



# PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET  
634-2317

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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, January 19, 2021

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)

Call to order: Chairman McCarthy called the meeting to order at 7:00 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 January 5, 2021 meeting as submitted.

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

2. §1-P Plans: (none)

3. Continued Amended Site Plan Review: 91 (139) Medway Street - Nouria Energy Retail, Inc. The Chairman announced that the applicant has granted an extension to the February 2, 2021 meeting. No deliberation on this item will occur at tonight's meeting.

4. Continued 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. 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 the elimination of the access drives to the drive-thru teller kiosks and canopy by reconstructing this area as patio area and/or landscaped area. The adjacent parking fields are to be extended across the respective portions at the front and rear of that area. An additional sewer manhole for the lateral connection to the grease trap line will be shown on the plan. Board member Calagione again indicated his preference to close the exit-only driveway curb-cut as originally recommended by both the Town Planner and the Town Engineer.

Motion by Mainini, Second by Kennelly, to approve the change of use site plan with the changes noted.

Roll Call Vote: Calagione, no; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.

Motion carried.

5. Continued 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 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 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 scheme, however the satellite drive-thru teller kiosks and canopy near Exchange Street will be temporarily blocked until a future use is determined.

Motion by Calagione, Second by Mainini, to approve the change of use site plan subject to the following specific conditions:

- 1.) The proposed outdoor seating area on the Main Street sidewalk in front of the building 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 with jersey barriers until such time as that area is approved for redevelopment. This shall be completed prior to issuance of final occupancy permits.

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

Motion carried.

6. ZBA Variance Referral: 28 West Walnut Street. – Mark Wasserman. The Chairman announced that due to the incomplete nature of this application it will be reviewed at the February 2, 2021 meeting.

IN A SEPARATE MATTER, Board Member Calagione mentioned that at the last Town Meeting, Article 27 in the Warrant, the Zoning Bylaw amendment relating to Massage Parlor uses, appears to contain an error. The Town Planner confirmed that observation, noting that unfortunately it was only discovered after Town Meeting had concluded that the error had occurred in the wording of both the Article and the motion. The error was that the name of the principal use "Massage Parlor" was printed as "Massage Establishment". That erroneous wording will now establish a meaningless definition for a term that is not listed under Article II Sec. 2.3 Use Regulations Schedule, or used elsewhere in the Bylaw. The Town Planner will draft language for a new and/or corrective Article to be placed on the upcoming Spring Annual Town Meeting Warrant.

Motion by Calagione, Second by Kennelly, to direct the Town Planner to communicate with Town Counsel Boddy as soon as possible so that Town Counsel might provide the appropriate information to the Attorney General's office regarding this matter.

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

Motion carried.

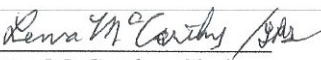
The Chairman noted that the next meeting of the Planning Board will be on February 2, 2021.

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

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

Motion carried.

The meeting was adjourned at 7:40 P.M.

  
Lena McCarthy, Chairman