



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 Room 3 Milford Town Hall Tuesday, April 18, 2017

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

Members absent: none

Staff present: Larry L. Dunkin, AICP (Town Planner)

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

ANNUAL REORGANIZATION:

For Chairman: Joseph Calagione nominated Pat Kennelly as chairman. Motion by Calagione, Second by Cook, to close nominations and elect Pat Kennelly as chairman. Vote: 5 Yes

For Vice Chairman: Lena McCarthy nominated Joseph Calagione as vice chairman. Motion by McCarthy, Second by Mainini, to close nominations and elect Joseph Calagione as vice chairman. Vote: 5 Yes

For Clerk: Marble Mainini nominated Karen Jackson as clerk. Motion by Mainini, Second by McCarthy, to close nominations and elect Karen Jackson as clerk. Vote: 5 Yes

For MAPC-SWAP Representative: Lena McCarthy nominated John Cook as MAPC-SWAP Representative. Motion by McCarthy, Second by Calagione, to close nominations and elect John Cook as MAPC-SWAP Representative. Vote: 5 Yes

For Fair Housing Committee Representative: Joseph Calagione nominated Marble Mainini as Fair Housing Committee Representative. Motion by Calagione, Second by McCarthy, to close nominations and elect Marble Mainini Fair Housing Committee Representative. Vote: 5 Yes

For Open Space Advisory Committee Liaison: Lena McCarthy nominated Joseph Calagione as Open Space Advisory Committee Liaison. Motion by McCarthy, Second by Cook, to close nominations and elect Joseph Calagione as Open Space Advisory Committee Liaison. Vote: 5 Yes

Authorizations:

Motion by Mainini, Second by McCarthy, to authorize the Clerk and Town Planner to sign correspondence for the Chairman. Vote: 5 Yes

Motion by McCarthy, Second by Cook, to authorize the Clerk and Town Planner to sign Planning Board meeting postings w/Town Clerk. Vote: 5 Yes

Motion by Cook, Second by Calagione, to authorize the Town Planner to sign 81P plans after Board approval. Vote: 5 Yes

Motion by Calagione, Second by Mainini, to authorize the Town Planner to sign the Planning Board payroll. Vote: 5 Yes

Motion by Mainini, Second by McCarthy, to authorize the Town Planner to call Planning Board meetings and set Public Hearings. Vote: 5 Yes

Motion by McCarthy, Second by Cook, to authorize the Town Planner to set the Planning Board Agenda. Vote: 5 Yes Minutes of previous meeting: Motion by Calagione, Second by Cook to approve the minutes of the 3-21-17 meeting as submitted. Vote: 5 Yes

PUBLIC HEARING: Continued Public Hearing - Application of Restaurant Depot for Special Permit approval regarding construction of a 63,085sf wholesale facility and associated off-street parking at 100 Deer Street. Assessor's Map 15 Block 0 Lots 4B & 4C. BP Zone. The Town Planner read the legal notice into the record. He noted that at the request of the Applicant the March 7, 2017 public hearing had not been opened and no evidence was taken, and was continued until tonight's meeting.

Ernest Pettinari, attorney for the applicant, and their engineer, Rich Whitehouse, of VHB Vanesse Hangen Brustlin, Inc. were present on behalf of the applicant and explained the proposed development. Specifically, the Special Permit is sought to allow the construction of a single-story 63,085sf wholesale building and associated parking, including a proposed 8,363sf building expansion area. Attorney Pettinari reminded the Board that this project is consistent with the most recently approved 2015 Planning Board approval of the overall "Stone Ridge Business Park" site plan, and with the original 4 Lot "Stone Ridge" definitive subdivision approved in 2007. A three lot 81-P Plan has been submitted to create the lots for this Special Permit application. Also, as part of this current application the improvements of Deer Street, the Deer Street intersection with Cedar Street, and the Deer Street Bridge are to be constructed.

The Town Planner had prepared a draft decision for the project, which included a number of findings and recommended conditions. Other departmental/agency reports are as follows:

Town Engineer – favorable w/comments

Fire Chief - favorable

Highway Surveyor – no report

Building Official – no report

Sewer Dept. – favorable

Water Co. – favorable

Comm. On Disability – favorable

Motion by Mainini, Second by Calagione to close the public hearing and approve the special permit subject to the conditions enumerated in the draft decision. Vote: 5 Yes.

81-P Plans: 100 Deer Street – Cedar Street Realty Trust (Gutierrez): Three lot Approval Not Required Plan creating lots as shown on the Special Permit plan set just approved.

Motion by Mainini, Second by Cook to approve the plan as submitted and direct the Town Planner to endorse the mylar. Vote: 5 Yes. The Town Planner endorsed the mylar.

Continued Site Plan Review: 111 Cedar Street – Volta Oil Co.: The Chairman acknowledged the written grant of extension to May 16, 2016 as submitted by the applicant's attorney.

Motion by Calagione, Second by McCarthy to continue the site plan review to the May 16th meeting. Vote: 5 Yes.

Site Plan Waiver: 14 Prospect Street – Milford Regional Medical Center: The applicant requests waiver of site plan approval to allow for the addition of a maintenance building on the subject premises. Peter Lavoie of Guerriere and Halnon Engineering Company was present on behalf of the applicant and explained the request. The proposal is to construct a 50' x 85' 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.

The Town Planner noted that all applicable zoning requirements appear to be met and recommend approval of the site plan waiver as requested. Other departmental/agency reports are as follows:

- Town Engineer – favorable
- Fire Chief - favorable
- Highway Surveyor – favorable
- Building Official – no report
- Sewer Dept. – no report
- Water Co. – favorable
- Comm. On Disability – no report

Motion by Cook, Second by McCarthy to approve the site plan waiver as requested. Vote: 5 Yes.

Site Plan Waiver: 5 East Main Street – Sacred Heart Church: The applicant requests waiver of site plan approval to allow for the re-configuration of the parking lot on the subject premises. Peter Lavoie of Guerriere and Halnon Engineering Company was present on behalf of the applicant and explained the request. The proposal is to establish updated workable traffic patterns within the lot to accommodate traffic flow for both extended parishioner parking, as well as for separate vehicle queuing for exiting processions. The southerly driveway will provide for right-turn exit traffic only. The northerly driveway will provide for one entry lane and separate left-turn and right-turn exit lanes. This configuration will result in improved traffic flow both on site and on East Main Street.

The Town Planner noted that all applicable zoning requirements appear to be met and recommend approval of the site plan waiver as requested. Other departmental/agency reports are as follows:

- Town Engineer – favorable
- Fire Chief - favorable
- Highway Surveyor – favorable w/comments
- Building Official – no report
- Sewer Dept. – no report
- Water Co. – favorable
- Comm. On Disability – no report

Motion by McCarthy, Second by Mainini to approve the site plan waiver as requested. Vote: 5 Yes.

Lot Releases/Bond: Field Pond Road - Sanylah Crossing Definitive Plan: The Town Planner referred the Board to the Form E-1 submitted by the applicant and to the excel spreadsheet prepared by the Town Engineer to determine the costs to complete the subdivision. The Town Engineer explained that the \$845,000.00 amount shown on the spreadsheet is in addition to the \$171,670.88 in the current tripartite agreement. The new tripartite agreement will replace the current agreement and provide for the total combined bond amount of \$1,016,670.88.

Motion by Mainini, Second by Calagione to release lots 7 thru 29, and retain lots 30 thru 33. Vote: 5 Yes.

Motion by Calagione, Second by McCarthy to approve the tripartite agreement in the amount of \$1,016,670.88.
Vote: 5 Yes.

ZBA Special Permit Referral: 85 South Bow Street – Ed Whittaker: The applicant requests a special permit to establish auto repair as an additional use on the subject property. Peter Lavoie of Guerriere and Halnon Engineering Company was present on behalf of the applicant and explained the request. This will be in addition to used car sales, general office use, a solar energy company, and 3,500sf of warehousing space for cut granite to occupy the site. Auto repair uses are allowed by special permit in the IA zone. The Town Planner noted that the proposed auto repair business appears to be approvable generally as to use. The specific arrangement of all of the off-street parking areas and number of vehicles to be displayed for sale will be determined by the Planning Board during the required site plan review subsequent to the ZBA issuance of the special permit.

The Town Planner recommend a favorable report be forwarded to the Zoning Board of Appeals as to the use as used car sales generally. As noted above, a site plan will need to be submitted to the Planning Board for approval.

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

Vote: 5 Yes.

ZBA Variance/Special Permit Referral: 20 Claflin Street – Blaire House: The applicant requests ZBA variance and special permit approvals to accommodate the Blaire House in conforming local zoning approvals to various funding requirements for the subject premises. John Fernandes, attorney for the applicant, was present and explained the request. The proposal amends the previous special permit approval for a temporary adult day health building to become permanent. It provides for the combination of the existing parcels to become two new parcels, with the adult day health building and expanded parking area at the rear of the development to be on one of the new parcels. The balance of the existing facility is to be located on the other new parcel. The variances requested arise from the need to construct enclosed connectors between the buildings that will cross the proposed new internal property lines. No new buildings are being proposed with this proposal, except for the connectors mentioned above. The parking lot improvements to the rear of the property approved in 2015 will still be accomplished to increase the number of off-street spaces, and improve the drainage and stormwater recharge for the lot.

The Town Planner noted that a site plan will be required from the Planning Board subsequent to the grant of the variance/special permit by the ZBA, and recommend a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Cook, Second by Calagione to forward a favorable report to the Zoning Board of Appeals.

Vote: 5 Yes.

ZBA Variance Referral: 276 Purchase Street – Nayara Carvalho-Claro: The applicant requests a variance to divide the subject property into two lots. John Fernandes, attorney for the applicant, was present and explained the request. The property is a non-conforming, 19,896sf merged single-family lot in the RC zoning district. The existing single-family dwelling is non-conforming only as to front yard setback.

The Town Planner noted that the property is essentially flat, with no attributes of the land itself creating a hardship, and recommended an unfavorable report be forwarded to the Zoning Board of Appeals due to lack of hardship.

Motion by Calagione, Second by McCarthy to forward an unfavorable recommendation to the Zoning Board of Appeals. Vote: 4 Yes, 1 No.

ZBA Variance/Special Permit Referral: 91 Medway Street – Natural Remedies, Inc.: The applicant requests ZBA variance and special permit approvals to all for the establishment of a Medical Marijuana Treatment Center (MMTC) on a portion of the subject premises. John Fernandes, attorney for the applicant, was present and explained the request. The proposal is to occupy approximately 4,400sf of existing space at the west end of the south building within the Kohl's Plaza. MMTCs are allowed in the IB zoning district by special permit from the Zoning Board of Appeals. The proposed MMTC will be a dispensary only, with no marijuana cultivation on site. The applicant is also seeking a variance from the 200' separation requirement from residential zones and dwelling units.

The Town Planner noted that the a change of use site plan will be required from the Planning Board subsequent to the grant of the variance/special permit by the ZBA. Given the size (14.75 acres) of the parcel and configuration of the overall plaza, the Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Cook, Second by Mainini to forward a favorable recommendation to the Zoning Board of Appeals.
Vote: 5 Yes.

Adjournment: Motion by McCarthy, Second by Mainini to adjourn the meeting. Vote: 5 Yes.

The meeting was adjourned at 8:50 P.M.

Patrick Kennelly, Chairman

Joseph Calagione

John Cook

Lena McCarthy

Marble Mainini, III