



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, April 19, 2022

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

Members absent: none

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

Call to order: Chairman Kennelly called the meeting to order at 7:03 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. REORGANIZATION:

For Chairman: Motion by Calagione, Second by Cole, to elect Patrick Kennelly as chairman.

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

Motion carried unanimously.

For Vice Chairman: Motion by Mainini, Second by Morais, to elect Joseph Calagione as vice chairman.

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

Motion carried unanimously.

For Clerk: Motion by Morais, Second by Mainini, to appoint the Town Planner as clerk.

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

Motion carried unanimously.

For MAPC-SWAP Representative: Motion by Cole, Second by Morais, to elect Joseph Calagione as MAPC-SWAP Representative.

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

Motion carried unanimously.

For Fair Housing Committee Representative: Motion by Mainini, Second by Cole, to elect Jose Morais as Fair Housing Committee Representative.

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

Motion carried unanimously.

For Open Space Advisory Committee Liaison: Motion by Morais, Second by Mainini, to elect Bryan Cole as

Open Space Advisory Committee Liaison.

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

Motion carried unanimously.

For Public Art Policy Task Force Liaison: Motion by Cole, Second by Calagione, to elect Marble Mainini as Public Art Policy Task Force Liaison.

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

Motion carried unanimously.

AUTHORIZATIONS:

Motion by Morais, Second by Mainini, to authorize the Clerk and/or Town Planner:

- a) to sign correspondence on behalf of the Chairman
- b) to sign Planning Board meeting postings w/Town Clerk

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

Motion carried unanimously.

Motion by Cole, Second by Calagione, to authorize the Town Planner:

- a) to sign 81P plans and Site Plans after Board approval
- b) to sign Planning Board payroll
- c) to call Planning Board meetings and set Public Hearings
- d) to set Planning Board Agenda

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

Motion carried unanimously.

2. Minutes of Previous Meeting: Motion by Calagione, Second by Mainini to approve the minutes of the March 15, 2021 meeting as submitted.

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

Motion carried.

3. 81-P Plans: 38 Asylum Street – Vineyard Point Ventures, Inc. The Town Planner explained that the proposed 81-P plan divides the lot at 38 Asylum Street (39-0-51) into two buildable lots as per the recent variance granted by the ZBA. He advised that the plan was endorsable as submitted.

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

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

Motion carried unanimously.

4. Continued Amended Site Plan Review: 125 Fortune Blvd. – Nitto Denko Avecia Inc. Matt Alford of Pare Corp. participating remotely on behalf of the applicant explained that the Site Plan has been updated and now includes a stamped, engineered retaining wall plan. The Town Planner noted that both he and the Town Engineer have reviewed the updated plans and recommend approval.

Motion by Calagione, Second by Cole to approve the amended site plan as revised.

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

Motion carried.

5. Preliminary Subdivision Plan: “Afonso Heights Subdivision” – F&D Central Realty Corp. Chairman Kennelly noted the receipt from Guerriere & Halnon Engineering of a written request to withdraw this application without prejudice.

Motion by Cole, Second by Calagione to grant the request to withdraw this application without prejudice.

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

Motion carried unanimously.

6. ZBA Special Permit Referral: 39 Alfred Road – Rodrico Cruciol. The applicant requests a special permit to allow for the establishment of a supplemental apartment within the existing single-family dwelling. The addition of the supplemental apartment will be accomplished with interior alterations only to the basement level of the house, and will consist of a kitchen, a family room, a bathroom and one bedroom. The floor area of the

supplemental apartment will not exceed 670 SF including hallways and staircase. The occupants will be the parents of the owner's wife. Since the "Supplemental Suite" zoning amendment is being considered by Town Meeting on 5-23-22, and the first legal notice was published on 3-1-22, the applicant has been advised that meeting those new standards will assure future compliance should they be approved, which seems likely. The applicant's current application does meet the "Supplemental Suite" standards, so it also automatically meets the old "Supplemental Apartment" provisions. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals. A copy of the "Supplemental Suite" zoning amendment was attached to his staff report for the Board Member's convenience.

Motion by Mainini, Second by Calagione to forward a favorable report to the ZBA.

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

Motion carried unanimously.

7. ZBA Variance Referral: 10 Rosenfeld Avenue – John Erickson. The applicant requests side and rear yard variances to allow for the construction of a 24' x 24' detached garage on the subject property to be 7' from the side property line and 3' from the rear property line; 15' and 25' setbacks required respectively. The existing 15,031 SF lot is conforming as to lot area, lot frontage and lot width. The existing single-family dwelling already includes an attached two-car garage. In addition, a lot coverage variance would also be necessary since the current building coverage is already at 3560 SF, or 23.7% of the lot area; a maximum 3757 SF, or 25% is permitted. With the addition of the proposed garage, the building coverage would then be 4136 SF, or 27.5% of the lot area. There are no circumstances whatsoever relating to the soil conditions, shape or topography of the land or structures on the lot that constitute a hardship. An applicant's mere inconvenience does not justify the grant of a variance. The Town Planner recommended an unfavorable report be forwarded to the Zoning Board of Appeals due to the lack of hardship.

Motion by Cole, Second by Morais to forward an unfavorable report to the ZBA.

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

Motion carried.

8. ZBA Variance Referral: 22 Short Street – Vineyard Point Ventures, Inc. The applicant requests lot area, lot width and lot frontage variances to allow for the division of the subject property into two separate lots. The subject property is a non-conforming merged lot of 8,500 SF in the RB district; 15,000 SF minimum lot area required. The property originally consisted of one 4,600 SF lot and one 3,900 SF lot that have been merged by law, and contains one detached single-family dwelling and one detached garage. The proposed variances are being requested to revert to the two-separate-parcel lot configuration, thereby creating a separate buildable lot for another dwelling. The existing garage is to be razed. The existing single-family dwelling is to remain. There appear to be no circumstances relating to the soil conditions, shape or topography of the land or structures on the property that constitute a hardship. The Town Planner recommended an unfavorable report be forwarded to the Zoning Board of Appeals due to the lack of hardship.

Motion by Calagione, Second by Mainini to forward an unfavorable report to the ZBA.

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

Motion carried unanimously.

It was noted that the next Planning Board meeting will be via zoom on 5-3-2022.

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

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

Motion carried unanimously.

The meeting was adjourned at 7:26 P.M.


Patrick Kennelly, Chairman