



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, February 1, 2022

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

Members absent: none

Staff participating remotely: Larry L. Dunkin, MCRP (Town Planner)

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 Cook, Second by Calagione to approve the minutes of the January 18, 2022 meeting as written.

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

Motion carried unanimously.

2. 81-P Plans: (none).

3. Site Plan Review: 82 Prospect Street – Central One Federal Credit Union. The applicant requests amended site plan approval to allow for the reconfiguration of the existing parking lot on the subject property. The commercial structure is to remain unchanged, although the use will change from a bank to a credit union: the drive-thru teller windows will be retained. The existing parking lot is to be reconfigured as indicated on the site plan. The Town Planner's report had noted the following deficiencies:

1. There is no narrative clearly explaining the proposed changes.
2. There are no dimensions shown for the existing structure.
3. There are no dimensions shown for the parking spaces.
4. There is no interior floor plan provided.
5. There are no floor areas indicated.
6. The zoning chart is incomplete.
7. There is no dumpster w/ screening located on the plan.
8. The proposed island configuration at the front of the building is problematic.

The report also noted that the existing handicap parking space is within 20' of the entrance, the proposal to relocate the handicap space to the rear of the building increases the accessible route from 20' to 80', and there is

no % grade along that route being indicated on the plan. The Town Planner recommended the application be continued to allow the applicant's engineers to address the above-noted deficiencies as well as other relevant agency comments. Participating remotely was Bob Poxon, P.E. of Guerriere & Halnon Engineering. He addressed the numerous deficiencies noted in the staff reports and noted that the plans had been revised accordingly. The Town Planner confirmed that the Town Engineer has not yet had an opportunity to review the recently revised plans.

Motion by Mainini, Second by Cook to approve the site plan as revised subject to the Town Engineer's approval of the revised plan.

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

Motion carried.

4. ZBA Variance Referral: Lot 122 Taft Street – Steven Morganelli. The applicant requests front and rear yard variances to allow for the construction of a single-family dwelling on the subject property. Specifically, the request is for a 9.5' front yard variance (30' required, 20.5' provided) and for a 13.8' rear yard variance (25' required, 11.2 provided). The existing 16,035 S.F. parcel is compliant with the area and frontage requirements of the RB district; however, it is extremely shallow in depth, with only 61.55' of depth at the northerly lot line, and only 80.89' of depth at the southerly lot line. Due to these conditions, no average sized house could be constructed on this lot without a variance. Therefore, the Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Cole, Second by Mainini to forward a favorable report to the Zoning Board of Appeals.

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

Motion carried unanimously.

5. ZBA Special Permit Referral: 8 Clark Street – Silvio Oliveira. The applicant requests a special permit to convert attic space into habitable rooms for a third-floor apartment in an existing two-story building on the subject property. The existing non-conforming three-family dwelling is located within the OR Office Residential district which provides for a maximum of two dwelling units per building and a maximum height of two stories. The Town Planner's report noted that the application fails to specify under which section of the Zoning Bylaw the request to add a so-called "half story" is being filed. In addition, in 2010 Town Meeting specifically established the height requirements in the OR Office Residential districts to be limited to two-story buildings only. It was also noted that Town Meeting in 2005 had already reduced the height requirements in the RA Residential districts to be limited to two-story buildings from the previous limit of two and on-half story buildings in the RA zone. Had Town Meeting wanted additional buildings taller than two stories in the RA and OR zones it would not have approved the above noted amendments. Therefore, the Town Planner recommended an unfavorable report be forwarded to the Zoning Board of Appeals.

Motion by Calagione, Second by Mainini to forward an unfavorable recommendation to the Zoning Board of Appeals.

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

Motion carried unanimously.

6. Discussion Item: Possible zoning violations – Country Club Estates PRC/PRD. The Chairman reviewed the 1-13-2022 letter that had been sent to the Planning Board from Country Club Estates resident Camilla Amandolare regarding numerous maintenance concerns related to the Country Club Estates Planned Residential Development. Mentioned in the letter was the lack of roadway maintenance, including related drainage. Also mentioned was the apparent construction of additional off-street parking spaces, and the apparent disregard by the management company of the Zoning Bylaw provision as they relate to the development. The Town Planner explained that he has discussed these issues with Ms. Amandolare, and noted to her that any actual zoning violations were more properly under the purview of the Building Official as Zoning Enforcement Officer than under the Planning Board. He also referred the Board to the 1-24-22 letter (provided in the packet) he had sent to Janek Property Management that outlined several items relating to the development that if accurate may be problematic. In addition to the parking expansion issue, also noted were other potential changes possibly being considered within the development that he had become aware of. These items included the potential construction

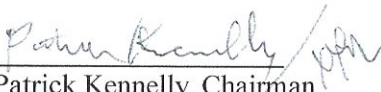
of a cell tower, and the lease or rental of the club house for separate commercial venues. The Town Planner noted to the Board that the management company has already made contact with him, and a member of the condo association Board of Trustees has called as well, so any items that would otherwise have resulted in zoning violations can now be avoided going forward. The Board briefly discussed Ms. Amandolare's letter and noted that any violations of either the PRD Special Permit or the Zoning Bylaw are enforced by the Building Official. As to the parking and drainage issues specifically, the Board requested that the Building Official and the Town Engineer perform a site visit and determine what appropriate steps need to be taken by the condo association and/or the management company. The Town Planner remains available to the Trustees and the management company if they have questions in the future.

It was noted that the next Planning Board meeting will be via zoom on 2-15-2022.

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

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

The meeting was adjourned at 7:44 P.M.


Patrick Kennelly, Chairman