



# PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET  
634-2317

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Joseph Calagione  
Patrick J. Kennelly  
Marble Mainini, III  
Jose M. Morais

## Minutes of Meeting MILFORD PLANNING BOARD

### **This meeting was conducted via Remote Participation**

Tuesday, October 4, 2022

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

Members absent: none

Staff participating remotely: Larry L. Dunkin, MCRP (Town Planner), Elizabeth Mainini, 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 Calagione, Second by Mainini to approve the minutes of the September 20, 2022 meeting as written.

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

Motion carried unanimously.

#### 2. 81-P Plans: (none)

The Chairman announced that agenda item #5 will be discussed next.

5. ZBA Special Permit Referral: 12-14 Prentice Ave. – Andry Rezende: The applicant requests a special permit to change the first-floor professional office to an apartment. The existing second-floor apartment will be retained. Since the 2009 approval to establish the office use to replace one of the two original apartments, the Zoning Bylaw has been amended to no longer allow for residential dwellings within the CB zoning district. That amendment has made the property non-conforming, so the current special permit request is necessary to revert to the original duplex use of the structure. There are no additions proposed to the building, and the 4 off-street parking spaces in front of the building along Prentice Avenue will be retained to meet the off-street parking requirement. The Town Planner recommended a favorable report be forwarded to the ZBA.

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

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

Motion carried unanimously.

The Town Planner read the legal notice for the Public Hearings into the record.

PUBLIC HEARING: Application of the Downtown Revitalization Committee to amend Section 3.9 Signs of the Zoning Bylaw relating to signs inside of buildings. The Chairman read the text of the proposed amendment into

the record. Participating remotely was Mitch Ruscitti of the Downtown Revitalization Committee, who briefly explained the article and the collaboration with staff during the development of the text of the amendment. He noted that the amendment would eliminate the regulation of signs inside of buildings, and will now allow for signs on the inside of windows to cover up to 35% of the windows area. This will improve business's ability to display merchandise in their storefront windows without being limited by the sign regulations. Participating remotely from the public was Mike Visconti who commented on the proposal. A brief discussion ensued among the Board members.

Motion by Calagione, Second by Mainini to close the public hearing and forward a favorable report to Town Meeting.

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

Motion carried.

PUBLIC HEARING: Application of the Milford Cultural Council to amend Section 3.9 Signs of the Zoning Bylaw relating to murals. The Chairman read the text of the proposed amendment into the record. Participating remotely were Geri Eddins, Chairperson of the Milford Cultural Council, and Patty Salomon, a member of the Council. They explained the article and their collaboration with staff to develop the amendment. The amendment will provide for the installation of a limited number of murals along the Route 16 corridor through Downtown Milford. This amendment will not only establish a new definition for the term "Mural", but more importantly it will provide that murals meeting certain criteria will not be considered signs for the purposes of zoning. They further noted that to attain such "exempted" status, murals will need to be painted on only the side or rear walls of a building located within the CA and CB zoning districts, and that it be installed with the support or sponsorship of the Select Board after consultation with the Milford Cultural Council. This process will assure that the murals will be both culturally appropriate and historically accurate. Participating remotely from the public was Mitch Ruscitti of the Downtown Revitalization Committee, and Mike Visconti who both commented on the proposal. A brief discussion ensued among the Board members.

Motion by Calagione, Second by Morais to close the public hearing and forward a favorable report to Town Meeting.

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

Motion carried.

PUBLIC HEARING: Application of Harold Rhodes, et al to amend Section 3.9.12 Temporary Signs of the Zoning Bylaw relating to dates of display for certain temporary signs. The Chairman read the text of the proposed amendment into the record. Participating remotely on behalf of the applicant was Margaret Pinkham, Esq., who explained the proposed amendment that will be submitted for a future Town Meeting Warrant. It will adjust the months in which multiple temporary signs may be displayed. This will coincide with the change in election dates expected to also be proposed as a future Warrant Article. It would shift the March thru April timeframe to an April thru May timeframe. Should a voting date Article be defeated, this Article would be passed over. There was no public comment. A brief discussion ensued among the Board members.

Motion by Mainini, Second by Calagione to close the public hearing and forward a favorable report to Town Meeting.

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

Motion carried.

3. Amended Site Plan: 6-12 Industrial Road – PDMS Design Group/Amazon. The applicant requests amended site plan approval for a further change on the subject premises. This is to accommodate what is essentially the decommissioning of the Amazon fulfillment center aspect of the building. The space will now function as a traditional warehouse and storage facility for items and materials utilized at other Amazon facilities. Traffic for the proposed use will be reduced from that of the former fulfillment center, including the elimination of much of the delivery van traffic. This application represents the first of two phases of the conversion of the space. Phase 1 proposes approximately 23,700 SF of floor area for the storage of palletized non-flammable fabric bin arrays. Phase 2 of the conversion will utilize approximately 27,000 SF for storage of lithium-ion battery-powered robotic drive units. The application materials and documents for Phase 2 are currently being finalized for review, possibly as early as the 10-18-22 meeting. Both the bins and drive units are used in Amazon fulfillment centers located at various other sites. All applicable zoning requirements appear to be met. The Town Planner

recommended approval of the amended site plan for proposed phase 1 as requested, subject to relevant agency comments.

Motion by Calagione, Second by Mainini to approve the requested amendment for phase 1 subject to the Town Engineer's comments and receipt of the Sewer Dept. letter.

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

Motion carried.

4. Site Plan Revised Condition: 80 Prospect Street – Walgreen's. The applicant requests the revision of a condition of the 1-18-22 site plan approval for the new 10,250 S.F. Walgreen's retail pharmacy. The site plan was approved subject to, among other things, the upgrade of the signals and lane geometry of the Route 140/Water Street intersection. Recently, MassDOT has offered to have those off-site intersection improvements done as part of a Capital Improvement and Maintenance project they have already planned for this area within the next 3-5 years. The applicant is requesting the Board's acceptance of this offer, and thereby amend the conditions of approval to reflect that acceptance. The Town Planner recommended approval of the request as submitted. The Board members discussed alternatives, including the possibility of the posting of a bond for those improvements until MassDOT formally decides if they are going to include the project in their program or not, or until actual completion of the improvements by the applicant.

Motion by Calagione, Second by Morais to amend the prior condition of approval relating to the Route 140/Water Street intersection and signal upgrades to allow for the applicant to post a bond for those off-site improvements either until the project is formally included as a MassDOT Capital Improvement and Maintenance project, or until actual completion of the improvements by the applicant.

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

Motion carried unanimously.

6. ZBA Special Permit Referral: 108 E. Main / 3 Cedar St. – Geara Realty Inc. The applicant requests special permits to allow for a rental car business on the subject properties. 108 East Main was the site of the former Gibbs gas station, and the separate adjacent lot at 3 Cedar Street contains a non-conforming three-family dwelling. Auto-related uses require special permits from the ZBA, and the changes relating to the non-conforming triplex require a special permit as well. The proposal is to redevelop the two properties as one site to better accommodate a rental car business by sharing access and driveways with the adjacent triplex. The triplex and its associated off-street parking are to be retained. The redevelopment plan proposes that only landscaping is to be provided within the area that would be necessary for any future reconfiguration of the East Main & Cedar Street intersection. In addition, the two parcels are proposed to be formally merged into one lot once zoning and site plan approvals are received. The Town Planner recommended a favorable report be forwarded to the ZBA subject to final site plan approval by the Planning Board.

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

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

Motion carried unanimously.

The Chairman noted that at their 9-26-22 meeting the Select Board authorized the Town Administrator to solicit interest in the vacant position on the Planning Board. The Select Board has set a special joint meeting of the Select Board and Planning Board for 10-17-22 to select an individual to fill the vacant seat until the next election in 2023. The Town Planner will advise the Board of interested parties as the names become available.

The next regular Planning Board meeting will be on 10-18-2022.

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

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

Motion carried unanimously.

The meeting was adjourned at 9:39 P.M.

  
Patrick Kennelly, Chairman