



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

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, November 17, 2020

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

Members absent: John Cook

Staff participating remotely: Larry L. Dunkin, MCRP (Town Planner)

Call to order: Chairman Kennelly called the meeting to order at 7:06 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 Mainini, Second by Calagione to approve the minutes of the October 20, 2020 meeting as submitted.

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

2. 81-P Plans: 21 Cunniff Ave. – John East. The Town Planner noted that the proposed 81-P plan is a simple lot split that reflects a variance recently granted by the ZBA, and is endorsable as submitted.

Motion by Calagione, Second by McCarthy, to approve the 81-P plan as submitted and direct the Town Planner to endorse the plan mylar.

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

PUBLIC HEARING: The Chairman announced that the Public Hearing for the definitive subdivision entitled "DEPOT STREET ESTATES" originally scheduled for September 8, 2020, has been continued to the December 15, 2020 meeting. No deliberation on this item will occur at tonight's meeting.

3. Continued Site Plan Review: 97 Cedar Street - PMG Northeast LLC. The Chairman announced that the applicant has granted an extension to the December 15, 2020 meeting. No deliberation on this item will occur at tonight's meeting.

4. Bond Substitution Request – 1 National Street Site Plan: Attorney Joseph M. Antonellis participated remotely and requested that the Board allow for the substitution of a passbook or cash bond for the same amount be accepted in place of the current site completion bonds currently being held by the town for the subject development.

Motion by Mainini, Second by Calagione, to approve the bond substitution request.

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

5. Bond Reduction Request – Sanylah Crossing Subdivision: The Town Engineer provided a breakdown of work remaining and determined that the current bond amount of \$304,100.00 can be further reduced to a new amount of \$254,571.25, a reduction of \$49,528.75.

Motion by Calagione, Second by McCarthy, to further reduce the bond for the subdivision to a new amount of \$254,571.25. A revised triparty agreement will now be required.

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

6. Amended Site Plan Review: 42 Cape Road – Cape Road Plaza, LLC. The applicant requests amended site plan approval to establish a temporary mobile medical office on the subject property until March 31, 2021. Specifically, the 400 sq.ft. mobile office is being proposed as a patient pre-screening area for the adjacent Kennedy Health Center medical office due to the pandemic. The mobile office and handicap ramp are to be protected by a row of seven jersey barriers as shown on the site plan. The installation will temporarily occupy seven existing parking spaces located directly north of the infiltration basin. Three of the adjacent parking spaces are to be converted to two van accessible handicap spaces. All applicable zoning requirements appear to be met. Therefore, the Town Planner recommended the amended site plan be approved, subject to relevant departmental comments, for a period of one year.

Motion by Mainini, Second by McCarthy, to approve the amended site plan for a period of one year subject to the mobile office not being connected to the town sewer.

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

7. ZBA Special Permit Referral: 69 West Street – Luis Santos. The applicant requests variance/special permit approval to expand the non-conforming use and structure on the subject property. The existing use of the property is an auto body shop, auto sales and repair, and towing operation, which was approved by the ZBA in April of 2018 (decision attached). The applicant proposes a 50' x 70' addition to the existing garage building. The addition is to contain three service bays. Also, seven additional parking spaces are being proposed. The existing use already includes a four service bay garage, and the placement of twenty vehicles for sale on the site. The variance is requested from the required setback from O'Brien Brook to be 16.6'; 25' minimum required. There is absolutely no hardship in relation to this variance request. The Town Planner recommended an unfavorable report be forwarded to the ZBA due to the over-intensification of use that would result from the proposed expansion within a residential neighborhood. Board member Mainini noted the unauthorized use of the property for the storage of Amazon delivery vans occurring recently.

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

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

8. ZBA Variance/Special Permit Referral: 85 Medway Street – Michael Bregani. The applicant requests variance and special permit approval to re-plat and redevelop the subject property. The property currently consists of two merged lots, with a single-family dwelling and a mobile home located on Lot 25. The applicant proposes to expand the existing house on Lot 25 to create a two-family dwelling, replat both parcels, and add a second single-family dwelling on the re-platted Lot 26. The old mobile home is to be razed. While removing the mobile home is appropriate, expanding the existing house to a duplex is a gross overreach, and an inappropriate intensification of uses in the neighborhood, especially with the proposal of the second house lot being proposed. Therefore, the Town Planner recommended an un-favorable report be forwarded to the ZBA.

Motion by Calagione, Second by McCarthy, to forward an unfavorable report to the ZBA.

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

9. ZBA Special Permit Referral: 327 Purchase Street – Guaranteed Builders. The applicant requests special permit approval to replace a pre-existing non-conforming attached garage on the subject property. The non-conforming attached garage addition is within the required site yard, being only 0.6' from the side property line at the closest point. The proposal is to replace the existing structure with a new structure within the same footprint. Therefore, the Town Planner recommended a favorable report be forwarded to the ZBA.

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

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

10. ZBA Variance Referral: 24 Cunniff Avenue – Maryanne Filosa. The applicant requests variance approval to re-divide the property into three substandard lots. Currently Lots 13 and 14 are merged by law, and extend between Cunniff Ave. and Western Ave. Specifically, the proposal is to create three separate house lots. Proposed Lot A would have frontage on Western Ave, and proposed Lots B and C would have frontage on Cunniff Ave. Proposed Lot C would contain the existing house numbered as 24 Cunniff Ave. Proposed Lot A would contain 15,015 sq.ft. with 78' of frontage. Proposed Lot B would contain 11,601 sq.ft. with 108' of frontage. Proposed Lot C would contain 11,245 sq.ft. with 90' of frontage. A single family dwelling is being proposed for construction on Lot B and Lot C. The Town Planner recommended a favorable report be forwarded to the ZBA.

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

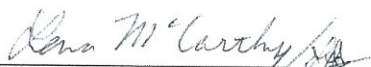
Roll Call Vote: Calagione, yes; Cook, absent; Kennelly, yes; Mainini, yes; McCarthy, yes.
Motion carried.

The Chairman noted that the next meeting of the Planning Board will be on December 15, 2020.

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

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

The meeting was adjourned at 7:35 P.M.


Lena McCarthy, Chairman