



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
Bryan Cole
John H. Cook
Patrick J. Kennelly
Marble Mainini, III

Minutes of Meeting
MILFORD PLANNING BOARD
This meeting was conducted via Remote Participation
Tuesday, January 18, 2022

Members participating remotely: Joseph Calagione*, John Cook, Patrick Kennelly (Chairman), Marble Mainini, III.

Members absent: none

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

Call to order: Chairman Kennelly called the meeting to order at 7:00 P.M.

It was announced that pursuant to Chapter 20 of the Acts of 2021, an Act Extending Certain COVID-19 Measures Adopted During the State of Emergency which extends Governor Baker's March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 18, this meeting is being conducted via remote participation only. 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. Remote Public Hearing access now requires advanced registration. Any member of the public may now register to access the zoom webinar as an attendee. Public attendees will be able to view the zoom LIVE and request to speak at the Public Hearing. 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.

1. Minutes of Previous Meetings:

Motion by Mainini, Second by Cook to approve the minutes of the January 4, 2022 meeting as written.

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

Motion carried.

2. 81-P Plans: (none).

The Chairman announced that Agenda Item 3 will be considered as soon as Board member Calagione joins the meeting remotely.

4. Release Conditional Approval Contract: Ariana Estates – Lily Bean LLC, Claro Const. Corp. The Chairman noted that the Conditional Approval Contract had been distributed with the Agenda Packet. The Town Planner explained that the Board had previously approved releasing the conditional approval contract in 2020, however due to an oversight, the actual Form E-1 had not been provided by the applicant at that time. All applicable items remain in order for this subdivision, including the bond, so it is appropriate to re-vote approving the release and the endorsement of the Form E-1 document.

Motion by Mainini, Second by Cole to approve the release of the Conditional Approval Contract for the Ariana Estates definitive plan and sign the Form E-1.

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

Motion carried.

5. ZBA Special Permit Referral: 453 East Main Street – Damon Tinio. The applicant requests a special permit to construct a detached single-family dwelling on the subject property. The lot is non-conforming as to area and frontage within the RC zoning district. The existing non-conforming trailer and shed are to be razed. The

proposed single-family dwelling will conform to all applicable zoning setback requirements. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Mainini, Second by Cook to forward a favorable recommendation to the ZBA.

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

Motion carried.

*NOTE: Joseph Calagione joined the meeting remotely at 7:08 PM

3. Site Plan Review: 80 Prospect Street – Arista Development LLC. The applicant requests site plan approval to construct a new 10,250 S.F. Walgreen's retail pharmacy on the subject property. The existing 15,195 S.F. commercial building that previously contained a dry-cleaner and gas station is to be razed. The site plan as proposed will provide for dramatically improved vehicular circulation and access, adequate off-street stacking and parking, and includes a drive-thru pharmacy pick-up window. Site access will be limited to one two-way driveway on Prospect Street, and one two-way driveway on Water Street. The Prospect Street driveway will be located approximately 250' north of the intersection, and the Water Street Driveway will be located approximately 230' west of the intersection. All former driveway curb cuts on both streets will be eliminated. A proposed pylon sign location is also shown on the plan and is properly located outside of the line-of-sight triangle at the intersection. The Town Planner recommended approval of the site plan subject to relevant departmental comments, and subject to the following items:

- 1) Advance left turn signal phases be provided for the left turn lanes on Prospect Street.
- 2) The proposed easement at the southeasterly corner be labeled "For future highway purposes".
- 3) Auto-turn templates for on-site truck turning movements be shown on the plan.

The Town Planner also noted that all other applicable zoning requirements appear to be met. Participating remotely were the applicant Doug Benoit of Arista Development, Joey Fonseca of Bohler Engineering, and Kirsten Braun of Ron Muller & Associates. They referred to the site plan which has been revised as of 1-14-2022, and to the comment response letter from Bohler Engineering dated 1-14-2022, that included the required Illicit Discharge Statement and truck turn exhibit, and which had been e-mailed to the Board members prior to the meeting. They noted that they are working with MassDOT to add the advance left turn phases to the intersection signal, as well as the other crosswalk and handicap access features at the intersection. The Town Engineer noted that the drainage analysis presented was acceptable. The Town Planner noted that the site plan was on today's Sewer Commission agenda for their meeting that had started at 6:00 PM so there has yet to be a final report issued from them.

Motion by Mainini, Second by Cook to approve the site plan as presented subject to receipt of the Sewer Board letter approving the plan.

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

Motion carried.

6. Discussion Item: Possible Zoning Bylaw Amendment re Residential Uses in CB zones. The Town Planner reviewed the proposed amendment, a copy of which had been included in the Agenda Packet. The proposal would amend the use regulation schedule in Section 2.3 to prohibit residential uses in the CB zoning district. He noted that residential uses are already prohibited in all other non-residential districts. The Board briefly discussed whether future redevelopment for residential purposes in CB zones would be appropriate. Any existing residential uses within CB zoned areas would be made non-conforming, thus would be protected going forward.

Motion by Calagione, Second by Cole to forward this proposal to the Select Board so they might remand for a Planning Board public hearing.

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

Motion carried.

John Cook announced that he will not be seeking re-election when his term on the Planning Board expires this year.

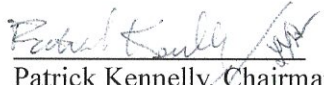
It was noted that the next Planning Board meeting will be via zoom on 2-1-2022.

Adjournment: Motion by Cole, Second by Mainini to adjourn the meeting.

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

Motion carried.

The meeting was adjourned at 7:59 P.M.


Patrick Kennelly, Chairman