



# 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, August 11, 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 7:10 P.M.

It was 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 July 14, 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 – 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 that this is the continued public hearing for a Parking Reduction Special Permit for the shopping plaza in relation to the gasoline station redevelopment being proposed on the subject property. He further noted that a draft decision was contained in the agenda packet. This application seeks an overall reduction of 18% of the required off-street parking.

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 that the uses and parking calculations have been updated for the plaza. They also noted that the required plaza landscaping has been updated and the gas station parking area has been reconfigured to reduce cut-through traffic.

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

Motion by Mainini, Second by Cook, to close the public hearing and grant the Special Permit with the provisions contained in the draft decision.

Roll Call Vote: Calagione, yes; Cook, yes; Kennelly, no; Mainini, yes; McCarthy, yes.  
Motion carried.

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

Pat Kennelly noted he is abstaining. This is the continued review of the two site plans that are located on both sides of Beaver Street directly opposite from each other. The applicant requests site plan approval to construct a transportation terminal on each the subject properties. Transportation terminals are permitted uses within the IB Highway Industrial zone. Participating remotely on behalf of the applicant were John Nenart of Route 85 Realty Corp. and Traffic Engineer Rob Woodland of Tetra Tec. John Nenart explained that a number of improvements have been made to both site plans relating to reducing the total parking spaces to 556, improving landscaping, sight distance, etc., and are reflected on updated site plans for each parcel. Rob Woodland explained that further analysis had been done relating to traffic, which is reflected in the various follow-up traffic reports by Tetra Tec as well as in the peer review reports and commends from Karen Tobias of Green International.

The Town Planner clarified that other than the changes noted for each site, off-site traffic mitigation being proposed includes: 1) adding a right-turn lane to the Beaver Street approach to Medway Street, 2) signal timing adjustments at Birch and Medway Streets, and at the I-495 Ramps, 3) returning the southerly segment of Beaver Street to two-way traffic, 4) widening the Birch Street approach to its intersection with Beaver Street as noted in the traffic report, and 5) providing traffic control at the intersection of Birch and Beaver Streets initially with a three-way stop, or a signal if warranted later. The Town Planner recommended continuing the reviews to the next meeting to afford staff adequate time to review the updated plans and prepare final reports for the Board.

Motion by Mainini, Second by Calagione, to continue the site plan reviews for both sites to the September 1, 2020 meeting.

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

5. Site Plan Review: 97 Cedar Street - PMG Northeast LLC. The Town Planner noted that the applicant requests site plan approval for the gas station redevelopment being proposed on the subject property. The existing gas station is to be demolished and the site redeveloped as a self-service gas station with drive-thru restaurant and convenience store. The ZBA granted a special permit for a self-service gas station at this location at their July 22, 2020 meeting. The northerly driveway onto Cedar Street is to be eliminated, and the Fortune Blvd. driveway is to be relocated to the east. A 300' queue and safety lane are provided for the drive-thru window, including two exiting spaces. Landscaping appears to be in compliance except for clarifying the number of tree plantings. It was noted that the project should connect to the 8" sanitary sewer main in Fortune Boulevard. Also noted was that the combined loading zone/dumpster area are only accessible through required parking spaces, and that any proposed propane cylinder exchange must be shown on the site plan.

Participating remotely on behalf of the applicant were Attorneys Katelyn Ciolino and Brian Levey of Beverage & Diamond, along with engineers Jeff Fiore, P.E. and Ron Lezott, P. E. from Maser Consulting P.A. They noted that they will be in contact with the Sewer Department regarding connecting to town sewer, and will follow-up with the Highway Surveyor regarding his comments on sidewalks and curbing along the street frontages. They will also be in contact with the Town Engineer regarding the stormwater and drainage issues mentioned in his report.

The Town Planner noted that the Sewer Board would likely be meeting on September 15<sup>th</sup> at 6:00pm, an hour before the Planning Board meeting that same night.

Motion by Kennelly, Second by Cook, to continue the site plan review to the September 15, 2020 meeting.

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



6. Traffic Analysis: Platinum Park Transportation Terminal.

Liz Oltman, P.E. of TEC presented the required post occupancy traffic assessment of the Platinum Park Transportation Terminal on East main Street. She reported that the facility generates traffic at a ratio at or less than originally projected during the approval process. The intersection improvements outlined in the original TEC TIS remain sufficient to mitigate generated traffic from the site.

Motion by Calagione, Second by Kennelly, to accept the follow-up report as presented and authorize the issuance of a final occupancy permit, with the further requirement that traffic monitoring be repeated again in December 2020.

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

Motion carried unanimously.

7. Amended Site Plan Review: 96 Medway Street – Little Critters Daycare. The Town Planner explained that the applicant requests change of use site plan approval to allow for a Child Day Care Center on the subject property. The Child Day Care Center is to replace the former church-related math academy previously located in the building. There are no new buildings or additions proposed, and the parking and drive areas are proposed to remain unchanged. Five of the parking spaces partially encroach on to Messina Street, and are striped to back into Messina Street and should be eliminated. Board members noted concerns regarding a dumpster, possible one-way circulation, the condition of the existing pavement and striping. Participating remotely were the applicant Jennifer Morias and her engineer Liz Mainini of G&H Engineering. The Town Planner recommends continuing the review to the September 1, 2020 meeting to address departmental comments and update the site plan.

Motion by Calagione, Second by Mainini, to continue the review to the September 1, 2020 meeting.

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

Motion carried unanimously.

8. Amended Site Plan Review: 14 Prospect Street – Milford Regional Medical Center. The applicant is requesting amended site plan approval to allow for the addition of a maintenance building on the subject premises. The proposal is to construct a 50' x 100' maintenance building in the southeasterly corner of the campus. It will be located beside the existing parking lot, north of the vacated portion of Orrin Slip. An underground holding tank is being proposed due to the floor drains in the building. A similar plan for a slightly smaller building had been approved in 2017. All applicable zoning requirements appeared to be met and the Town Planner recommended approval of the site plan waiver as requested.

Motion by Cook, Second by Calagione, approve the amended site plan.

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

Motion carried unanimously.

9. Set Bond Amount: Ariana Estates – Lily Bean LLC, Claro Construction Corp. The Town Engineer recommended the board accept the bond estimate from the developer and set a bond amount for \$86,399.08 for the remaining construction and the close out of the subdivision, and to release all five lots from the covenant.

Motion by Kennelly, Second by Mainini, to release all five lots from the covenant and to set a bond amount for \$86,399.08.

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

Motion carried unanimously.

10. Continued Bond Reduction: Sanylah Crossing Subdivision–Sanylah Crossing LLC. The Town Engineer reported that he has confirmed the revised 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 \$304,100.00. An amended tripartite agreement must now be executed reflecting the new amount.

Motion by Kennelly, Second by Cook, to reduce the bond amount to \$304,100.00.

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

11. ZBA Variance Referral: 21 Cunniff Avenue – Darlene East. The Town Planner noted the applicant requests a variance to subdivide the existing conforming lot into two substandard lots to create an additional building lot. The lot is a 26,210sf regularly shaped, substantially level lot. There are no features related to the property that represent a hardship. Therefore, the Town Planner recommend an unfavorable report be forwarded to the Zoning Board of Appeals.

Motion by Kennelly, Second by Cook, to forward an unfavorable report to the ZBA.

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

12. ZBA Variance Referral: 94 Purchase Street – Melquisedeque Rezende. The Town Planner explained that the applicant requests a variance to construct a 20' x 20' gazebo on the subject property to be 9' from the rear property line, 25' required in the RB zone. A scaled site plan indicating the location of the proposed gazebo has not been submitted. A smaller gazebo should be considered since there is already a swimming pool in the adjacent yard area. There are no features whatsoever relating to the lot itself that represent a hardship. Therefore, the Town Planner recommend an unfavorable report be forwarded to the Zoning Board of Appeals.

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

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

13. ZBA Variance/Special Permit Referral: 61 Exchange Street - Warren Heller. The Town Planner explained that the applicant requests a variance/special permit to convert the existing office use on the subject property to residential. Both office and residential uses are allowed within the OR district. The OR District was created in June of 2010, and this property was rezoned from CA Central Commercial to OR Office Residential in October of 2016. The variance is for the lot size and parking, and the special permit is for the two-family requirements. Both the lot and the building pre-date zoning, so would otherwise be entitled to a single-family use regardless of lot size. There are no additions being proposed for the building, and there are no non-conformities relating to use. The Town Planner recommend a favorable report be forwarded to the Zoning Board of Appeals.

A brief discussion among the Board members ensued.

Motion by Kennelly, Second by Cook, to forward an unfavorable report to the ZBA.

Roll Call Vote: Calagione, no; Cook, yes; Kennelly, yes; Mainini, no; McCarthy, no.  
Motion did not carry.

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

Roll Call Vote: Calagione, yes; Cook, yes; Kennelly, no; Mainini, yes; McCarthy, yes.  
Motion carried.

14. ZBA Special Permit Referral: 58A Dilla Street – Chelsea Boncoeur. The Town Planner noted the applicant requests a special to maintain a supplemental apartment on the subject property. The application as submitted is incomplete. A scaled floor plan of the house indicating the location of the supplemental apartment has not been submitted. The applicant has indicated that the supplemental unit was in existence when they purchased the house, however there is no record of a special permit having been granted. The Town Planner recommend an unfavorable report be forwarded to the Zoning Board of Appeals due to the incomplete application.



Motion by Mainini, Second by Kennelly, to forward an unfavorable report to the ZBA due to the incomplete application.

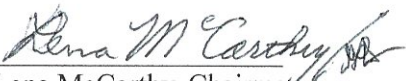
Roll Call Vote: Calagione, yes; Cook, yes; Kennelly, yes; Mainini, yes; McCarthy, yes.  
Motion carried unanimously.

The Chairman noted that the next meeting of the Planning Board will be on September 1, 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 9:21 P.M.

  
Lena McCarthy, Chairman