



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
John H. Cook
Patrick J. Kennelly
Marble Mainini, III
Lena McCarthy

Minutes of Meeting MILFORD PLANNING BOARD

This meeting was conducted via Remote Participation

Tuesday, December 15, 2020

Members participating remotely: Joseph Calagione, Patrick Kennelly, Lena McCarthy (Chairman), Marble Mainini, III.

Members absent: John Cook.

Staff participating remotely: Larry L. Dunkin, MCRP (Town Planner), Mike Dean, P.E. (Town Engineer)

Call to order: Chairman McCarthy called the meeting to order at 7:03 P.M.

It was announced that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order concerning imposition of strict limitations on the number of people that may gather in one place, meetings in the Town of Milford are being conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public is being permitted at this meeting, but every effort has been made to ensure that the public can adequately access these proceedings as provided for in the Order.

1. Minutes of Previous Meeting: Motion by Kennelly, Second by Mainini to approve the minutes of the November 17, 2020 meeting as submitted.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.
Motion carried.

2. 81-P Plans:

2.A. 81-P Plan: 1-3 Industrial Road - Corner Brook, LLC. The Town Planner noted that the proposed 81-P plan is a simple lot split that creates two conforming lots and one parcel, and is endorsable as submitted.

Motion by Calagione, Second by Mainini, to approve the 81-P plan as submitted and direct the Town Planner to endorse the plan mylar.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, abstain; Mainini, yes; McCarthy, yes.
Motion carried.

2.B. 81-P Plan: 75 Fruit Street - Frederico and Lisa Carneiro. The Town Planner noted that the proposed 81-P plan is a simple lot split that reflects a variance recently granted by the ZBA, and is endorsable as submitted.

Motion by Kennelly, Second by Calagione, to approve the 81-P plan as submitted and direct the Town Planner to endorse the plan mylar.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.
Motion carried.

The IT Director announced that the Public Hearing Remote Participation access required advanced registration. Any member of the public was able register to access the zoom meeting as an attendee. Public attendees were able to view the zoom meeting and request to speak at the Public Hearing. The registration for the zoom meeting was published in the agenda posting notice. All testimony at a public hearing, including documents or exhibits,

must be in connection with the matter being considered, and confined to the matter at hand, and will be limited to five minutes to allow for the opportunity for others to participate.

PUBLIC HEARING: Continued Public Hearing - Application of Lisa M. and Frederico Carneiro, 4 Ben's Way, Hopedale, MA 01747, for approval of the definitive subdivision entitled "DEPOT STREET ESTATES", a 4 Lot Residential Subdivision located on 3.4 +/- acres off Depot Street (109 Depot St.). Assessor's Map 52 Lots 43, 164 & 164C. RA Zone.

Participating remotely on behalf of the applicant was Elizabeth Mainini, P.E. of Guerriere and Halnon Engineering Co., Inc. The applicant is proposing a 4 Lot residential subdivision, including one new street. The property consists of approximately 3.4 +/- acres off Depot Street (109 Depot St.). The proposed plan layout appears to be generally consistent with the Preliminary Plan that was approved by the Planning Board for this development at the 5-5-2020 meeting. The proposed subdivision includes the rear portion of Lot 164 (75 Fruit Street), which has been partially used to create proposed Lot 3. Due to the non-conforming nature of the property at 75 Fruit Street, a variance has been obtained from the ZBA to further divide the lot, and the 81-P plan was just approved for that lot split. The Town Planner noted that both he and the Town Engineer have reviewed the revised Definitive Plan and all of the previous deficiencies have been addressed. This includes providing a drainage swale along the side of the proposed street. Participating remotely was abutter Frank Ruscitti who noted his concerns about wetlands, traffic, and the density of the proposed development.

Motion by Calagione, Second by Kennelly, to close the public hearing.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.

Motion carried.

Motion by Calagione, Second by Kennelly, to approve the definitive plan.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.

Motion carried.

3. Continued Site Plan Review: 97 Cedar Street - PMG Northeast LLC. The Chairman announced that the applicant has granted an extension to the January 5, 2020 meeting. No deliberation on this item will occur at tonight's meeting.

4. Amended Site Plan Review: 200 Fortune Blvd. – Boston Laser Eye Institute, P.C.: Participating remotely on behalf of the applicant was Architect Henry Hamad, William Kennedy, and applicant Dr. Nirali Patel. The applicant requests change of use site plan approval for the subject property. This building pad was originally approved in 2006 as part of the overall retail center development. Specifically, the proposed change of use is to replace a former retail use with a medical office on the subject property. There are to be interior alterations only, with no additions being proposed to the existing building. The existing paved parking area is to remain; however, the striping is to be revised to accommodate a second handicap parking space near the building entrance. In addition, a proposed free-standing sign is indicated near the entrance drive for future installation. All applicable zoning requirements appear to be met. The Town Planner recommended the amended site plan be approved, subject to relevant departmental comments.

Motion by Kennelly, Second by Mainini, to approve the change of use site plan, provided there are no stacked spaces to be provided.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.

Motion carried.

5. Amended Site Plan Review: 21 Main Street – Palmyra LLC: Participating remotely on behalf of the applicant was Bob Poxon, of Guerriere and Halnon Engineering Co., Inc. The applicant requests change of use site plan approval for the subject property. This site was originally approved in 2014 as a multi-use commercial development consisting of a professional office and bank building, including drive-thru teller windows and ATM kiosks associated with the bank use. Specifically, the current proposed change of use is to replace the former bank and drive-thru teller windows with a 2,500sq.ft. indoor restaurant including an 600sq.ft. outdoor restaurant patio under the existing drive-thru canopy. There are to be interior alterations only, with no additions being proposed to the existing building. A 1,500 gal grease trap is to be installed under the parking lot at the front of the building. The applicant is proposing no changes to the parking and circulation scheme, except to temporarily

block the drive-thru lanes at each end with jersey barriers. The Town Planner recommended the change of use site plan be approved subject to relevant departmental comments, and subject to the following specific conditions:

- 1.) The westerly exit-only curb cut/driveway onto Main Street shall be closed and the adjacent parking field be extended across the driveway area.
- 2.) The access drives to the drive-thru teller kiosks and canopy shall be eliminated and the adjacent parking fields be extended across the respective portions at the front and rear of the area.
- 3.) The area of the access drives to the drive-thru teller kiosks no longer to be used shall be reconstructed as patio area and/or landscaped.

Board member Mainini noted that there was no letter from the Sewer Board, and that there was no sewer manhole shown on the plan. Board member Kennelly noted that the patio area needed to be raised and parking lot curbing extended. Board member Calagione questioned the drainage pattern if the drive-thru lanes were used as a patio, and indicated his preference to close the exit-only driveway curb-cut as recommended by both the Town Planner and the Town Engineer. Bob Poxon requested the review be continued to the 1-19-2021 meeting to afford sufficient time to address the noted concerns.

Motion by Kennelly, Second by Calagione, to continue the amended site plan review to the 1-19-2021 meeting.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.

Motion carried.

6. Amended Site Plan Review: 223 Main Street – Rail Trail Flatbread Co.: Participating remotely on behalf of the applicant were Attorney Joseph Antonellis, Engineer Scott Hayes, P.E. of Foresite Engineering, and the applicant Michael Kasseris. The applicant requests change of use site plan approval for the subject property. Specifically, the proposal is to convert the former bank to a 6,300sq.ft. restaurant on the first floor, including a 1,040sq.ft. outdoor restaurant patio at the rear of the building. Also proposed is 420sq.ft. of outdoor restaurant seating on the Main Street sidewalk in front of the building. There are to be interior alterations only, with no additions being proposed to the existing building. A 7,000 gal grease trap is to be installed under the parking lot at the rear of the building. The applicant is proposing no changes to the parking and circulation scheme, which currently still retains the satellite drive-thru teller kiosks and canopy near Exchange Street. Although not addressed in the application, it is assumed that the 4,500sq.ft. second floor of the building will be utilized for offices and/or storage area. There is no dumpster indicated on the plan, and the freestanding sign proposed on the corner of Park and Congress Streets is within the clear-sight triangle. The Town Planner recommended the change of use site plan be approved subject to relevant departmental comments, and subject to the following specific conditions:

- 1.) The proposed outdoor seating area on the Main Street sidewalk in front of the building shall be limited to 300sq.ft. in area and shall not extend more than 8' from the front of the building. The actual seating capacity for this area to be determined by the Building Official.
- 2.) The access drives to the drive-thru teller kiosks and canopy near Exchange Street shall be physically blocked until such time as that area is approved for redevelopment.
- 3.) Any proposed dumpster shall be shown on the plan and shall be properly screened.

Motion by Calagione, to approve the amended site plan subject to the conditions noted by staff and approval from the Sewer Board.

The Motion died for lack of a second.

Board member Mainini questioned the sewer connection and noted the need to get the approval from the Sewer Board before proceeding. Attorney Antonellis requested the review be continued to the 1-19-2021 meeting to afford sufficient time to address the noted concerns.

Motion by Calagione, Second by Mainini, to continue the amended site plan review to the 1-19-2021 meeting.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.

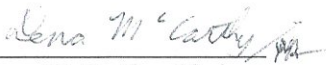
Motion carried.

The Chairman noted that the next meeting of the Planning Board will be on January 5, 2021.

Adjournment: Motion by McCarthy, Second by Calagione to adjourn the meeting.

Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.
Motion carried.

The meeting was adjourned at 8:20 P.M.


Lena McCarthy, Chairman