consultants Inc., revision date June 8, 2016, and the "Long-term Pollution Prevention and Stormwater Operation & Maintenance Plan" prepared by GLM Engineering Consultants Inc., dated June 8, 2016. This document contains the Site Operations and Maintenance Plan which will apply to the ongoing use of the property.

7. The applicant shall identify the name, address and phone number of the contact person for construction management of the project. Said contact person shall be available 24 hours per day, seven days per week throughout construction. This information shall be provided to the dispatcher's office of the Millis Police and Fire Departments, the office of the Department of Public Works, and any other department deemed necessary by the Planning Board. In addition, this information should be posted in a prominent location on the required temporary construction fencing.
8. The applicant shall submit Electric, Telephone and gas utilities designs to the Town for review and approval after designs are complete and prior to construction.
9. The applicant shall submit sprinkler system and water service sizing and design to the Town for review and approval after designs are complete and prior to construction.
10. The applicant shall submit grease trap sizing and design to the Board of Health for review and approval after designs are complete and prior to construction.
11. The applicant shall obtain a Stormwater Management Permit from the Board of Selectman.
12. Prior to the start of construction, the applicant shall conduct a pre-construction meeting with the Assistant Director of the Department of Public Works, the Planning Board's Engineer, and any other persons the Planning Board or its engineer deems appropriate.
13. No construction or preconstruction activities (including Dumpster loading or unloading) shall be started prior to 7:00 A.M. or continue beyond 6:00 P.M. No work will be permitted on the site on Sundays or on holidays observed in Norfolk County, Massachusetts. A sign stating these construction activity hours shall be posted at the construction entrance.

There are no exceptions to these times/days unless authorized by the Planning Board Chair upon a showing of good cause.

14. There shall be no loading/unloading or stacking of construction vehicles/equipment and materials or idling of delivery trucks on Dover Road or Bridge Street at any time. A sign stating this shall be posted at the construction entrance. All construction vehicles and worker's vehicles must park on-site; no parking on Dover Road, Bridge Street or the Ironwood subdivision.
15. Areas of disturbance, including stockpiling areas shall be protected by temporary fencing throughout construction.
16. Areas of disturbance shall be limited to the greatest extent practical. Disturbed areas that will not be built upon, paved or grassed within 14 days shall be temporarily stabilized with grass.
17. Installation of erosion control devices shall precede all other construction. Flooding of abutting properties during construction shall not be allowed.
18. A dumpster shall be maintained on-site throughout construction. All trash shall be collected daily and deposited in the dumpster. No trash shall be buried on-site.
19. If it is determined by the Board that construction related dust is excessive, remediation shall be implemented within 24 hours. Dust control shall be by water truck, calcium chloride shall not be allowed.
20. Upon completion of construction and the establishment of vegetation, sedimentation and debris shall be removed from all components of the stormwater recharge system, including but not limited to catch basins and proprietary stormwater treatment devices. Accumulates shall be properly disposed of off-site.
21. The Planning Board and any of its representatives shall be allowed to inspect the premises at any time.
22. An "as-built" plan shall be submitted for approval to the Planning Board prior to occupancy. Facility shall not be allowed to partial occupancy at any time without the approval of the Planning Board.
23. The property owner shall maintain on-site files including records of inspection, maintenance, and corrective actions for work performed in

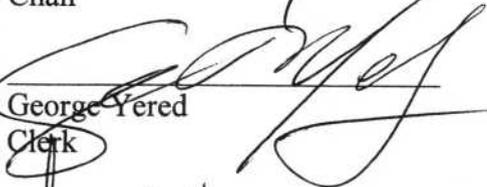
- accordance with the operations and maintenance plans prepared by the Applicant. Such files shall be available for inspection by the town.
24. A copy of the final Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Town for review and comment prior to construction.
  25. The signatures of the prospective owners shall be provided in the Long-Term Operations & Maintenance Plan prior to construction.
  26. Observation of the subsoil prior to the installation of the infiltration basin and observation of the installation of the impermeable core of the basin embankment by a representative of the Town is required.
  27. Should landscaping be damaged by snow plowing, road salt or any other means, such landscaping shall be replaced as soon as weather permits. All plantings shall be evaluated and repaired/refurbished each spring.
  28. Site entrance sign to be designed in accordance with Section VII of the By-Law and submitted to Town for approval.
  29. Once the project is complete, no dumpster pick-up or delivery activities shall occur prior to 7:00 A.M. or continue beyond 6:00 P.M. These activities are not permitted on Sundays or on holidays observed in Norfolk County, Massachusetts.
  30. The applicant shall not exceed the maximum building height of 35 feet including ornamental structures. As such, **the decorative cupola shown on the architectural elevation plans is not permitted.**
  31. The applicant may be required to install regulatory and warning signs with flashing LED's, including stop and stop ahead signs on Bridge Street at the intersection with Dover Road, at the Town's discretion.
  32. The applicant shall provide sidewalks along Bridge Street between the two entrance driveways and connecting to the existing sidewalk on the east side of Dover Road. The applicant shall install accessible ramps at all curbs and a painted crosswalk on Dover Road at the intersection with Bridge Street to connect the existing sidewalks on either side of Dover Road. The asphalt curb on the radius of the Bridge Street and Dover Road intersection shall be replaced with vertical granite curbing. This work shall be designed and constructed in accordance the attached Sidewalk Sketch Plan (Figure No. 1) and approved by the Town.

33. Prior to construction, a permanent solid stockade fence of 6-ft in height shall be installed along the entire length of the property abutting 4 Ironwood Lane for abutter screening. If damaged the fence shall be repaired as soon as practical. Further the fence shall be inspected each spring and repaired/fortified each spring if necessary to ensure that both sides of the fence are clean, functional and aesthetically pleasing.
34. The applicant shall install a perforated underdrain at the limit of work line of the easterly property line abutting 4 Ironwood Lane. The top of the underdrain pipe should be located at the top of the till layer with a connection to the onsite drainage system.
35. The applicant shall direct runoff from all roof areas to the infiltration basin through the onsite storm drainage system in order to promote stormwater infiltration and provide recharge.
36. Signage for identifying separate employee parking from resident/visitor parking shall be provided.
37. The applicant shall provide details and location for integrated call, security, telephone, and other communication systems, including connection to individual dwelling units, for review and approval by the Millis Fire Department.
38. The applicant (which for purposes of this Decision shall include the applicant and the owner(s) of the property and any and all successors in interest to the benefit of the instant special permit relief) shall adhere at all times to each and every factual finding set forth herein and shall adhere at all times to each and every condition set forth herein; and, in the event that any factual finding is no longer accurate and/or any condition(s) set forth herein is invalidated or not satisfied for any reason, then the special permit relief granted hereunder shall be null and void, unless a duly approved modification to the special permit is obtained.
39. This special permit shall expire if it is not duly both recorded and duly exercised within one year (as provided for under the Findings set forth above); and, furthermore, this special permit relief shall be **null and void** if the alternative special permit relief issued on even date for the subject property is exercised and, if that occurs, the project shall proceed only under the alternative special permit relief issued for the project and only one of the two special permits shall be exercised, not both.

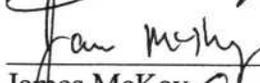
MILLIS PLANNING BOARD:

  
Robert Cantoreggi  
Chair

Approve     deny     abstain

  
George Yered  
Clerk

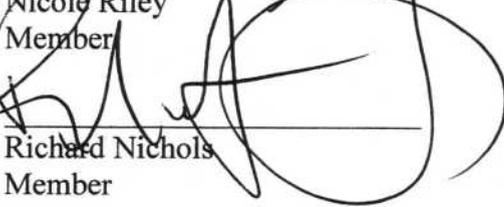
Approve     deny     abstain

  
James McKay  
Member

Approve     deny     abstain

  
Nicole Riley  
Member

Approve     deny     abstain

  
Richard Nichols  
Member

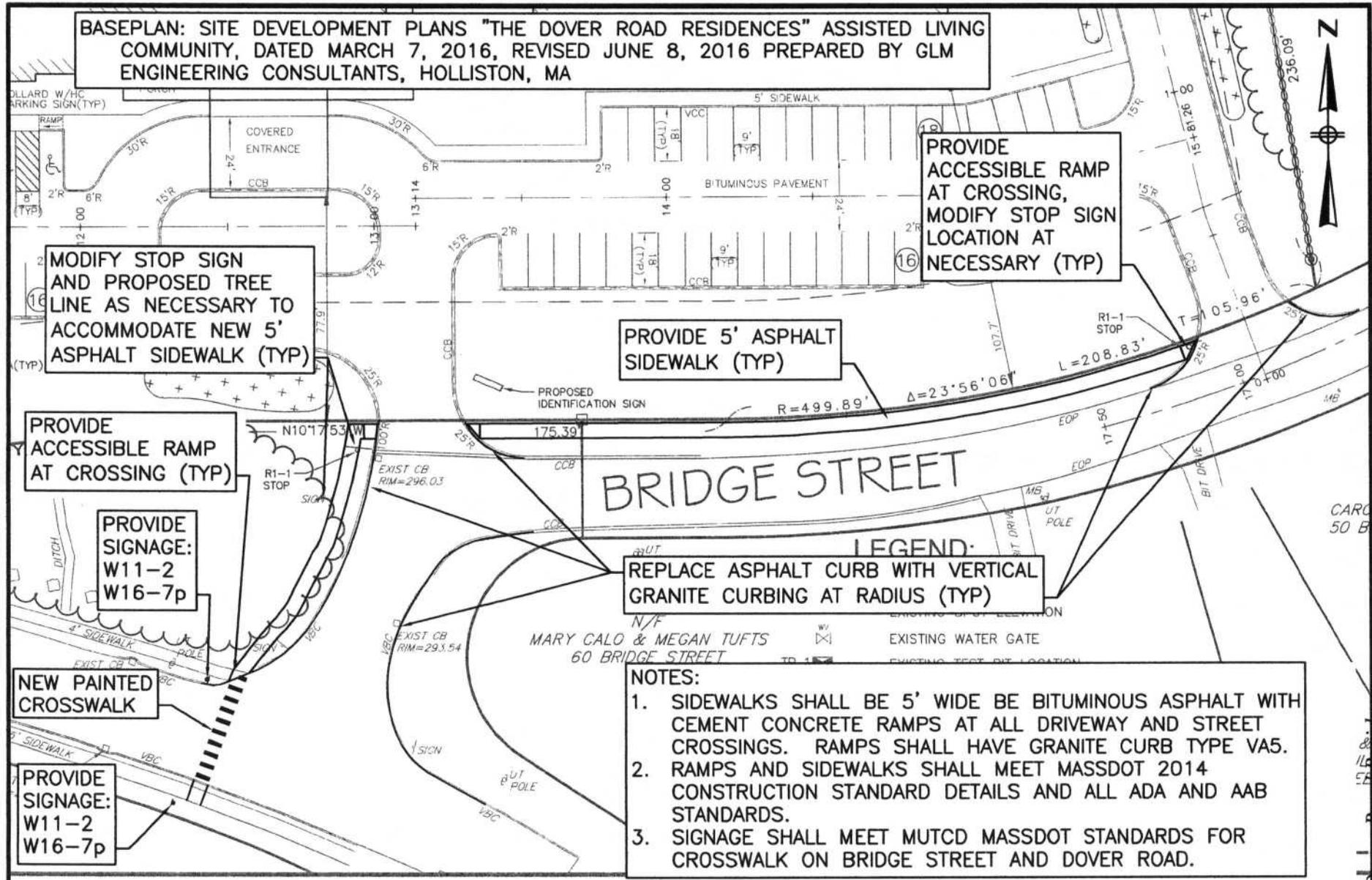
Approve     deny     abstain

DATE VOTED: October 11, 2016

DATED FILED WITH THE OFFICE OF THE TOWN CLERK: October 19, 2016

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN TWENTY (20) DAYS AFTER THE DATE THIS DECISION IS FILED IN THE OFFICE OF THE TOWN CLERK.

**BASEPLAN: SITE DEVELOPMENT PLANS "THE DOVER ROAD RESIDENCES" ASSISTED LIVING COMMUNITY, DATED MARCH 7, 2016, REVISED JUNE 8, 2016 PREPARED BY GLM ENGINEERING CONSULTANTS, HOLLISTON, MA**



**MODIFY STOP SIGN AND PROPOSED TREE LINE AS NECESSARY TO ACCOMMODATE NEW 5' ASPHALT SIDEWALK (TYP)**

**PROVIDE ACCESSIBLE RAMP AT CROSSING, MODIFY STOP SIGN LOCATION AT NECESSARY (TYP)**

**PROVIDE 5' ASPHALT SIDEWALK (TYP)**

**PROVIDE ACCESSIBLE RAMP AT CROSSING (TYP)**

**PROVIDE SIGNAGE: W11-2 W16-7p**

**REPLACE ASPHALT CURB WITH VERTICAL GRANITE CURBING AT RADIUS (TYP)**

**NEW PAINTED CROSSWALK**

**PROVIDE SIGNAGE: W11-2 W16-7p**

- NOTES:**
1. SIDEWALKS SHALL BE 5' WIDE BE BITUMINOUS ASPHALT WITH CEMENT CONCRETE RAMPS AT ALL DRIVEWAY AND STREET CROSSINGS. RAMPS SHALL HAVE GRANITE CURB TYPE VA5.
  2. RAMPS AND SIDEWALKS SHALL MEET MASSDOT 2014 CONSTRUCTION STANDARD DETAILS AND ALL ADA AND AAB STANDARDS.
  3. SIGNAGE SHALL MEET MUTCD MASSDOT STANDARDS FOR CROSSWALK ON BRIDGE STREET AND DOVER ROAD.



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**BRIDGE STREET  
MILLIS, MASSACHUSETTS**

**SIDEWALK SKETCH PLAN  
FIGURE NO. 1  
SCALE = NTS**