



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

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

Minutes of Meeting MILFORD PLANNING BOARD

This meeting was conducted via Remote Participation

Tuesday, January 17, 2023

Members participating remotely: Joseph Calagione, J. Ted DePaolo, 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 107 of the Acts of 2022, an Act Relative to Extending Certain State of Emergency Accommodations, which Act further 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 1-3-23 meeting

Motion by Mainini, Second by DePaolo to approve the minutes of the January 3, 2023 meeting as written.

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

Motion carried.

2. 81-P Plans: 23 Iadarola Avenue – Kerri McGrath

Motion by DePaolo, Second by Mainini to approve the 81-P Plan as submitted and direct the Town Planner to endorse the Mylar.

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

Motion carried unanimously.

CONTINUED PUBLIC HEARING: Application of Jason Gomes, 41 Upland Road, Burlington, MA 01803 to approve the definitive subdivision entitled "GOMES WAY", a 4 Lot Residential Subdivision on 4 +/- acres located on the westerly side of Highland Street. Assessor's Map 49 Lot 391. RB Zone.

At the written request of the applicant this Public Hearing was not opened, but rather this item was continued to the 2-21-2023 Planning Board meeting.

3. Remanded Amended Site Plan: 140 Medway Street – Global Companies, LLC. The Chairman explained that this application is before the Board on remand from the Land Court to approve the amended site plan for the subject property. The 11-30-22 Land Court Decision was provided to the Board, along with other pertinent background information. On 6-2-20 the Planning Board had approved an amended site plan for this property, but with the condition that the easterly driveway on Medway Street must be closed. It was this condition that

prompted the subsequent appeal. As noted in the attached Decision, the Court found that there was not sufficient evidence to support the condition to close the easterly driveway, and therefore the approval with that condition was in error. That 6-2-20 amended site plan submission had followed from the ZBA having granted a Special Permit to convert the "attendant-service only" gas station on the subject property to a combined "self-service/attendant-service" gas station. The remanded plan that is before the Board now is identical to the amended site plan that was reviewed on 6-2-20. In light of the Land Court Decision, no other formal presentation appears to be required. The Town Planner strongly recommended approval forthwith of the amended site plan as submitted.

Motion by Mainini, Second by Morais to approve the amended site plan as submitted.

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

Motion carried unanimously.

4. Amended Site Plan: 2 Main Street – Master Roof, Inc. The applicant requests amended site plan approval for a change of use on the subject property to replace the previous beauty salon use. The new use of the building will be for only the business office and retail showroom aspects of the contractor's roofing business, and not be used as a contractor's yard. There are no additions proposed to the existing building, and the existing parking area is to be striped for 7 spaces as indicated on the site plan. One handicap parking space is to be provided in front of the building, and the existing freestanding sign is to remain. All other applicable zoning requirements appear to be met. The Town Planner recommended approval subject to relevant departmental comments, and subject to the site not being used as a contractor's yard.

Motion by Calagione, Second by Mainini to approve the amended site plan subject to the site not being used as a contractor's yard.

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

Motion carried unanimously.

5. Set Bond Amount: 196 East Main – Ambri / RJ Kelly. The applicant requests approval to post a site completion bond for the subject property in the amount of \$217,000.00. It was noted by the Board that an approval letter from the Sewer Board has yet to be received, which was a condition of site plan approval. After a brief discussion, the applicant requested to withdraw without prejudice.

Motion by Calagione, Second by DePaolo to accept the withdrawal without prejudice.

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

Motion carried unanimously.

6. ZBA Special Permit Referral: 146 So. Main St. – N.Y. Capital Investment Group, LLC. The applicant is requesting special permit approval for a commercial car wash on the subject property. Such uses within the CC Highway Commercial district require a special permit from the ZBA. The proposal is to redevelop approximately 35,000 SF of the interior of the plaza to accommodate a 35' x 150' automated drive-thru car wash building and queuing lanes, along with 21 self-service external vacuum stations to be located along the south side of the building. The Town Planner recommended a favorable report be forwarded to the ZBA, subject to final site plan approval by the Planning Board.

Motion by Mainini, Second by Calagione to forward a favorable report to the ZBA subject to final site plan approval by the Planning Board.

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

Motion carried unanimously.

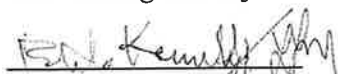
The next regular Planning Board meeting will be on 2-7-2023.

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

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

Motion carried unanimously.

The meeting was adjourned at 7:22 P.M.


Patrick Kennelly, Chairman