



# 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, July 14, 2020

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

Members absent: none

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

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

The Chairman 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 Cook to approve the minutes of the June 23, 2020 meeting as submitted.

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

2. 81-P Plan: (None)

The Chairman announced that the Public Hearing Remote Participation call-in telephone number is 1-857-444-0744, with the conference code 143644. 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.

PUBLIC HEARING - Carneiro: Application of Lisa M. and Frederico Carneiro, 4 Ben's Way, Hopedale, MA 01747, for approval of the definitive subdivision entitled "DEPOT STREET ESTATES", a 4 Lot Residential Subdivision located on 3.4 +/- acres off Depot Street (109 Depot St.). Assessor's Map 52 Lots 43, 164 & 164C. RA Zone.

The Town Planner noted that the proposed plan layout appears to be generally consistent with the Preliminary Plan that was recently approved by the Planning Board for this development at the 5-5-2020 meeting. He further noted that the submittal is essentially an incomplete application. The proposed subdivision includes the rear portion of Lot 164 (75 Fruit Street), which has been partially utilized to create proposed Lot 3. However, due to the non-conforming nature of the property at 75 Fruit Street, a variance will be required from the ZBA prior to further dividing the lot. All of the proposed lots appear to exceed the 16,000sf minimum lot area required for two-family dwellings. He indicated that he has reviewed the application and Definitive Plan dated 5-26-2020, and noted the following deficiencies:

1. The application fee and legal notice fee have not been provided.

2. The required variance for 75 Fruit Street has not been granted by the ZBA.
3. There are no water mains shown on the plan.
4. The required yard setbacks for each proposed lot are not indicated on the plan.
5. The zoning compliance table is not shown on the plan.
6. There is no shared driveway easement shown on the plan.
7. The lot shape factor calculations are not shown in detail.

The Town Planner confirmed that the requisite fees had just been paid at 3:00PM earlier in the day by hand-delivered checks dropped off at the Planning Office. He recommended the public hearing be continued to allow adequate time for the applicant's engineer to address the above-noted deficiencies and any additional departmental comments. The Town Engineer reviewed his report noting similar concerns and deficiencies.

Participating remotely on behalf of the applicant were Dan Hazen and Elizabeth Mainini of Guerriere and Halnon Engineering, Inc. They indicated that all of the issues will be addressed, and that a variance request will be submitted to the ZBA for 75 Fruit Street.

Members of the public participating remotely were abutters Frank Ruscitti, Marci Beauchamp, David Dugas, Kristen McFetridge, and Erika Peterson. They noted various concerns including effect on property values, possible environmental and traffic impacts, blasting during construction, and close proximity of future buildings to their homes. Written correspondence from abutters was also noted and read into the record.

Elizabeth Mainini of Guerriere and Halnon Engineering requested the public hearing be continued to the September 1, 2020 meeting.

Motion by Cook, Second by Kennelly, to continue the public hearing to the September 1, 2020 Planning Board meeting.

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

Motion carried unanimously.

PUBLIC HEARING - Nouria Energy: Application of Nouria Energy Retail, Inc., 326 Clark St., Worcester, MA 01606, for Special Permit approval regarding a 20% reduction in required off-street parking at 91 Medway Street, Assessor's Map 43 Lot 5A, 14.75 Acres, IB Highway Industrial Zone.

The Town Planner noted the applicant requests a Parking Reduction Special Permit for the shopping plaza in relation to the gasoline station redevelopment being proposed on the subject property. At their 5-21-2020 meeting, the ZBA granted a special permit for a self-service gas station at this location subject to finalizing Planning Board issues. A 10% parking reduction for the shopping plaza was previously granted by the Planning Board in December of 2015. Both the ZBA and the Planning Board Special Permit Decisions were attached to the packets. The gasoline station site (mailing address 139 Medway), is part of the overall plaza and included under the original Planning Board special permit. This redevelopment proposal changes the parking calculations for both the station and the overall plaza. The gasoline station is to be demolished and redeveloped as a self-service gas station and convenience store. This will also eliminate the easterly driveway onto Medway Street, and modify the internal access to the overall plaza.

The Town Planner and Town Engineer further noted that the plaza contains eight distinguishable uses: retail, restaurant, bank, dental office, salon, laundromat, tire center, and gasoline station, so exceeds the threshold under Section 3.4.1(b)3 for up to a 20% reduction in parking. The 2015 Planning Board special permit had reduced the parking by 10%, this application now seeks to increase the reduction to 16%. The proposed plan does not appear to accurately identify current tenants and existing parking requirements. It was also noted that the original landscaping required under the previous special permit has not been completed and/or maintained, and the current plan is incomplete as to landscaping. At minimum, all landscaping should be installed as part of this current special permit approval. The proposed plan is indicating the elimination of the directional right-turn only median in the main access driveway to the site on Medway Street/Rte. 109. The existing configuration has been effective in reducing left-turns exiting the site from this driveway and therefore must be maintained. The proposed closing of the easterly driveway to the gasoline station is appropriate, however the proposed internal access modifications, between the overall plaza parking lot and the gasoline station, should be scrutinized to avoid encouraging short-cut trips through the pump-island area to get to Medway Street/Rte. 109. The Town Planner recommended that



the public hearing be continued to allow sufficient time for the above noted items and relevant agency comments to be addressed.

Participating remotely on behalf of the applicant were Attorney Joseph Antonellis, Tom Healey, James Bernadino, P.E., and traffic engineer Ron Muller, P.E. They reviewed the proposal and noted there had been miscommunication regarding existing vs. proposed uses in the plaza. They also reviewed the parking demand analysis portion of the traffic study. The applicant also clarified that there will also be some sort of food service use in the new gas station/convenience store building, and that the uses and parking requirements will be updated on the plans. He also noted that the required plaza landscaping will be completed with this application. Attorney Antonellis requested that the public hearing be continued to the August 11, 2020.

There was no public participation remotely via zoom or telephone, or with written or e-mailed comments.

Motion by Kennelly, Second by Cook, to continue the public hearing to the August 11, 2020 Planning Board meeting.

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

3. *Continued* Site Plan Review: 21 Beaver Street - Rte. 85 Realty Corp.
4. *Continued* Site Plan Review: 26 Beaver Street - Rte. 85 Realty Corp.

The Town Planner noted written grants of extension from the applicant to the August 11, 2020 meeting for each of the site plan reviews.

Motion by Calagione, Second by Mainini, to continue the site plan reviews for both sites to the August 11, 2020 meeting.

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

5. Continued Amended Site Plan: 1 National Street – Milford National LLC: This is the continued review for site plan approval for a Parcel Hub Warehouse and Distribution Facility on the subject property. Participating remotely representing the applicant were Attorney Joseph Antonellis, and Daniel J. Mills, P.E., PTOE of MDM Transportation Inc. Participating remotely on behalf of the Board was Wing C. Wong, P.E., PTOE of Green International Affiliates, Inc., who is the traffic peer review consultant.

Various Board members discussed with the applicant their continuing concerns regarding truck traffic, the need for signage prohibiting truck parking on National Street, and the likely need for a follow-up traffic review once the site is operational.

After a general discussion of various solutions and mitigations possible, attorney Antonellis suggested details of various mitigation items, including bond estimates.

Motion by Calagione, Second by Mainini, to approve the site plan subject to the following conditions:

1. The owner/applicant shall be responsible for the roadway improvements within the Town's right of way, at the intersection of South Main Street and Depot Street, all of which improvements are shown on the sketch prepared by MDM Consultants, entitled "Conceptual Intersection Improvement Plan" dated July 7, 2020.
2. The owner/applicant shall submit a bond to the Town of Milford in an amount of not less than \$115,000.00 to provide funding for the reconstruction of the Depot Street/South Main Street intersection utilizing the design noted above in condition #1 herein.
3. The owner/applicant shall submit a bond to the Town of Milford in an amount of not less than \$35,000.00 to provide funding for the possible re-timing and other signalization improvements at the Route 140 Cape Road/South Main Street Intersection.
4. The owner/applicant shall post signage on its property in a location where it can be easily seen by Trailer Truck Drivers exiting the Site, which sign shall state "No right turns onto Depot Street". The owner/ applicant shall also apply to the Milford Highway Department for permission to install "No Trailer Parking" signs along National Street



5. Unless otherwise approved by a Modified Site Plan, the owner/applicant and any tenant of the Site shall be prohibited from having refrigerated trucks running at the site.
6. With the exception of tractor trailers scheduled to be loaded or unloaded at the Site, the owner/applicant shall not allow overnight parking of tractor trailers that are not being loaded or unloaded at this site.
7. The owner/applicant shall coordinate any new sanitary line installation work in accordance with Milford Sewer Department guidelines and regulations. No new sanitary lines will connect to National Street and shall instead connect to the existing sanitary line within the site.
8. The owner/applicant shall conduct a monitoring study of the Cape Road/South Main Street intersection during a weekday morning and weekday evening peak period within 3 months of full occupancy to determine whether signal timing adjustments are warranted based on site traffic conditions.
9. The owner/applicant shall clear and trim select vegetation at the National Street/Depot Street intersection to enhance sight lines as shown on the sketch plan prepared by MDM Consultants, entitled "Intersection Sight Distance Analysis" dated July 9, 2020
10. The Site Plan shall be clearly labeled as being for a proposed Parcel Hub Warehouse and Distribution Facility.
11. To document the information submitted in the Supplemental Traffic Evaluation dated 5-19-2020 prepared by MDM Consultants, the owner/applicant shall devise a 3-year on-site traffic monitoring scheme, to be approved by the Town Engineer, within 3 months of full occupancy.
12. The owner/applicant shall install traffic counters at the National Street main truck driveway to be maintained for a period of three years following the date of condition #11 herein, with reports of same to be submitted to the Planning Board every 6 months during said 3-year term.

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

6. Amended Site Plan: 23 Maple Street – Kimberly Karolides: The Town Planner noted that the applicant requests change of use site plan approval to allow for a Pet Day Care Center on the subject property. The Pet Day Care Center is to occupy the northerly half of the building replacing the former Child Day Care previously located in that portion of the building. Eaton Apothecary, a pharmacy distribution business, is still located in the southerly half of the building. Future possible additional changes in use will require additional approvals when they are proposed. There are no new buildings or additions proposed, and the parking and drive areas are to be restored to two-way circulation with perpendicular parking where provided. A fenced-in pet play area that is to be located directly behind the building. The Town Planner and Town Engineer recommended approval of the amended change of use site plan for unit 2 only.

Participating remotely were the applicants Bob and Kim Karolides, Bill Roberts, and their engineer Dick Debenedictus. They confirmed that approval for the change of use for unit 2 to the pet center was acceptable for the present time. Future applications would be submitted as determined to be required at the time.

Motion by Calagione, Second by Kennelly, to approve the amended change of use site plan for unit 2 only.

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

7. Continued Lot Releases/Bond Reduction: Sanylah Crossing Subdivision–Sanylah Crossing LLC: The Town Engineer reported that he has confirmed the cost estimate provided by Guerriere and Halnon Engineering, Inc., on the performance bond for the Sanylah Crossing Definitive Subdivision. The required Bond amount can be reduced from the original \$1,016,670.00 to the new amount of \$642,772.00. An amended tripartite agreement must now be executed reflecting the new amount. The final two lots (Lots 31 & 32) may also now be released.

Motion by Kennelly, Second by Cook, to reduce the bond amount to \$642,772.00 and to grant release of Lots 31 & 32.

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

8. ZBA Special Permit Referral: 97 Cedar Street - PMG Northeast LLC: The Town Planner explained that the applicant requests a special permit to redevelop the existing attendant-service gasoline station on the subject property to a self-service operation. Self-service gasoline stations are allowed by special permit in the IB zone due to the recently approved zoning amendment. The subject site is the location of the former Granite Gulf attendant-service gasoline station. The proposed redevelopment will shift the location of the building, the pump islands, the parking spaces, and include a new retail store with drive-thru restaurant/coffee shop. There will be no auto service bays in the proposed building. Adequate off-street parking is being provided, including the required queue and safety lane for the drive-thru pick-up window. One pump island is to be retained as attendant-service and be adequately identified. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals. A site plan approval from the Planning Board will be required subsequent to the ZBA special permit.

Motion by Mainini, Second by Calagione, to forward a Favorable Report to the ZBA.

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

Motion carried unanimously.

The Town Planner noted the addition of the following item to the Agenda:

9. Lot Releases/Performance Bond: Bear Hill Village Subdivision-Casey Drive: The Town Engineer reported that he has confirmed the construction cost estimate provided by Guerriere and Halnon Engineering, Inc., for the completion of a portion of Casey Drive, the future public street approved with the 2-Lot Bear Hill Village Definitive Subdivision. The required Bond amount shall be \$814,416.00. Upon posting of the bond, Lots 1 & 2 of the subdivision may be released. The Town Planner reminded the Board that this subdivision was necessary to create the public street portion of the overall Bear Hill Village PRD.

Motion by Kennelly, Second by Cook, to set a Performance Bond amount of \$814,416.00, and to release Lots 1 & 2 of the Bear Hill Village Definitive Subdivision upon the posting of said bond.

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

Motion carried unanimously.


The Chairman noted that the next meeting of the Planning Board will be on August 11, 2020.

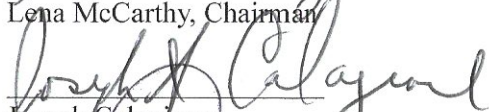
Adjournment: Motion by Calagione, Second by Kennelly to adjourn the meeting.


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

Motion carried unanimously.


The meeting was adjourned at 9:30 P.M.

  
Lena McCarthy, Chairman

  
Joseph Calagione

  
John H. Cook

Patrick J. Kennelly

  
Marble Mainini, III