



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
J. Ted DePaolo
Marble Mainini, III
Jose M. Morais
Christopher Wilson

Minutes of Meeting MILFORD PLANNING BOARD Room 3, Milford Town Hall Tuesday, August 15, 2023

Members present: Joseph Calagione (Chairman), J. Ted DePaolo, Marble Mainini, III, Jose M. Morais, Christopher Wilson.

Members absent: none

Staff present: Larry L. Dunkin, MCRP (Town Planner), Elizabeth Mainini, P.E. (Town Engineer)

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

1. Minutes of 7-11-23 meeting:

Motion by Mainini, Second by DePaolo to approve the minutes of the June 20, 2023 meeting as written.

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

Motion carried.

2. 81-P Plans: none

INTRODUCTION: John Charbonneau, Asst. Town Administrator/Economic Development Director. The Chairman introduced Mr. Charbonneau and welcomed him to Milford. Mr. Charbonneau provided a brief overview of his background and experience.

NOTE: Board Member Morais has recused himself from upcoming agenda items Continued Public Hearings #1 & #2.

CONTINUED PUBLIC HEARING: Application of Old Cedar, LLC, 80 Union Avenue, Sudbury, MA 01778 to approve the definitive subdivision entitled "Old Cedar Court", a 3 Lot Commercial Subdivision on 9.8 +/- acres located on the westerly side of Cedar Street and north of Dilla Street. Assessor's Map 28 Block 0 Lots 12, 12A, 16, 17, and discontinued Old Cedar Street right-of-way. IB Zone.

CONTINUED PUBLIC HEARING: Application of Old Cedar, LLC, 80 Union Avenue, Sudbury, MA 01778 for Special Permit approval to construct a 3 story, 102,192 SF self-storage facility and associated parking located on the westerly side of Cedar Street and north of Dilla Street. Assessor's Map 28 Block 0 Lots 12, 17, and a portion of discontinued Old Cedar Street right-of-way. IB Zone.

Chairman Calagione opened both continued public hearings and noted that due to the same property being involved in both applications, conducting the hearings concurrently will reduce confusion and simplify the process. He further noted that both hearings have been continued from the July 11, 2023 meeting.

Present for the applicant was attorney Jerry Effren, Esq., attorney Neal Bingham, Esq., the applicant Quentin Nowland, and the project engineer Mark Allen of Allen Engineering. Attorney Effren described the overall development proposal in general terms. He briefly reviewed the history of the properties involved, including the prior 2007 development proposal that ultimately did not materialize. He referred to the proposed definitive plan that follows from the recent Town Meeting vote discontinuing Old Cedar Street, and to the special permit that deals with the actual self-storage facility development, both of which will be covered in detail following next in

the public hearing process. He noted that the project is being submitted to the Conservation Commission. Quentin Nowland also spoke and provided additional information and a slide presentation of the proposed development. He noted that this will be a climate-controlled facility, and will be operated by Extra Space Storage, a national third-party management firm that will utilize on-site personnel and video surveillance.

Chairman Calagione announced that the Board will now review the definitive subdivision that is the subject of *Continued Public Hearing #1* on the agenda.

Continued Public Hearing #1: Old Cedar Court definitive subdivision. The applicant is proposing a 3-Lot commercial subdivision, including one new street. The applicant's engineer Mark Allen, P.E. reviewed the details of the definitive plan and described the recent revisions. The property consists of approximately 9.8 acres located on the westerly side of Cedar Street (Rte. 85) and north of Dilla Street, and includes the Right-of-Way of former Old Cedar Street that was discontinued at the 5-22-2023 Annual Town Meeting. The Town Planner's report had noted that he had reviewed the definitive plan entitled "Old Cedar Court" dated 5-15-23 and found it to be in substantial compliance with the Milford Subdivision Rules and Regulations. The Board then considered the numerous waiver requests and voted on each as follows:

Motion by Mainini, Second by DePaolo to grant the requested waiver under Art. IV, Sec. A. of the Subdivision Regulations to not submit a Preliminary Plan.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by DePaolo, Second by Wilson to grant the requested waiver under Art. IV, Sec. B.2 of the Subdivision Regulations to submit the Definitive Plan at 50' scale.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by Mainini, Second by Wilson to grant the requested waiver under Art. V, Sec. A.1.c of the Subdivision Regulations to not provide streets to adjoining properties.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by DePaolo, Second by Wilson to grant the requested waiver under Art. V, Sec. A.4.c of the Subdivision Regulations to not provide a cul-de-sac landscaped center island.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by Mainini, Second by DePaolo to grant the requested waiver under Art. V, Sec. C of the Subdivision Regulations to not provide Open Space for parks or playgrounds.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by DePaolo, Second by Mainini to grant the requested waiver under Art. VI, Sec. D.5 of the Subdivision Regulations to extend the existing 24' roadway pavement.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by DePaolo, Second by Mainini to grant the requested waiver under Art. VI, Sec. E.1 of the Subdivision Regulations to allow for no sidewalks to be installed.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by DePaolo, Second by Mainini to grant the requested waiver under Art. VI, Sec. J. of the Subdivision Regulations to allow for asphalt curbing to be installed.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Motion by DePaolo, Second by Mainini to grant the requested waiver under Art. VI, Sec. O. of the Subdivision Regulations to allow for underground wiring to be installed.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

A brief discussion ensued where it was noted that the proposed free-standing sign shown on the plan on the Wendy's property was outside of subdivision review and should be removed from the plan.

Public Comments: There were no public comments.

Motion by DePaolo, Second by Mainini to close the public hearing and approve the definitive plan subject to the note on Sheet P-1 of the plan referring to the proposed free-standing sign to be removed.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Chairman Calagione announced that the Board will now review the self-storage special permit that is the subject of Continued Public Hearing #2 on the agenda.

Continued Public Hearing #2: Self-storage facility Special Permit. The applicant is requesting special permit approval to construct a 3 story, 102,192 SF self-storage facility and associated parking on the subject property. Self-storage facilities are permitted uses in the IB Industrial District via special permit approval from the Planning Board. The property consists of approximately 5.8 acres located on the westerly side of Cedar Street (Rte. 85) and north of Dilla Street, and combines parcel 28-0-17, part of parcel 28-0-12, and part of the Right-of-Way of former Old Cedar Street that was discontinued at the Annual Town Meeting on 5-22-2023. The address of 80 Old Cedar Court has been assigned to the subject property. Applicant's engineer Mark Allen, P.E. was present and noted that the first-floor overhead doors originally located on the south façade of the storage facility have all been removed, and the security fencing and gates are clearly indicated on the site plan. Also noted was an updated cross-section of the trail spur to be more consistent with the main trail. The trail spur will have an 8' paved travel surface with a 2' shoulder on each side. The detention basin has been enlarged, and an underground basin has been added in the vicinity of the trail spur parking area.

The Board had indicated that sampling should be performed at the monitoring wells within the proposed large detention and infiltration basin to monitor for potential contamination from Metals by RCRA-8, Volatile Organic Carbons (VOCs) by M8360, Gas Range Organics (GRO) by M8015B, and from Total Petroleum Hydrocarbons (TPH) by M8100. The frequency and duration of the sampling was also discussed, and it was suggested that possibly sampling between March 1st and April 30th might be appropriate.

Public Comments: There were no public comments.

Motion by DePaolo, Second by Wilson to close the public hearing and take the special permit application under advisement.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, abstain; Wilson, yes.
Motion carried.

Chairman Calagione noted that the Board will commence deliberation on the self-storage special permit at the next meeting on September 5, 2023.

NOTE: Board Member Morais rejoined the meeting.

3. Continued Amended Site Plan: 146 So. Main St. – New York Capital Investment Group, LLC. The Chairman read a letter from the applicant's engineer requesting that this site plan review be continued to the 9-5-23 meeting.

Motion by Mainini, Second by DePaolo to continue this application to the 9-5-2023 meeting.

Roll Call Vote: Calagione, yes; DePaolo, yes; Mainini, yes; Morais, yes; Wilson, yes.
Motion carried.

4. Continued Site Plan Review: 35 Granite Street / Municipal Swimming Pool - Parks Department. The applicant requests site plan approval to construct a new municipal swimming pool at the Fino Field recreation area. The new pool will replace the existing swimming pool. The project will integrate the pool into the overall recreation area and provide a fully accessible complex. The Town Planner had previously recommended the site

plan be approved as submitted, subject to relevant agency comments. A brief discussion ensued, during which time it was noted that to date approval letters from the sewer department and highway department had yet to be received.

Motion by Mainini, Second by DePaolo to approve the site plan subject to receipt of the sewer and highway department approval letters.

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

Motion carried.

5. Amended Site Plan: 95 Cedar Street – Milford Highway Department. The Milford Highway Department seeks amended site plan approval to construct a 4' x 4' double-faced non-illuminated freestanding sign on the subject property. The proposed sign is to replace and relocate the existing freestanding sign, which is to be removed. The new sign is to be located on the south side of the existing entrance drive, lying 84' south of the northerly property line and 12' west of the Cedar Street right-of-way line. This places the sign outside the required "sight triangle" for adequate visibility at the driveway. All applicable zoning requirements appear to be met. The Town Planner recommended approval of the amended site plan as submitted.

Motion by DePaolo, Second by Wilson to approve the site plan as submitted.

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

Motion carried unanimously.

6. Amended Site Plan: 100 Central Street – David Walch. The applicant requests amended site plan approval to authorize a change of use on the subject property. The site is the former catering business located at the northwest corner of Central Street and Bragg Slip. In 2020 the Planning Board approved a change in use for the second floor of the building to office and warehousing space for an energy consulting/auditing firm that periodically conducts contractor training sessions. Occupancy of the basement and first floor of the building were then only vaguely noted as "warehouse" and "office/warehouse" respectively on the floor plans. The current proposal is to add a wholesale bakery use on the first floor. The applicant has only submitted a xerox copy of the previously approved site plan, showing no updates to the off-street parking calculations. Also, there is no letter form the Sewer Board. The Town Planner recommended the amended site plan be approved subject to the property owner submitting a valid updated site plan, as well as subject to relevant agency comments. A brief discussion ensued, during which time it was noted that it appears that the sewer department will require a grease trap/tank located under the parking lot or under the sidewalk. If the location is within the street right-of-way a license will be required from the Select Board. The Sewer Board is meeting on 8-29-23.

Motion by Mainini, Second by DePaolo to continue this review to the 9-5-23 meeting.

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

Motion carried unanimously.

7. ZBA Special Permit Referral: 114 West Street – Michael Patten. The applicant requests a special permit to allow for the addition of a second story to a portion of the existing non-conforming two-family dwelling on the subject property. The property is non-conforming due to lot size, and the structure is non-conforming due to setbacks. The second story addition is being proposed directly over the current single-story wing of the house, which is an existing non-conforming two-family dwelling having one dwelling unit on each floor of the building. The proposed addition will expand the living space for the second-story unit. The second story addition will be a vertical extension of the structure, with no change in front yard setback. A second-story rear deck is also proposed that will comply with the side and rear yard setbacks. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Mainini, Second by Wilson to forward a favorable report to the Zoning Board of Appeals.

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

Motion carried unanimously.

8. ZBA Variance Referral: 7 Jennie D Lane – Rosemary Ferreira. The applicant requests variances to construct a Gazebo with attached shed in the rear yard of the subject property. The property consists of one single family dwelling with attached garage. The proposed 12' x 12' Gazebo with attached 12' x 12' shed is to be located 10' from the rear property line; 25' setback required. The existing shed, which is located only 5.9' from the rear

property line, is to be removed. The 12,300sf lot is non-conforming as to area, and is irregularly shaped generally, and especially from the rear property line on the southeasterly side of the property in the area of the proposed structures. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Wilson, Second by Morais to forward a favorable report to the Zoning Board of Appeals.

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

Motion carried unanimously.

9. ZBA Variance/Special Permit Referral: 29 Ravenna – David Lucciarini. The applicant requests a variance and special permit to allow for the construction of a detached garage on the subject property. The 4,924sf property is non-conforming as to lot size, and the single-family dwelling is non-conforming as to setbacks. The proposed 20' x 24' detached garage is to be 23.7' from the front property line, 3.8' from the side (east) property line, and 15.7' from the rear property line; 30'/15'/25' required respectively. The former 11' x 20' shed was at best 1.5' from the side property line, and was 24.4' from the front property line. The new garage will have less of an encroachment than the previous shed. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Mainini, Second by DePaolo to forward a favorable report to the Zoning Board of Appeals.

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

Motion carried unanimously.

10. ZBA Variance Referral: 20 Whip O Will Lane – Leanne Hoffman. The applicant requests a variance to allow for the construction of an 18' x 20' addition to the existing single-family dwelling on the subject property. The 12,025sf lot is non-conforming as to area, and the single-family dwelling is non-conforming as to setbacks. Specifically, the proposed 18' x 20' addition is to be 22' from the front property line; 30' required. The lot is a corner lot, and the existing dwelling is not oriented parallel to either of the adjoining streets and already only 24' from the front property line. Therefore, any regular addition to the Penny Lane side of the house will encroach even further into the required front yard than had the house been properly situated on the lot. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by DePaolo, Second by Wilson to forward a favorable report to the Zoning Board of Appeals.

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

Motion carried.

11. ZBA Variance Referral: 42 Purchase Street – Amy Crawley. The applicant requests a variance to allow for the conversion of the existing single-family dwelling to a two-family dwelling on the subject property. The 28,110sf lot is conforming as to area, although it is of irregular shape. The proposed conversion to a two-family dwelling is proposed via a trapezoidal addition to the side and rear of the existing dwelling. No building plans were submitted with the application. While the lot is indeed of an irregular shape, little to no effort appears to have been made to reduce whatever encroachment might have been necessary for a regularly shaped addition. The Town Planner recommended an unfavorable report be forwarded to the Zoning Board of Appeals.

Motion by Mainini, Second by Wilson to forward an unfavorable report to the Zoning Board of Appeals.

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

Motion carried.

12. Endorse Mylar: Definitive Plan – “Victory Road” Recission Plan. The Town Planner explained that the original mylar had been lost some time after it was approved, and a new mylar has now been produced with the appropriate certificate of no appeal and certificate of no change both signed by the Town Clerk. He recommended endorsement as submitted.

Motion by Wilson, Second by DePaolo to endorse the definitive plan mylar.

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

Motion carried.

13. Discussion Item: Possible IA to BP rezoning – Areas south of Central Street. The Town Planner briefly reviewed the proposal that would change the zoning of a number of properties in the vicinity of the former Archer

Rubber facility from IA to BP and RC. He referred the members to the text of the proposed article and the accompanying maps that were included in the Meeting Packet for this agenda item. Generally, the area covered is south of Central Street and extends southerly approximately 0.8 mi. along the Charles River to the vicinity of the Godfrey Brook wellfields. The area is within the WR-1 Water Resource Protection District due to its location over the Aquifer, and has been inappropriately zoned for a number of years. The 2003 Comprehensive Plan had recommended zoning changes in this area, and with the Archer building having been demolished, now is an appropriate time to consider rezoning this area. While the primary focus is for the application of the BP district in the Central Street area, approximately two-thirds of the overall rezoning would be to apply the RC and other adjacent residential districts. The Town Planner asked that the Board vote to request a Remand from the Select Board to formally start the notice and public hearing process in order to have the article on the Fall Town Meeting Warrant.

Motion by Morais, Second by Mainini to request a Remand from the Select Board.

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

Motion carried unanimously.

14. Comprehensive Plan Scope of Services review. The Chairman directed the members' attention to the full scope of services for the 2024 Comprehensive Plan that had been prepared by the MAPC planning staff. It appears that all of the plan elements that the Board had originally requested have been included, as well as an explanation of the process MAPC will employ. The Chairman suggested that the new Economic Development Director review the scope and provide his observations and comments to the Board. Due to the extent of the agenda at this meeting, it was suggested that the members thoroughly review the scope and discuss it more fully at the next meeting.

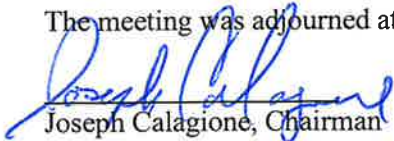
The next Planning Board meeting will be on 9-5-2023.

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

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

Motion carried unanimously.

The meeting was adjourned at 9:14 P.M.



Joseph Calagione, Chairman