

MILLIS PLANNING BOARD MINUTES

Tuesday, June 14, 2016

Room 229, Veterans Memorial Building, 900 Main St., Millis, MA

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

Members present: Robert Cantoreggi, Chair
George Yered, Clerk
James McKay

Members Absent: Richard Nichols
Nicole Riley

Also present: Scott Fuzy, 15 Stony Brook Dr.
Judy Fiatarone, 112 Dover Rd.
Janice & Bob McCoy, 106 Dover Rd.
Arthur Payne, Jr., 94 Dover Rd.
Susan & Charles Steele, 4 Ironwood Ln.
Jen & Joe Parkhurst, 99 Dover Rd.
Ann Marie & Stanley Roskey, 52 Dover Rd.
Betty Steinman, 17 Ironwood Lane
David Luca, Mansfield
Phyllis McGuinness, 27 Dover Road
David McCarter, 29 Bridge St.
Martha Kessler, 275 Island Rd.
Mary Corthell, 41 Crestview Dr.
Carol Coakley, 50 Bridge St.
Karen & Joseph Mailhiot, 124 Dover Rd.
Michael Dryden, Bohler Engineering, Southboro
David Carter, Barberrry Homes
Adam J. Costa, Blatman, Bobrowski, Mead & Talerman, LLC
Thomas Roche, Roche's Building

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

“DOVER ROAD RESIDENCES” – ASSISSTED LIVING FACILITY

BRIDGE STREET & DOVER ROAD

BARBERRY HOMES, LCC

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

Atty. Adam Costa, representing the applicant, Barberrry Homes, LLC, stated that the applicant is seeking a continuance of these proceedings. He said there is “some confusion” regarding the application due to the adoption of the Assisted Living Residences Bylaw at the May Town Meeting. The Planning Board currently has before them an application for a Special Permit with Site Plan Approval filed under the “Housing for the elderly” use, he explained. Mr. Costa stated that his client, Barberrry Homes, began their due diligence to file an application a year and a half ago, before any new bylaw was proposed. The project as proposed, he said, fits the requirements for

“housing for the elderly” use. Now that there is an Assisted Living Residences Bylaw, subject to the approval of the Attorney General, to avoid any question or confusion, the applicant has filed applications under the new ALR Bylaw, Mr. Costa said. The applications were filed with the Town Clerk on June 13, 2016. He stated that they wish to continue with the hearings on the current pending Special Permit Application and request hearings on the new applications be held concurrently. According to Mr. Costa, this is “just a procedural step” as they have designed the project to comply with the more stringent bylaw. The applicant wishes to continue the current public hearing continuation until the new applications can be scheduled for a hearing, advertised and abutters notified. Then, both hearings can be held simultaneously, he said.

Mr. Mailhiot summarized his letter emailed May 19, 2016, wherein he expressed many concerns about the facility; in part the safety of those in the memory care units “exit seeking.” He also stated that “these places will be gone in twenty years,” and asked “what happens to these facilities when there are no more residents?” Mr. Yered read into the record an email letter, dated June 14, 2016, from Mr. James Gilmartin expressing his objection to the issuance of the Special Permit for the facility. Mr. Cantoreggi read into the record a letter, dated June 13, 2016, from David J. Luca, Esq., on behalf of Mrs. Betty Steinman, regarding the criteria not being met for issuance of the Special Permit. Mr. McKay read into the record a letter from Fire Chief Richard Barrett regarding the Fiscal Impact Analysis prepared by Connery Associates, dated April 25, 2016. Mr. Cantoreggi reiterated that all letters, emails, etc. that have been submitted have been read by the Board members and are part of the public record, even if they are not read aloud during the public hearings.

Ms. Jen Parkhurst questioned the Maps and Parcels referenced on the new applications filed. Mr. Costa stated that they wanted to cover all bases and included not only the project site parcel, but parcels for drainage easements as well. She questioned the process for “concurrent applications” and what “bylaws are going to be looked at.” Mr. Cantoreggi explained that the applicant will have “two permits going forward – elderly housing and Assisted Living Residences. Either can be approved or denied” according to the bylaw criteria for each application. He stated that Town Counsel had been consulted.

Ms. Coakley asked for clarification on “abutters.” Mr. Costa explained the definition of an “abutter” and stated that they have complied with the statute and their Certified Abutters List contains those residences/properties within a “300-foot radius of the site.” Mr. Cantoreggi requested that, in addition, the Planning Board’s Administrative Assistant mail hearing notices on the new applications to all Ironwood residents.

Mr. Steele stated that “it is not appropriate to do both applications at once.” Ms. Corthell questioned how the wetlands would be impacted. Mr. Costa stated that the project does not fall within the Conservation Commission’s jurisdiction. Ms. Kessler expressed concern over the development and “not being able to fill it.” Mr. Cantoreggi explained that if approved, any change in the use would require Planning Board approval.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was voted unanimously at 8:15 p.m. to continue the public hearing to Tuesday, July 12, 2016, 7:30 p.m. The new public hearing on the ALR Bylaw application will be scheduled for Tuesday, July 12, 2016, at 7:31 p.m.

FORM A APPLICATION – SUBDIVISION APPROVAL NOT REQUIRED

1313-1319 MAIN STREET

NERP HOLDINGS & ACQUISITIONS CO., LLC

MARK D’ADDABBO

Mr. Michael Dryden of Bohler Engineering, representing the applicant, presented the application and plan. The ANR subdivides the existing Lot, which contains approximately 48.7 acres of land, into two Lots. Lot #1 will contain 12.436 acres and Lot #2 will contain 36.297 acres. The proposed lots contain adequate area and frontage on an existing public way, Mr. Dryden stated. NERP Holdings will continue to remain ownership of all the land, he said. They will lease a portion to Tractor Supply.

On a motion made by Mr. Yered, seconded by Mr. McKay, it was voted unanimously (3-0) to approve and endorse an ANR plan entitled, “Approval Not Required Plan of Land,” 1313-1319 Main Street, Lots 4 & 6, Map 22, Town of Millis, Norfolk County, Commonwealth of Massachusetts, dated May 31, 2016, prepared by Control Point Associates, Inc., 352 Turnpike Rd., Southborough, MA 01772, stamped by Gerry L. Holdright, PLS, for property located at 1313-1319 Main Street, Map 22, Parcels 4 & 6, finding the Form A in order and subdivision control not required.

The Board found that the land shown on the plan does not constitute a subdivision within the meaning of the Subdivision Control Law, and therefore approved and endorsed the plan accordingly.

TRACTOR SUPPLY COMPANY

1313-1319 MAIN STREET

ENDORSEMENT OF PLANS

Mr. Michael Dryden of Bohler Engineering, representing the applicant, presented the mylar final approved plans for Tractor Supply Company. The Special Permit for/with Site Plan was approved on April 12, 2016.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was voted unanimously (3-0) to endorse the plans entitled, “Site Development Plans for Proposed Tractor Supply Co., NERP Holdings and Acquisitions Company, LLC, 1313-1319 Main Street, Town of Millis,” dated December 18, 2015, last revised April 7, 2016, prepared by Bohler Engineering, stamped by M.D. Smith, P.E.

Mr. Dryden will deliver 8 copies of the endorsed plan sets to the Board.

**26-28 SPRING STREET
SPECIAL PERMIT EXTENSION REQUEST
THOMAS ROCHE**

The Board met with Mr. Roche wherein the letter from Atty. John Fernandes, dated June 9, 2016, was discussed. An extension of the Special Permit on the approved project is being requested. Significant engineering and planning work in relation to the project has been done and the site has been cleared, Mr. Roche stated. He also requested that instead of two (2) 6-unit buildings, two (2) 5-unit buildings “will better fit the site.” The footprint and façade will remain the same. Mr. Cantoreggi stated that any other significant changes to the plan must be presented to the Board.

On a motion made by Mr. McKay, seconded by Mr. Yered, it was unanimously voted (3-0) to extend the Special Permit with Site Plan Approval up to and including July 28, 2017. Also, the change to two (2) 5-unit buildings is permitted.

**WAIVER OF SITE PLAN APPROVAL REQUEST
82 EXCHANGE STREET – ST. THOMAS CHURCH
THOMAS ROCHE**

Mr. Roche discussed the email he submitted, dated June 10, 2016. According to Mr. Roche, a representative of the church, they propose to add a small addition to the front right side of the existing church which will contain two handicap accessible bathrooms (one Men’s Bathroom and one Women’s Bathroom). The addition measurements are “12 foot 6 by 15 foot 6,” he said.

On a motion made by Mr. Cantoreggi, and seconded by Mr. McKay, it was voted unanimously (3-0), pursuant to Section XIII (Special Permit Conditions) C., of the Town of Millis Zoning By-laws, to waive the requirements of Site Plan Review for 82 Exchange Street, St. Thomas Church.

**NEW POLICE STATION SPECIAL PERMIT
LANDSCAPE MODIFICATIONS/FIELD CHANGE REQUEST
PERMANENT BUILDING COMMITTEE**

The Board discussed Mr. Klocko’s letter, dated June 2, 2016, regarding landscape modifications and the flagpole at the new police station.

On a motion made by Mr. Yered, seconded by Mr. McKay, it was unanimously voted (3-0), with Mr. Cantoreggi, Mr. Yered, and Mr. MacKay voting in the affirmative, to approve, as a field change, the planting modifications and elimination of the flagpole from the corner of the building at Auburn Road. The flagpole will be moved to the Fire Station and two, eight-foot angled flagpoles will be mounted on the building at the front entrance of the new police station.

OTHER BUSINESS:

**RECOMMENDATION OF MS. RILEY
HOUSING PRODUCTION PLAN (HPP) COMMITTEE
PLANNING BOARD MEMBER**

On a motion made by Mr. Cantoreggi, and seconded by Mr. Yered, it was unanimously voted to recommend the appointment of Ms. Nicole Riley as the Planning Board designate to the Housing Production Plan Committee.

MINUTES

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was unanimously voted to approve the minutes from May 17, 2016, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. Cantoreggi, seconded by Mr. McKay and voted unanimously, the meeting was adjourned at 8:36 p.m.

Scheduled Planning Board Meetings: July 12, 2016

Respectfully submitted,

*Camille Standley
Administrative Assistant*