

**MILLIS PLANNING BOARD MINUTES**

**Tuesday, August 9, 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  
Richard Nichols  
Nicole Riley

Members Absent:

Also present: Scott Fuzy, 15 Stony Brook Dr.  
Arthur Payne, Jr., 94 Dover Rd.  
Martha Kessler, 275 Island Rd.  
Judy Fiatarone, 112 Dover Rd.  
Susan Steele, 4 Ironwood Ln.  
Marilyn & Steve Barber, 13 Ironwood Ln.  
Betty Steinman, 17 Ironwood Ln.  
Atty. David Luca, Mansfield  
Phyllis McGuinness, 27 Dover Rd.  
David & Beverly McCarter, 29 Bridge St.  
Tim Greene, 91 Dover Rd.  
Kathi Smith, 28 McCabe Ave.  
Ed Coppelman, 1098 Main St.  
Kenneth Webb, 1098 Main St.  
Shawn Nuckolls, 134 Flanders Rd., Westboro  
Scott Miccile, 134 Flanders Rd., Westboro  
Stephen Koss, 120 Dover Rd.  
Jane Armstrong, 50 Bridge St.  
Carol Coakley, 50 Bridge St.  
Madeline Yusna, 93 Dover Rd.  
Jim Williamson, Barberry Homes  
David Carter, Barberry Homes  
Robert Truax, GLM Engineering Cons., Inc.  
Adam J. Costa, Blatman, Bobrowski, Mead & Talerman, LLC  
Cathy MacInnes, 78 Island Rd.  
Diane Hubbard, 307 Orchard St.  
Beverly Temple, 245 Ridge St.  
Stephen Bello, 12 Ironwood Ln.  
Robert Fox, 275 Turnpike, Canton  
Carlo Molinari, 6 Causeway St.  
Kaz Piorkowski, Jr., 70 Acorn St.  
Jerome Dixon, Architect  
Wayne Klocko, PBC  
James Jackson, CDR Maguire  
Mark Saccoccio, CDR Maguire

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

**“DOVER ROAD RESIDENCES” – ASSISTED 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.

**SPECIAL PER. APP. WITH SITE PLAN APPROVAL,  
ASSISTED LIVING RESIDENCES BYLAW, PUBLIC HEARING,  
“DOVER ROAD RESIDENCES” – ASSISTED LIVING FACILITY  
BRIDGE STREET & DOVER ROAD  
BARBERRY HOMES, LCC**

The public hearing was opened at 7:32 p.m. with notice being read by Mr. Yered, Clerk. (Both public hearings held concurrently at applicant’s request.)

Atty. Adam Costa, representing the applicant, Barberrry Homes, LLC, summarized the proposed project and applications. He stated that at this point, Attorney General approval of the newly adopted Assisted Living Residences Bylaw is still pending. Mr. Costa stated that there are two open items: (1) potential for left-turn lane off Dover Road and (2) neighbor’s drainage study review.

Green International Affiliates reviewed the feasibility and need of a left-turn lane on Dover Road for vehicles traveling southbound and turning left onto Bridge Street, Mr. Costa said. In their letter, dated July 17, 2016, Mr. Sobel wrote that “a left-turn lane at this location may also result in the unintended consequence of encouraging more cut-through traffic on Bridge Street” and “based on the existing and the expected future traffic volumes, our opinion is that a southbound left-turn lane is not warranted at this location.” In a letter from Greg Lucas of BETA Engineering, dated July 28, 2016, Mr. Sobel’s opinion is confirmed. The letter stated that although the left-turn lane on Dover Road at Bridge Street “is geometrically feasible,” it is “not necessary.”

Mr. Costa explained that a neighbor to the project, Ms. Susan Steele, has requested an independent review of the Stormwater/Drainage by an engineer she has hired. He stated that although they are not concerned with a third party review, they are hoping that the Board will keep the process moving forward and “move towards approval.” Ms. Steele stated that her engineer was not able to attend the meeting tonight but he would have his review report prepared before the next meeting. She stated that it “took a long time for permission from the owner” to walk the property and that led to the delay. Ms. Steele said that she is “so impacted by the project and that is why” she “felt it necessary to have an engineer look at it.” Mr. Cantoreggi stated that although he wants everything to be vetted, he agrees this issue is delaying the process. He, and other Board members, stated that there would be a cost to Ms. Steele for BETA’s review of her engineer’s report. Ms.

Steele stated that she still has fencing concerns and requested a 736-foot privacy fence – “the highest possible fence” for security and protection of her property.

Ms. Kessler requested that the Board not make a decision on the proposal until the Attorney General has approved the Assisted Living Residences Bylaw. She said the Board “**may** approve this application, but does not have to.” Due to the size and scope of the project, she said the “impact on the neighborhood would be devastating.” Many abutters and neighbors to the project expressed the position/opinion that the project, as proposed, is “not right for this location” and overall will have a negative impact. Mr. Barber quoted an article regarding Alzheimer’s patients, “managing medications” and other concerns. Ms. Riley stated that those types of issues fall under the jurisdiction of the State Licensing Board, not the Planning Board.

There were questions raised regarding other facilities of this type that the applicant has built and who would be operating the facility. Mr. Carter stated that he will be the operator and all operations would go through him. He listed other facilities that the applicant has constructed; however, he said that none are located in Massachusetts yet. He provided his background and stated that he is experienced in both building and operating these facilities for twenty years. Mr. Carter does not have a medical degree, he said. According to Mr. Carter, everyone at an Assisted Living facility has to be medically stable – no acute medical care; that type of care is sought through the resident’s own doctor. Mr. Carter stated that they “hope to serve a plethora of people,” they are cognizant of who they want to attract, and they “designed a product that will meet that need.”

The size and scope of the development was discussed. It was asked if the project could be down-sized. Mr. Cantoreggi stated that the applicant has presented something that meets the zoning so he does not have to make it smaller.

Mr. Dixon, an architect asked to review the project by an abutter, Mr. Koss, presented some drawings and provided his opinion on the proposal. He stated that “architecturally, it could be improved a great deal” and he discussed “massing” of the project. Mr. Dixon stated that the “structure is radically different from everything around it and there is room for improvement in terms of scale.”

Mr. Carter stated that there are rules about setbacks, height, etc. and “these rules define what a developer can do.” “A smaller footprint and taller building would have “been nice” to propose, but it is not allowed in Town,” he said; they “followed the rules.” According to Mr. Carter, they have to use the rules to define how to pay for the land and they stayed within the rules and regulations. They have “no intention of budging on the density.” Mr. Costa stated there are a total of 107 units proposed.

Ms. Yusna stated that the project is “really massive” and that it does change the physical nature and make-up of the neighborhood. She does not see how it meets the “integrity and character of the neighborhood.” She stated that it “produces adverse effects and directly impacts those in the area.” Ms. Yusna stated that she hopes the bylaws and

regulations “won’t dismantle our neighborhoods” and hopes that the Board will “look closely at all impacts and preserve the neighborhood.”

A signed petition in opposition to the project was submitted to the Board.

On a motion made by Mr. Cantoreggi, seconded by Mr. McKay, it was voted unanimously at 9:03 p.m. to continue **both** public hearings to Tuesday, September 6, 2016, 7:30 and 7:31 p.m.

**HICKORY HILLS DEFINITIVE SUBDIVISION  
BOND RELEASE REQUEST-TRIPARTITE AGREEMENT  
PHASE 2**

Mr. Daniel Merrikin, via email dated July 19, 2016, requested a subdivision bond reduction. Mr. Fox was in attendance at the meeting as Mr. Merrikin was on vacation. The Board reviewed the latest “Construction Cost to Complete” estimate, dated August 2, 2016, prepared by BETA Engineering. Mr. Fox stated that there are eight more lots to release and he expects to get to them next spring.

On a motion made by Mr. McKay, seconded by Mr. Nichols, it was unanimously voted (5-0-0) to reduce the subdivision bond being held on Hickory Hills Definitive Subdivision to an amount of \$70,200.00 as requested by Daniel Merrikin, Merrikin Engineering LLP, on behalf of the Applicant, Mr. Robert Fox, Acorn of Millis, LLC; and as recommended by BETA Engineering, Planning Board’s consulting engineers.

**WAIVER OF SITE PLAN APPROVAL REQUEST  
1367 MAIN STREET – (FORMERLY CLEVE’S MOWER REPAIR)  
SCOTT MURPHY-HEALTHY GREEN LANDSCAPES**

The Planning Board met with Mr. Scott Murphy. The Board reviewed the letter submitted by Mr. Murphy, dated August 4, 2016. Mr. Murphy is proposing to use the space, formerly used by Cleve’s Mower Repair, as an office for his landscaping business. He stated that he will **not** be using the site to conduct retail business, nor will he maintain an inventory of landscape materials. Mr. Murphy stated that no paving will take place, but he will clear some brush from behind the building. The following landscaping/snowplowing equipment will be stored or parked inside or behind the building:

- 1 pick-up truck
- 1 dump truck
- Lawn mowers
- Weed whackers and small equipment

Mr. Cantoreggi stated that the front and side of the building is to remain storage-free.

On a motion made by Mr. Cantoreggi, and seconded by Ms. Riley, it was voted unanimously (5-0), 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 1367 Main Street, Healthy Green Landscapes.

**WAIVER OF SITE PLAN APPROVAL REQUEST**

**1098 MAIN STREET**

**DENTAL OFFICE**

**EDWARD COPPELMAN- C SQUARE CONSTRUCTION**

The Planning Board met with Mr. Edward Coppelman of C Square Construction, Inc. and Dr. Webb.

The Board reviewed the letter submitted by Mr. Coppelman, dated July 28, 2016. Mr. Coppelman stated that the location was formerly the Middlesex Savings Bank. The bank will continue to utilize the “Drive Through” ATM Service. Mr. Coppelman stated that Dr. Webb and Dr. Diab purchased the property and will be operating their dental practice from this location. There will be no change to the footprint of the building, Mr. Coppelman said.

Mr. McKay stated that, in the past, the owner of the building was responsible for maintaining the landscaping/island on the property. Dr. Webb stated that they will continue to see that this area is maintained.

On a motion made by Mr. Cantoreggi, and seconded by Mr. Yered, it was voted unanimously (5-0), 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 1098 Main Street.

**NEW POLICE STATION SPECIAL PERMIT**

**SITE DESIGN REVISIONS**

**AS-BUILT PLAN APPROVAL REQUEST**

**PERMANENT BUILDING COMMITTEE**

Mr. Klocko, along with Mr. Jackson and Mr. Saccoccio from CDR Maguire, provided an update on the status of the new police station construction. Mr. Klocko stated that they are working towards the final steps of retaining an Occupancy Permit on September 15, 2016. A letter from CDR Maguire, dated July 8, 2016, was reviewed which summarized the revisions made to the site design of the approved plans.

The Board reviewed the letter from Mr. Lucas of BETA Engineering, dated August 1, 2016. The dumpster pad for the JOPA property was discussed. Mr. Klocko stated that the dumpster was requested by the Board of Selectmen for the benefit of the JOPA property; not the police station. The chain link fence was discussed and Mr. Klocko stated that they will agree to the four-foot high chain link fence to enclose the detention basin rather than the three-foot fence. Mr. Klocko said that inspections have been scheduled with the contractor for various outstanding items. Mr. Cantoreggi requested that they “be specific to what needs to be done” and that the Planning Board will rely on BETA Engineering. Mr. Cantoreggi stated that the inspection scheduling and those in attendance may be facilitated through emails and he requested that Mr. Klocko “cc” Mr. Cantoreggi, Mr. Greg Lucas (BETA) and Ms. Standley.

Mr. Cantoreggi asked about the area between the JOPA property and the police station. Mr. Klocko stated that there was crushed stone, however, it was removed and grass was put in. He said that “grass will not grow” in the area and it is “going to be an ongoing problem.”

Mr. Saccoccio stated that, per the Board’s Decision, the as-built plan must be approved by the Board prior to the issuance of the Occupancy Permit. He stated that although final plantings will not be done by the September 6<sup>th</sup> Planning Board meeting, “all else will be.” Mr. Saccoccio said that “substantially complete” as-built plans can be provided in time for the September meeting.

The discussion regarding approval of the as-built plans was scheduled for the September 6, 2016 meeting.

**NEW BUSINESS:**

**GLEN ELLEN COUNTRY CLUB  
SENIOR RESIDENTIAL COMMUNITY DEVELOPMENT SPECIAL PERMIT  
TOLL BROTHERS**

Mr. Scott Miccile of Toll Brothers stated that he wanted to notify the Board that preliminary plans were delivered to the Board earlier in the day. He requested that the plans be reviewed to confirm they are in conformance with the existing Special Permit and that they are “within the scope of the development.” Mr. Nuckolls stated that if the plans are confirmed to be in conformance with the approved Special Permit Decision (voted April 1, 2008), they would “prepare the final plans.” They requested that a discussion on this issue be scheduled on an upcoming agenda.

Mr. Cantoreggi stated that BETA Engineering will have to review the plans. If BETA can complete their review in time for the September 6, 2016, meeting, the Board will schedule the discussion on that agenda.

**OTHER BUSINESS:**

**ASSOCIATE PLANNING BOARD MEMBER  
CARLO MOLINARI  
KAZ PIORKOWSKI**

The Board was in receipt of two resumes from two candidates requesting to be the Associate Planning Board member. Mr. Molinari and Mr. Piorkowski introduced themselves to the Board members. Both expressed interest in the position.

Mr. Cantoreggi and the Board thanked the candidates for their interest. The Board will take their requests under advisement and make a recommendation at the September 6, 2016, meeting.

**LED STREETLIGHTS REGULATIONS – DISCUSSION**

This discussion was re-scheduled to the next meeting.

**MILLIS PLANNING BOARD MINUTES**

**Tuesday, August 9, 2016**

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

**ZONING REFORM LEGISLATION INFO**

**NICOLE RILEY**

Ms. Riley requested this discussion be tabled until further notice.

**MINUTES**

On a motion made by Mr. McKay, seconded by Ms. Riley, it was unanimously voted to approve the minutes from July 12, 2016, as written.

**ADJOURN**

There being no further discussion and on a motion made by Mr. Cantoreggi, seconded by Ms. Riley and voted unanimously, the meeting was adjourned at 10:02 p.m.

Scheduled Planning Board Meetings: September 6, 2016  
October 11, 2016

*Respectfully submitted,*

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*Camille Standley*  
*Administrative Assistant*