



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

AGENDA MILFORD PLANNING BOARD Tuesday, September 22, 2020

Pursuant to Governor Baker's March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 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, this meeting is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

GENERAL BUSINESS

- (7:00 P.M.)
1. Minutes of previous meeting
 2. 81-P Plans: 21-23, 27 West Street – Nogueira Real Estate
 3. *Continued Site Plan Review: 97 Cedar Street - PMG Northeast LLC* **NOTE: The Applicant has granted an extension to the October 6, 2020 meeting. No deliberation on this item will occur on September 22, 2020.**
 4. Amended Site Plan Review: 225 East Main Street – National Sign / Aldi Inc.
 5. Amended Site Plan Review: 156 West Street – Sky Pet Care
 6. ZBA Variance Referral: 93 Cedar Street – BTK Enterprises, Inc.
 7. ZBA Variance Referral: 48 Winter Street – Cassia Ludwig
 8. ZBA Variance Referral: 127-129 South Main Street – A&R Serrano, Inc.
 9. ZBA 40B Referral: 300 Deer Street - Stone Ridge II / Gutierrez Company
 10. ZBA Variance Referral: 75 Fruit Street – Frederico Carneiro

TOWN OF MILFORD
Milford, Massachusetts

NOTICE OF MEETING

SEP 16 2020 9:47

Board or Commission Planning Board
Date and Time of Meeting Tuesday, September 22, 2020 7:00 PM

Place of Meeting Pursuant to Governor Baker's March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 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, this meeting is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

Matters Anticipated to be subject of discussion:

GENERAL BUSINESS

- (7:00 P.M.) 1. Minutes of previous meeting
- 2. 81-P Plans: 21-23, 27 West Street – Nogueira Real Estate
- 3. Continued Site Plan Review: 97 Cedar Street - PMG Northeast LLC *NOTE: The Applicant has granted an extension to the October 6, 2020 meeting. No deliberation on this item will occur on September 22, 2020.*
- 4. Amended Site Plan Review: 225 East Main Street – National Sign / Aldi Inc.
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- 6. ZBA Variance Referral: 93 Cedar Street – BTK Enterprises, Inc.
- 7. ZBA Variance Referral: 48 Windsor Street – Cassia Ludwig
- 8. ZBA Variance Referral: 127-129 South Main Street – A&R Serrano, Inc.
- 9. ZBA 40B Referral: 300 Deer Street - Stone Ridge II / Gutierrez Company

Signature [Signature] Dated 9-16-2020

The listing of matters above are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



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, September 8, 2020

Note: The Planning Board meeting originally scheduled for 7:00 PM on September 1, 2020 was rescheduled for Tuesday, September 8, 2020 at 7:00 PM. due to the national primary election on September 1, 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)

Call to order: Chairman McCarthy called the meeting to order at 7:01 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.

It was also announced that the Public Hearing for the definitive subdivision entitled "DEPOT STREET ESTATES" originally scheduled for September 8, 2020, has been continued to the October 20, 2020 meeting. No deliberation on this item will occur at tonight's meeting.

IN MEMORIAM: Chairman Lena McCarthy expressed the Planning Board's sincerest condolences to Mr. Louis Guerriere and his family, due to the recent passing of his wife Janice Marie (Lombardi) Guerriere.

1. Minutes of Previous Meeting: Motion by Kennelly, Second by Cook to approve the minutes of the August 11, 2020 meeting as submitted.

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

Motion carried unanimously.

2. 81-P Plans:

a) 21-23, 27 West Street – Nogueira Real Estate *Passed Over – no submittal*

b) 19 North Street – Brandon Blaisdell

Motion by Calagione, Second by Kennelly, to endorse the plan as submitted.

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

Motion carried unanimously.

Continued PUBLIC HEARING – Carneiro: Application of Lisa M. and Frederico Carneiro, 4 Ben’s Way, Hopedale, MA 01747, for approval of the definitive subdivision entitled “DEPOT STREET ESTATES”, a 4 Lot Residential Subdivision located on 3.4 +/- acres off Depot Street (109 Depot St.). Assessor's Map 52 Lots 43, 164 & 164C. RA Zone. *No deliberation on this item occurred at this meeting because the Applicant granted an extension to the October 20, 2020 meeting.*

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 and Marble Mainini noted they are abstaining. The Town Planner explained that the two site plans that are located on both sides of Beaver Street have been updated to address all relevant staff comments. He noted that the remaining issues relate to off-site traffic mitigation measures that have been proposed by the applicant. To assure the completion of those mitigation measures, a number of requirements have been proposed as possible conditions of approval. He briefly reviewed the draft conditions that had been included in the packet for the Board’s review. The Town Planner recommended approval of each site plan separately, with both being subject to those same conditions.

Motion by Calagione, Second by Cook, to approve the site plan for 21 Beaver Street subject to the following conditions:

Section A. Immediately upon receipt of this approval, the applicant shall petition the Board of Selectmen to amend their Traffic Rules and Orders by reverting the one-way portion of Beaver Street to two-way traffic except for the northerly 550’ +/- thereof, as noted in the Tetra Tech Traffic Impact and Access Study (TIAS) dated April 7, 2020. It is an express condition of this site plan approval not only that the applicant petition the Board of Selectmen to amend their Traffic Rules and Orders as required herein, but also that such approval is unconditional. If the Board of Selectmen deny or qualifiedly approve said petition then a material condition of this site plan approval has not been met, and the applicant shall return to the Planning Board for further site plan review.

Section B. Subsequent to obtaining the approval listed in Section A. herein, the following items shall be completed prior to commencement of operations:

1. The one-way portion of Beaver Street shall be converted to a two-way, two-lane street, except for the northerly 550’ +/- thereof, as noted in Section A herein.
2. The applicant shall install a 450’ +/- long right-turn lane on Birch Street at its approach to Beaver Street as shown on Slide #15 “Mitigated Traffic Operations Beaver Street at Birch Street” contained in the Tetra Tech 21-slide PowerPoint presentation entitled “Proposed Delivery Vehicle Storage Facility – Beaver Street” dated May 5, 2020.
3. “Three-way stop” traffic control shall be installed at the intersection of Beaver and Birch Streets, said improvements to include 3 stop signs, lane and stop bar striping, and advance warning signs.
4. Line-of-sight clearing shall be done on Town-owned parcel 44-0-24 along the curved portion of Beaver Street.
5. Subsequent to receipt of temporary occupancy, traffic counters shall be placed in the site driveway for the first 60 days of operation, data from which to be provided to the Planning Board for review prior to the issuance of a final Certificate of Occupancy.

Section C. In addition to the items listed in Sections A & B. above, the following improvements shall also be completed:

1. The applicant shall install all the improvements at the intersection of Rte. 109 and Beaver Street as noted in the TIAS prepared by Tetra Tech dated April 7, 2020. If said improvements are not completed prior to occupancy, a bond in the amount of \$150,000.00 shall be provided as surety for same.

2. The applicant shall install the traffic signal timing adjustments at the Route 109 intersections of the I-495 Southbound and Northbound On/Off Ramps as noted in the Tetra Tech TIAS dated April 7, 2020. If said improvements are not completed prior to occupancy a bond in the amount of \$50,000.00 shall be provided as surety for same.
3. The applicant shall install all of the improvements at the intersection of Rte. 109 and Birch Street as noted in the as noted in the Tetra Tech TIAS dated April 7, 2020. If said improvements are not completed prior to occupancy a bond in the amount of \$35,000.00 shall be provided as surety for same.
4. The “three-way stop” traffic control required in Section B.3. above shall be analyzed within eight months of installation and if warranted, replaced with traffic signal control. A bond in the amount of \$250,000.00 shall be provided as surety for same.

Section D. The foregoing notwithstanding, due to the applicant’s stated premise that this transportation terminal on the subject property is necessary to the operation of the fulfillment center facility at 6-12 Industrial Road, any approval is specifically conditioned upon the continued operation of said fulfillment center. Should said fulfillment center cease operations, this site plan approval is null and void, and any continued use of the subject property as a transportation terminal shall be considered a zoning violation subject to enforcement and civil fines, unless further lawful zoning approvals are obtained as appropriate.

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

Motion by Calagione, Second by Cook, to approve the site plan for 26 Beaver Street with the same conditions as required for the 21 Beaver Street site plan.

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

5. Continued Amended Site Plan Review: 96 Medway Street – Little Critters Daycare. The Town Planner explained that the applicant has updated the change of use site plan for the Child Day Care Center on the subject property. The northerly parking area off Messina Street is to maintain two-way access, and includes a properly striped and signed handicap space, as well as two stacked spaces for staff parking. A crosswalk is also striped between the play area gate and the handicap ramp to the building. The five parking spaces originally striped to back into Messina Street have been converted to two parallel spaces out of the street right-of-way. The driveway around the building has been designated for one-way clockwise traffic flow only. This will be the safest circulation pattern given the daycare use. Additional striping has been added to help define the edge of Messina Street since there is no curb and gutter on that street. Also, the three parking spaces in front of the building are to be designated for employee parking only, and snow storage areas have now been indicated on the plan. The Town Planner recommended approval of the updated site plan.

Motion by Kennelly, Second by Cook, to approve the amended site plan subject to the pavement striping along Messina Street being refreshed on an annual basis.

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

6. Traffic Analysis Follow-up: Platinum Park Transportation Terminal. The Town Planner referred to the 9-3-2020 Memo from Liz Oltman, P.E. of TEC relating to post-occupancy traffic counts for Platinum Park terminal toward the end of this year. She has recommended taking counts from 12-6-2020 through 12-19-2020.

Motion by Kennelly, Second by Mainini, to accept the traffic monitoring dates from 12-6-2020 through 12-19-2020.

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

7. As-Built Plan Review: Sanylah Crossing Subdivision–Sanylah Crossing LLC. *Passed Over – no submittal*

8. Possible Zoning Amendment – Revised Definition/Inflatable Signs: The Town Planner briefly reviewed the proposed amendment relating to balloons and inflatable signs. He recommended that the Board forward the

proposed Zoning Bylaw amendment to the Board of Selectmen for inclusion on the up-coming Special Town Meeting Warrant. The Selectmen will in turn remand the amendment to the Planning Board for public hearing and report to Town Meeting for the 10-26-20 Special Town Meeting.

Motion by Mainini, Second by Calagione, to forward the proposed amendment to the Board of Selectmen.

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

Motion carried unanimously.

9. Possible Zoning Amendment – Revised Definition/Massage Parlor: The Town Planner briefly reviewed the proposed amendment relating to a new and clearer definition of Massage Parlor. He recommended that the Board forward the proposed Zoning Bylaw amendment to the Board of Selectmen for inclusion on the up-coming Special Town Meeting Warrant. The Selectmen will in turn remand the amendment to the Planning Board for public hearing and report to Town Meeting for the 10-26-20 Special Town Meeting.

Motion by Kennelly, Second by Mainini, to forward the proposed amendment to the Board of Selectmen.

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

Motion carried unanimously.

10. Revise signature requirements: Planning Board Meeting Minutes:

Motion by Calagione, Second by Cook, to establish that in the future, only the Chairman's signature will be necessary on approved Planning Board Meeting Minutes.

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

Motion carried unanimously.

11. ZBA Variance Referral: 41 Cape Road – A&R Serrano, Inc. The Town Planner explained that the applicant requests a variance from front yard setback requirements to construct a two-story medical office building as an expansion of the adjacent Urgent Care facility located at 127 South Main. The expansion will generally extend the Urgent Care building to the north. The proposed building will be 11.7' from the South Main Street line, 55' required in the CC Zone. The parcel is a through lot, having frontage on both South Main Street and Cape Road. Upon acquisition by the applicant, the lots will be combined to form one triangular corner lot. The development as proposed will have access on Cape Road only, other than the integrated parking lot connection to the south. The proposed unified development plan will have no access to South Main Street from this parcel, which will greatly benefit traffic flow in the area. No other variances are being requested. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals.

Motion by Kennelly, Second by Cook, to forward a favorable report to the ZBA.

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

Motion carried unanimously.

12. ZBA Special Permit Referral: 39 Camp Street - Wilfredo Vazquez, Jr. The Town Planner explained that the applicant requests a special permit to allow for dog grooming as a home occupation the subject property. Home occupations are generally allowed in the RC zoning district, barber shops and beauty shops are allowed as home occupations only via ZBA special permit. Commercial kennels, however, are specifically prohibited. Granting special permit approval would constitute a use variance, which is also prohibited in the Zoning Bylaw. Misrepresenting the proposed use as a home occupation does not change the fact that it is a prohibited use. The Town Planner recommended 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.

13. ZBA Special Permit Referral: 28 South Bow Street – Jose Bunay. The Town Planner explained that the applicant requests a special permit to allow for the expansion of the second (rear) dwelling on the subject property. The subject property is non-conforming in a number of ways. It has the original two-family house located near South Bow Street, as well as the second single-family dwelling on the rear portion of the same lot. It is that second dwelling that is the subject of this application. Increasing the intensity of use on this property is ill-

advised, given the density of the neighborhood. The Town Planner recommended 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.

14. ZBA Special Permit Referral: 18 Short Street – Dawn Smith. The Town Planner explained that the applicant requests a special permit to allow for kennel within the dwelling on the subject property. There is no building floor plan accompanying this application. The applicant has mis-defined the proposed use as a kennel, which it is not, and which would be otherwise prohibited in a residential zone. What the application actually describes as the proposed use is by definition considered the keeping of residential animals, which is provided for via special permit from the ZBA "...after a specific finding that the keeping of such animals will not cause any discernible inconvenience or annoyance to abutters, and after a specific finding that the keeping of such animals or fowl is an accessory use....". The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals for the keeping of residential animals only.

Motion by Kennelly, Second by Mainini, to forward a favorable report to the ZBA for the keeping of residential animals only.

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

Motion carried unanimously.

15. ZBA Variance Referral: 123 Purchase Street – Wayne Kirkpatrick. The Town Planner explained that the applicant requests a variance from side yard setback requirements to allow for the reconstruction of the rear stairs and deck on the subject property. Specifically, the proposal is to reconstruct and expand the rear stairs and deck. The replacement in place would otherwise be permitted within a required yard so long as it is the minimum necessary for access to the building. In this case however, the applicant seeks to expand a portion of the deck. The Town Planner recommended a favorable report be forwarded to the Zoning Board of Appeals only if the expanded deck is minimally required for access.

Motion by Mainini, Second by Calagione, to forward a favorable report to the ZBA only if the expanded deck is minimally required for access.

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 22, 2020.

Adjournment: Motion by Kennelly, Second by Mainini 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 7:50 P.M.

Lena McCarthy, Chairman



PLANNING BOARD OF MILFORD, MASS.

3

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
John H. Cook
Patrick J. Kennelly
Marble Mainini, III
Lena McCarthy

GRANT OF EXTENSION

DATE: 9/4/2020

REGARDING APPLICATION FOR:

- SITE PLAN REVIEW
- PRELIMINARY SUBDIVISION
- DEFINITIVE SUBDIVISION
- PLANNED RESIDENTIAL DEVELOPMENT
- PLANNING BOARD SPECIAL PERMIT

APPLICANT: PMG NORTHEAST LLC

OWNER: PMG NORTHEAST LLC

NAME OF DEVELOPMENT: 97 CEDAR STREET

DEVELOPMENT LOCATION: 97 CEDAR STREET

An extension is hereby granted to the Milford Planning Board by Katelyn Ciolino, Beveridge & Diamond, PC, counsel for the Applicant, being the applicant or a designated representative thereof, for the disposition of the above referenced application.

X Said extension is granted until 10/6/2020.

Katelyn Ciolino
Beveridge & Diamond PC
Counsel for PMG Northeast LLC



TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

OFFICE OF PLANNING
AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

August 11, 2020

Lena McCarthy, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

(
(**Amended Site Plan**
(**National Sign/Aldi**
(**225 East Street**
(**Map 32 Lot 4A**
(**IC Zone**
(

Dear Mdm. Chairman:

The applicant requests amended site plan approval to establish curb side pick-up on the subject property.

Specifically, the proposed pick-up stalls will be designated at 4 existing conventional parking spaces near the existing handicap parking spaces, to accommodate orders placed by phone and online. One, sign designating the curb side space is proposed in front of each pick-up space. There is adequate existing parking, and the overall traffic pattern will not be affected with this proposal.

In addition, one directional sign is proposed to the right of the entrance drive, and one building mounted directional sign is proposed near the entrance.

All other applicable zoning requirements appear to be met.

I recommend approval of the amended site plan subject to departmental comments.

Respectfully,


Larry L. Dunkin, MCRP
Town Planner



OFFICE OF PLANNING
AND ENGINEERING

TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
mdean@townofmilford.com

Michael Dean, P.E.
Town Engineer

September 17, 2020

Lena McCarthy, Chair
Planning Board
52 Main Street
Milford, MA 01757

Re: **225 East Main Street – Aldi Food Market**
Amended Site Plan Review

Dear Mrs. McCarthy:

The submittal is for an **Amended** Site Plan to allow for the addition of designated parking spaces and signage associated with “curb side pick-up”. The applicant is National Sign Corporation, Auburn, MA 01501. The site is the Aldi Food Market.

The site refers to the Town Assessor’s Map 32, Block 0, Lot 4A, consisting of 2.07 Acres, Zoned Highway & Neighborhood Industrial C - IC.

The proposal is to designate 4 existing parking spaces as “Curb Side Pick-up”. These spaces are up towards the front of the building adjacent to the accessible spaces.

The plan does not show the total number of parking spaces, it appears from GIS there is approximately 75 total spaces, inclusive of the 4 Accessible spaces.

I recommend the approval of the Amended Site Plan.

Respectfully,

Michael Dean, P.E.
Town Engineer



MILFORD FIRE DEPARTMENT

21 BIRCH STREET
MILFORD, MASSACHUSETTS 01757

WILLIAM J. TOUHEY, JR., CHIEF
MARK A. NELSON, DEPUTY

Telephone: 508-473-1214 • Fax: 508-473-4858 • Inspections: 508-473-2256

Milford Planning Board
Mr. Larry Dunkin, Town Planner
Town Hall – Room 05
52 Main Street
Milford, Massachusetts 01757

August 28, 2020

RE: 225 East Main Street
Applicant: National Sign Corporation
Owner: Aldi LLC

Dear Mr. Dunkin:

I reviewed the proposed Site Plan for 225 East Main Street and have no recommendations.

Please contact me if I can assist with any questions.

Sincerely,

Mark A. Nelson



Town of Milford
Highway Department

Scott J. Crisafulli, Highway Surveyor

To: Larry L. Dunkin, AICP
From: Scott J. Crisafulli, Highway Surveyor
Date: September 16, 2020
Subject: Amended Site Plan
225 East Main St.

I have reviewed the above mentioned site plan and find it to be satisfactory.



Board Members

Kenneth C. Evans
Leonard A. Izzo
Paul A. Mazzuchelli

BOARD OF HEALTH

TOWN OF MILFORD, MASSACHUSETTS 01757

Jacquelyn A. Murphy, *Director of Public Health*

Telephone: 508-634-2315

August 26, 2020

To: Larry L. Dunkin, MCRP

From: Jacquelyn Murphy, DrPH, MPH, Milford Board of Health

Re: Amended Site Plan Review – 225 East Main Street

Dear Mr. Larry Dunkin,

The Milford Board of Health has no reservations with the addition of signs at the ALDI LLC to assist customers with curbside pickup.

This is a beneficial service ALDI LLC is planning to offer to customers who are immunocompromised or otherwise unable to shop for food in the grocery store.

Please let me know if you have any additional questions.

Sincerely,

Jacquelyn Murphy, DrPH, MPH
Director of Public Health
Milford Board of Health



SITE PLAN REVIEW APPLICATION FORM

Milford Planning Board
52 Main Street, Milford, MA 01757
(508) 634-2317 Fax 508-473-2394

RECEIVED: Office of Planning and Engineering
Date: / /
By: /

MILFORD TOWN CLERK
MAY 15 3:22 PM

In accordance with Section 1.15 of the Milford Zoning By-Law, the undersigned requests Planning Board approval of a Site Plan for the proposed development as described below:

Property Location: 225 EAST MAIN STREET
Assessor Map: 32 Block: 0 Lot: 4A
Deed Reference: Book 45269 Page 236
Lot Area: 2 ACRES Zoning District(s): IC
Applicant: NATIONAL SIGN CORPORATION
Owner: ADEL LLC
By: HEATHER DUSKO 270 WOODHOPE RD.
Address: AUBURN, MA 01501
Phone: 508-612-6954 hwoodhopkise charter.net
Existing use of premises: SUPERMARKET
Proposed use of premises: SAME (INSTALL DISPLAY & DIRECTIONAL SIGNS FOR CURBSIDE PICKUP) 5 ground 1.5A 1 WALL 2A

Table with 4 columns: Existing / Proposed, Number of buildings, Building area, Building height, Lot coverage, Open space, Parking spaces, Employees, Traffic generation.

List and describe all Special Permits, and/or Variances granted for this site (include dates approved): NA

Application Fee: \$150 +\$75/acre over 1 acre.

Weather Dusk Date 8/24/2010
Applicant's Signature Date
SEE ATTACHED LETTER 1/21/2010
Owner's Signature (if different) Date

Note: Eight copies of this form must be accompanied by the appropriate fee, and eight sets of plans depicting existing and proposed conditions, all as required by pertinent sections of the Milford Zoning By-Law.

For Planning Board Use Only:
Date received: / / +65 days = / / Fee received: \$ Date Fee received: / /
Copy to: [] Engineer [] Highway [] Fire [] Sewer [] Water [] Con. Com. [] Com. on Disabilities
7-1-2013

DATE: _____

PROJECT: _____

SCALE: _____

DRAWING NO.: _____

ABBREVIATIONS:

AC ASPHALT CURB CUT

AS ASPHALT SURFACE

FIN FINISH

FT FEET

MAX MAXIMUM

MIN MINIMUM

N.S. NOT TO SCALE

O.C. ON CENTER

PP PAVED PAVEMENT

TP TYPICAL

W/ WITH

SIGN SCHEDULE/LEGEND:

LEGEND	DESCRIPTION	QUANTITY	NOTES	CLASSIFICATION
1	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4
2	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4
3	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4
4	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4
5	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4
6	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4
7	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4
8	12" x 18" CURBSIDE PARKING SIGN	3	SEE SIGN SCHEDULE FOR DETAILS	4

TRAFFIC SIGNAGE AND PAVEMENT MARKINGS:

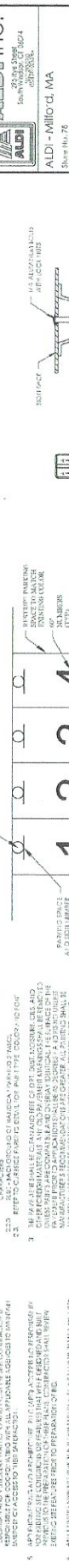
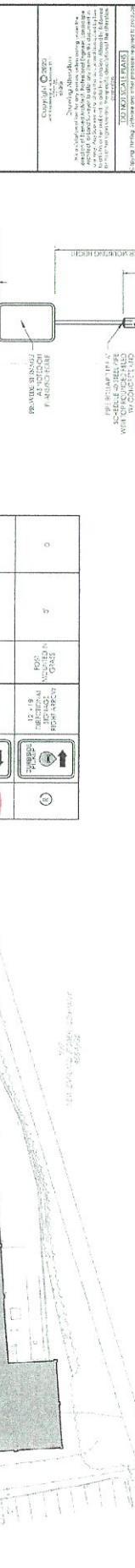
1. SIGNAGE FOR CURBSIDE PARKING, PARKING SIGN LETTERS AND PARKING SIGN NUMBERING SHALL BE 12" HIGH.
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GENERAL NOTES:

1. ALL PAVEMENT SHALL BE IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
2. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
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6. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
7. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
8. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.

SITE NOTES:

1. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
2. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
3. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
4. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
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6. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
7. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.
8. THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE MASSDOT SPECIFICATIONS.



APD ENGINEERING ARCHITECTURE

200 State Street
Boston, MA 02109
Tel: 617.552.3300
www.apd.com

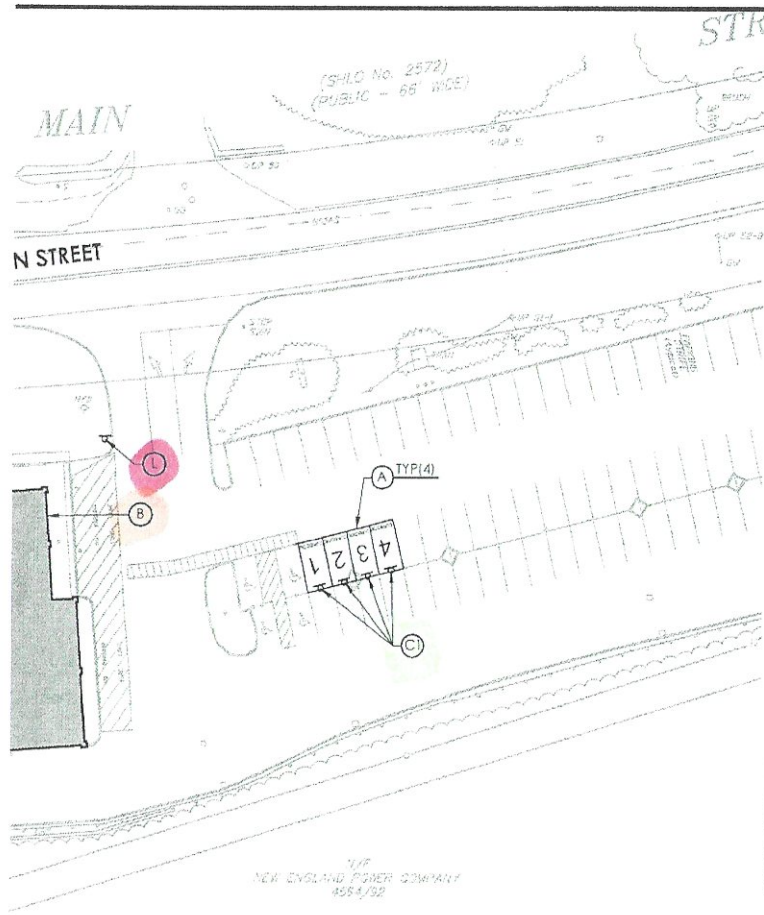
ALDI Inc.

200 State Street
Boston, MA 02109
Tel: 617.552.3300
www.aldi.com

ALDI - Milford, MA
225 East Main Street
Milford, MA 01757
Worcester County
Project Name & Location:

Site Plan

Drawing Name: _____
Drawing No.: 20-0361
Type: Curbside
Drawn By: TCS
Scale: 1"=30'
Drawing No. _____



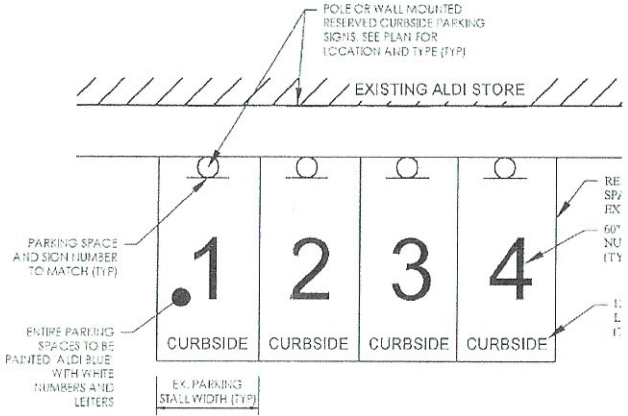
- SITE LEGEND:**
- (A) PAINT CURBSIDE PARKING STALL (REFER TO DETAIL)
 - (B) EMPLOYEE INGRESS/EGRESS

SIGN SCHEDULE/LEGEND:

LEGEND	SIGN	DESCRIPTION	TYPE OF MOUNT	MOUNT LOCATION
(C1)		12' x 18" CURBSIDE PICK-UP PARKING SIGN	POST MOUNTED IN BOULEVARD	
(C2)		12' x 24" CURBSIDE PICK-UP PARKING SIGN	WALL MOUNTED - REFER TO BLDG PLANS FOR WALL MOUNTING DETAIL	
(C3)		12' x 18" DIRECTIONAL SIGNAGE, STRAIGHT ARROW	POST MOUNTED IN GRASS	
(C4)		12' x 18" DIRECTIONAL SIGNAGE, LEFT ARROW	POST MOUNTED IN GRASS	
(C5)		12' x 18" DIRECTIONAL SIGNAGE, RIGHT ARROW	POST MOUNTED IN GRASS	

TRAFFIC SIGNAGE AND PAVEMENT MARKINGS:

1. FONT STYLE FOR CURBSIDE SIGNAGE, PARKING SPACE LETTERING AND PARKING SPACE NUMBERING SHALL BE ARIAL BOLD.
2. PAVEMENT MARKINGS SHALL BE THE TYPE, COLOR, SIZE, AND LOCATION(S) SHOWN ON THE PLANS. CONTRACTOR SHALL PROVIDE TWO (2) COATS OF PAINT FOR ALL PAVEMENT MARKINGS. IF THE INFORMATION ON THE PLANS AND DETAILS IS NOT COMPLETE AND THE AUTHORITY HAVING JURISDICTION DOES NOT HAVE REQUIREMENTS REGARDING THIS, USE THE FOLLOWING:
 - 2.1. PAINT SHALL BE SUPPLIED IN ACCORDANCE WITH AASHTO M 229 LATEST ADDITION.
 - 2.2. COLORS SHALL BE AS FOLLOWS:
 - 2.2.1. YELLOW - PARKING STALLS, PARKING ISLANDS, AND TIRE LANES
 - 2.2.2. WHITE - STOP BARS AND LETTERING, PEDESTRIAN CROSSINGS, HANDICAP PARKING SYMBOL AND CHARACTERS, TRAFFIC CONTROL LETTERING AND CHARACTERS
 - 2.2.3. BLUE - BACKGROUND OF HANDICAP PARKING SYMBOL
 - 2.3. REFER TO CURBSIDE PARKING DETAIL FOR PAINT TYPE, COLOR AND FONT
3. THE PAVEMENT SHALL BE CLEAN AND FREE OF DIRT, DUST, MOISTURE, OILS, AND OTHER FOREIGN MATERIALS. ANY OLD PAVEMENT MARKINGS SHALL BE REMOVED UNLESS PARTS ARE COMPATIBLE AND OVERLAY IDENTICAL. THE SURFACE OF THE PAVEMENT PRIOR TO APPLICATION SHALL BE AS DEGRESS F AND RISING UNLESS MANUFACTURER'S RECOMMENDATIONS ARE GREATER. ALL PAINTING SHALL BE APPLIED IN APPROPRIATE WEATHER CONDITIONS (E.G. TEMPERATURE, WIND, PRECIPITATION), AND IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
4. THE SIGNAGE AND PAVEMENT MARKINGS SHALL BE THE TYPE AND AT THE GENERAL LOCATION SHOWN ON THE DRAWINGS.
5. POSTS, BRACKETS, AND FRAMES SHALL BE STEEL PER ASTM A-36, A-242, A-441, A-572, A-588, GRADE 50, AND HOT DIP GALVANIZED IN ACCORDANCE WITH ASTM A123. ALL CUTTING, DRILLING, OR OTHER POLE MODIFICATIONS SHALL BE PAINTED WITH GALVANIZING PAINT. ALL BOLTS, NUTS, AND WASHERS SHALL BE STAINLESS STEEL.
6. POST HOLES IN PAVEMENT SHALL BE IN ACCORDANCE WITH THE DETAIL, UNLESS POOR SOILS OR Frost CONDITIONS REQUIRE GREATER DEPTH. SIGN POSTS SHALL BE KEPT PLUMB, 6 INCHES OFF BOTTOM AND CENTERED AS 4000 PSI CONCRETE IS PLACED AROUND THE POST. THE OVERALL SIGN AND POST SYSTEM SHOULD BE ABLE TO WITHSTAND 33 POUNDS PER SQUARE FOOT.
7. CONTRACTOR CAN PLACE SIGNS ON POSTS AFTER CONCRETE HAS CURED FOR SEVEN DAYS OR 3/4 STRENGTH IS ACHIEVED.
8. ALL HANDICAP STEPPING AND SIGNAGE, INCLUDING SPACES, CROSSWALK, ACCESSIBLE PATH, AND CURB RAMP, SHALL MEET AMERICANS WITH DISABILITIES ACT (ADA) REQUIREMENTS. FIRE LANE STRIPING AND SIGNAGE SHALL MEET THE REQUIREMENTS OF THE LOCAL BUILDING INSPECTOR AND FIRE DEPARTMENT.



ALDI BLUE CUSTOM COLOR:

CC#	COLORANT	CC	32	64	128
11	BLUE	-	43	1	1
13	MAGENTA	-	5	-	-
13	DEEP GOLD	-	1	1	-

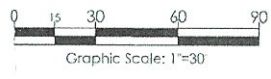
- ARIAL BOLD FONT SHALL BE USED FOR NUMBERS AND LETTERS
- PAINT SHALL BE SEALMASTERS' COLOR PAVE OR LIQUID THERMOPLASTIC TRAFFIC MARKING PAINT OR AS APPROVED BY ALDI CM. CONTACT ROCHESTER JET-BLACK, GARY ROCHESTER, 585-441-4125 FOR ORDERING.
- a. COLOR PAVE SHALL BE USED FOR NEW PAVEMENT
- b. LIQUID THERMOPLASTIC SHALL BE USED FOR OLDER PAVEMENT THAT HAS BEEN SEALED WITH A COAL TAR SEALER
- SURFACE PREPARATION SHALL COMPLY WITH MANUFACTURER'S REQUIREMENTS.
- SIGNS, NUMBERS AND WORDING TO BE PLACED CENTERED

CURBSIDE PARKING DETAIL

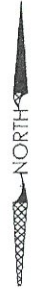
N.T.S.

ABBREVIATIONS:

(IL)	AC	-ASPHALT CONCRETE
	ARCH	-ARCHITECT
	CM	-CONSTRUCTION MANAGER
	FT	-FEET
	MAX	-MAXIMUM
	MIN	-MINIMUM
	N.T.S.	-NOT TO SCALE
	O.C	-ON CENTER
	SF	-SQUARE FEET
	TYP	-TYPICAL
	W/	-WITH

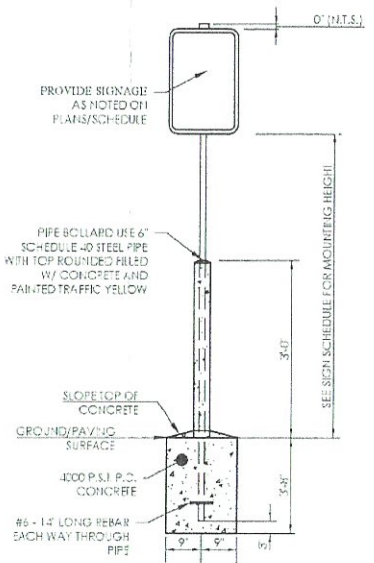


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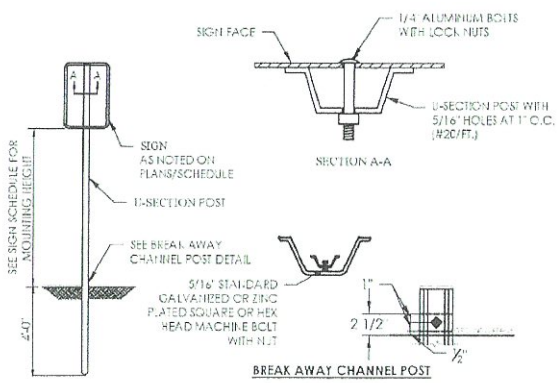
INSTALLMENT HEIGHT (TYP. OF SIGN)	QUANTITY
5'	4
6'	0
5'	0
5'	1
5'	0

LEGEND OF IMPROVEMENTS



SIGN POST INSTALLATION DETAIL
N.T.S.

RESTRIPE PARKING SPACE TO MATCH EXISTING COLOR
50" NUMBERS (TYP)
12" LETTERS (TYP)



POST MOUNTED SIGN IN GRASS AREA
N.T.S.

Issued:	Date:
A	
B	
C	
D	
E	
F	
G	
H	
Revisions:	Date:
1	
2	
3	
4	
5	
6	
7	
8	

Seal	Seal
------	------

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APD Engineering & Architecture, P.C.
Drawing Alteration
It is a violation of law for any person unless acting under the direction of a Licensed Architect, Professional Engineer, Landscape Architect or Land Surveyor to alter any item on this document in any way. Any Scanner who alters this document is required by law to affix his or her seal and to add their notation. Alterer By: followed by his or her signature and the specific description of the alteration or revision.
DO NOT SCALE PLANS
Copying, Printing, Software and other processes required to create these plans can stretch or shrink the actual output of layout. Therefore scaling of this drawing may be inaccurate. Contact Engineer of Record with any need for additional dimensions or clarifications.

APD ENGINEERING ARCHITECTURE
615 Fishers Run Victor, NY 14564
585.742.2222 - www.apd.com

ALDI Inc.
295 Rye Street
South Windsor, CT 06074
(860) 293-2700
(855) 291-5553 Ex.

ALDI - Milford, MA
Store No. 78
225 East Main Street
Milford, MA 01757
Worcester County
Project Name & Location:

Site Plan	
Drawing Name:	Project No.
Date: 6/08/20	20-0361
Type: Curbside	
Drawn By: TCS	C1
Scale: 1"=30'	Drawing No.



Property Information

Property ID 32-0-4A
Location 225 EAST MAIN ST
Owner ALDI LLC



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Milford, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated March 2018
Data updated 11/16/2018



TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

OFFICE OF PLANNING
AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

September 22, 2020

Lena McCarthy, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

(
(**Amended Site Plan**
(**Sky Pet Care**
(**156 West Street**
(**Map 49 Lot 78**
(**CC Zone**
(

Dear Mdm. Chairman:

The applicant requests change of use site plan approval to establish a pet care center on the subject property. The last use of the property was a restaurant.

I have reviewed the site plan and note the following deficiencies:

1. The site plan scale is inaccurate.
2. The site plan should be oriented with north to the top of the sheet.
3. There are limited dimensions shown on the plan.
4. The handicap spaces are not ADA compliant.
5. The handicap ramp is not clearly identified.
6. The parking spaces back into the highway right-of-way.
7. Several of the parking spaces encroach into the highway right-of-way.
8. The number of employees is not stated.

In addition to the above-listed deficiencies, the existing driveway is 110' wide across the entire frontage of the lot. A raised 60'-long median should be installed along the curb line to provide for a one-way traffic pattern. A 25'-wide entrance drive and a 25'-wide exit drive should be retained at each end of the raised median. A sketch plan is attached for reference.

I recommend the site plan review be continued to allow sufficient time for the applicant to address the above noted items and other departmental comments.

Respectfully,

Larry L. Dunkin, MCRP
Town Planner



TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
mdean@townofmilford.com

OFFICE OF PLANNING
AND ENGINEERING

Michael Dean, P.E.
Town Engineer

September 17, 2020

Lena McCarthy, Chair
Planning Board
52 Main Street
Milford, MA 01757

Re: **156 West Street – Sky Pet Care**
Amended Site Plan Review

Dear Mrs. McCarthy:

The submittal is for an **Amended** Site Plan for the change of use at 156 West Street, the applicant is Sky Petcare and Spa LLC, 94 Woodland Ave, Milford, MA. The site was previously the long-standing Garden Restaurant. The proposed use under this current submittal is for Pet Grooming and Pet Daycare.

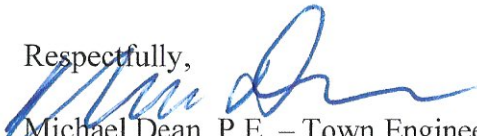
The site refers to the Town Assessor's Map 49, Block 0, Lot 78, consisting of 0.13 Acres, Zoned highway commercial – CC.

Following a review of the Site Plan, I offer the following comments:

1. Not having any preliminary meetings with the applicant, the amount of parking spaces needed to operate the proposed facility is unknown. The existing parking layout requires backing out into West Street (Route 140). Discussions as to the number of parking spaces needed to operate the business should take place and then every effort should be taken to create a one-way in and one-way out traffic flow with a narrow island (curbing), parallel and adjacent to the travel lane of Rt. 140. This is to close up the open curb cut and prevent cars from backing out into Route 140.
2. A zoning Chart should be added to the plans and the "Scale" should reflect 1" = 10'.

Following further discussions of the above item #1, I recommend the approval of the Amended Site Plan.

Respectfully,



Michael Dean, P.E. – Town Engineer



Town of Milford
Highway Department

Scott J. Crisafulli, Highway Surveyor

To: Larry L. Dunkin, AICP
From: Scott J. Crisafulli, Highway Surveyor
Date: September 16, 2020
Subject: Amended Site Plan
156 West St.

I have reviewed the above mentioned site plan and find it to be satisfactory.



MILFORD FIRE DEPARTMENT

21 BIRCH STREET
MILFORD, MASSACHUSETTS 01757

MARK A. NELSON, CHIEF
MICHAEL J. DETORE, DEPUTY

Telephone: 508-473-1214 • Fax: 508-473-4858 • Inspections: 508-473-2256

Milford Planning Board
Mr. Larry Dunkin, Town Planner
Town Hall – Room 05
52 Main Street
Milford, Massachusetts 01757

September 10, 2020

RE: 156 West Street
Applicant: Sky Pet Care and Spa LLC
Owner: Filipe Peroba
9 Woodland Avenue
Milford, MA 01757

Dear Mr. Dunkin:

I reviewed the proposed Amendment to Site Plan for 156 West Street and have no recommendations.

Please contact me if I can assist with any questions.

Sincerely,

Mark A. Nelson



Board Members

Kenneth C. Evans
Leonard A. Izzo
Paul A. Mazzuchelli

BOARD OF HEALTH

TOWN OF MILFORD, MASSACHUSETTS 01757

Jacquelyn A. Murphy, *Director of Public Health*

Telephone: 508-634-2315

September 11, 2020

To: Larry L. Dunkin, MCRP

From: Jacquelyn Murphy, DrPH, MPH

Re: 156 West Street - Amended Site Plan Review

The Board of Health has no objections to the amended site plan, updating the use of this space to pet grooming and day care from a restaurant, which it was previously. This site is included on public sewer, not septic, according to our files, and concerns about maintaining a healthy water supply will be addressed by the Milford Water Company.

Please forward any further questions, and thank you for the opportunity to comment.



AMENDMENT TO SITE PLAN APPLICATION FORM

Milford Planning Board
52 Main Street, Milford, MA 01757
(508) 634-2317 Fax 508-473-2394

RECEIVED: Office of Planning and Engineering
Date: / /
By: _____

In accordance with Section 1.15 of the Milford Zoning By-Law, the undersigned requests Planning Board approval of a Site Plan for the proposed development as described below:

Property Location: 156 West Main St Milford MA 01757
(address)
Assessor Map: 49 Block: 0 Lot: 78
Deed Reference: Book 15907 Page 287
Lot Area: Zoning District(s): cc

Applicant: Sky Petcare & Spa LLC
(name)
9a Woodland Ave Milford MA 01757
(address)
5085677435
(phone number)
filipe@skypetcare.ord
(e-mail address)

Owner: Filipe Peroba
(name)
9a Woodland Ave Milford MA 01757
(address)
5085677435
(phone number)
filipeusa22@icloud.com
(e-mail address)

Existing use of premises: restaurant

Proposed use of premises: Pet Grooming

Number of buildings: Existing / Proposed 1 / 1
Building area: 1056sq / 1056sq
Building height: /
Lot coverage: /

Open space: Existing / Proposed /
Parking spaces: 13 / 11
Employees: 0 / 5
Traffic generation: 0 / 5

List and describe all Special Permits, and/or Variances granted for this site (include dates approved):

Application Fee: \$100.00

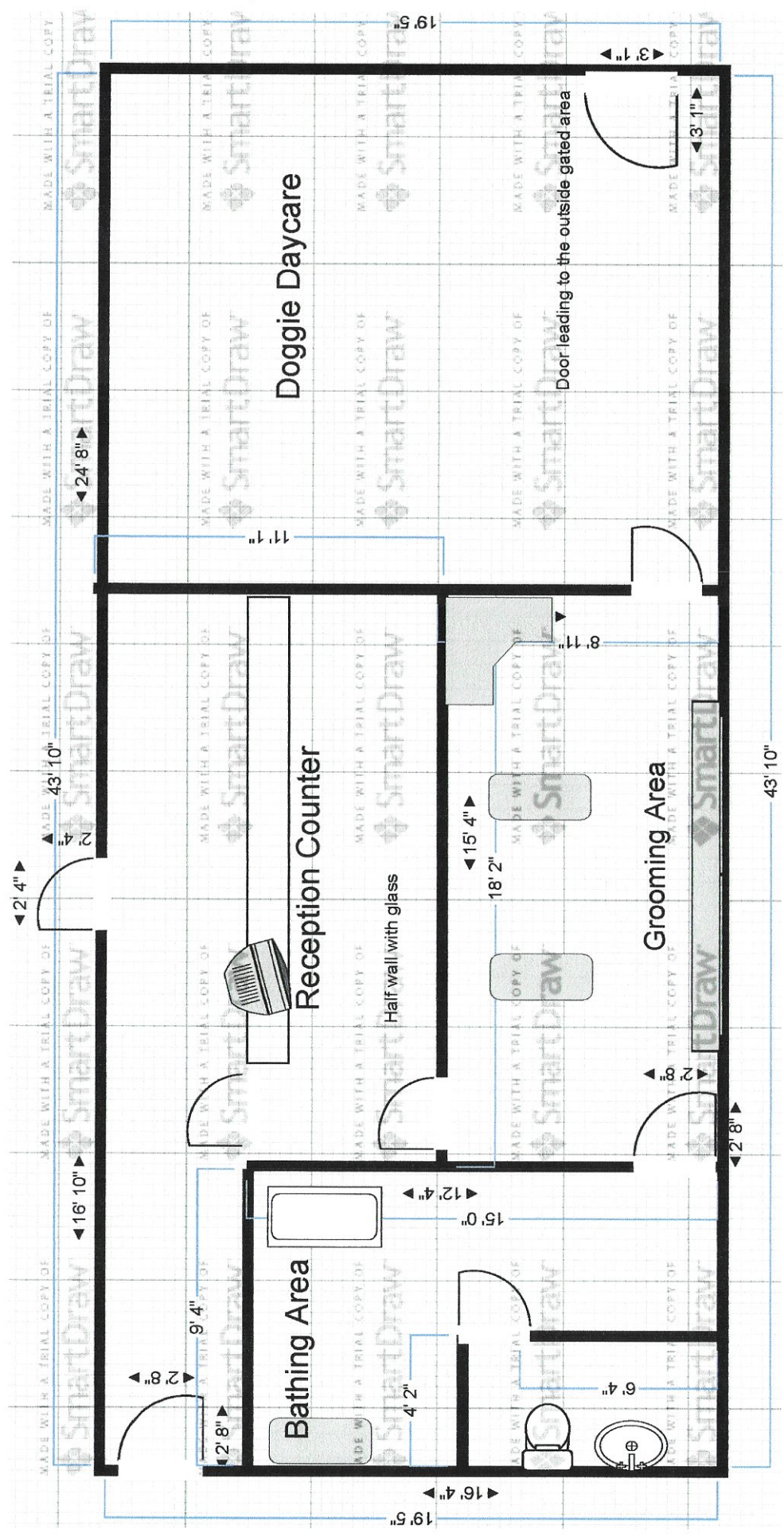
Applicant's Signature [Signature] Date 09/09/2020
Owner's Signature [Signature] Date 9/09/2020

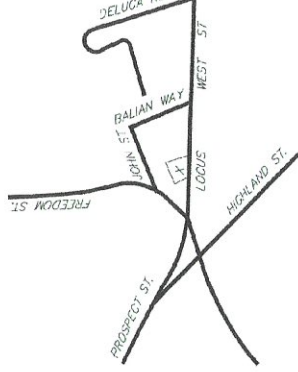
Note: Eight copies of this form must be accompanied by the appropriate fee, and eight sets of plans depicting existing and proposed conditions, all as required by pertinent sections of the Milford Zoning By-Law.

For Planning Board Use Only:

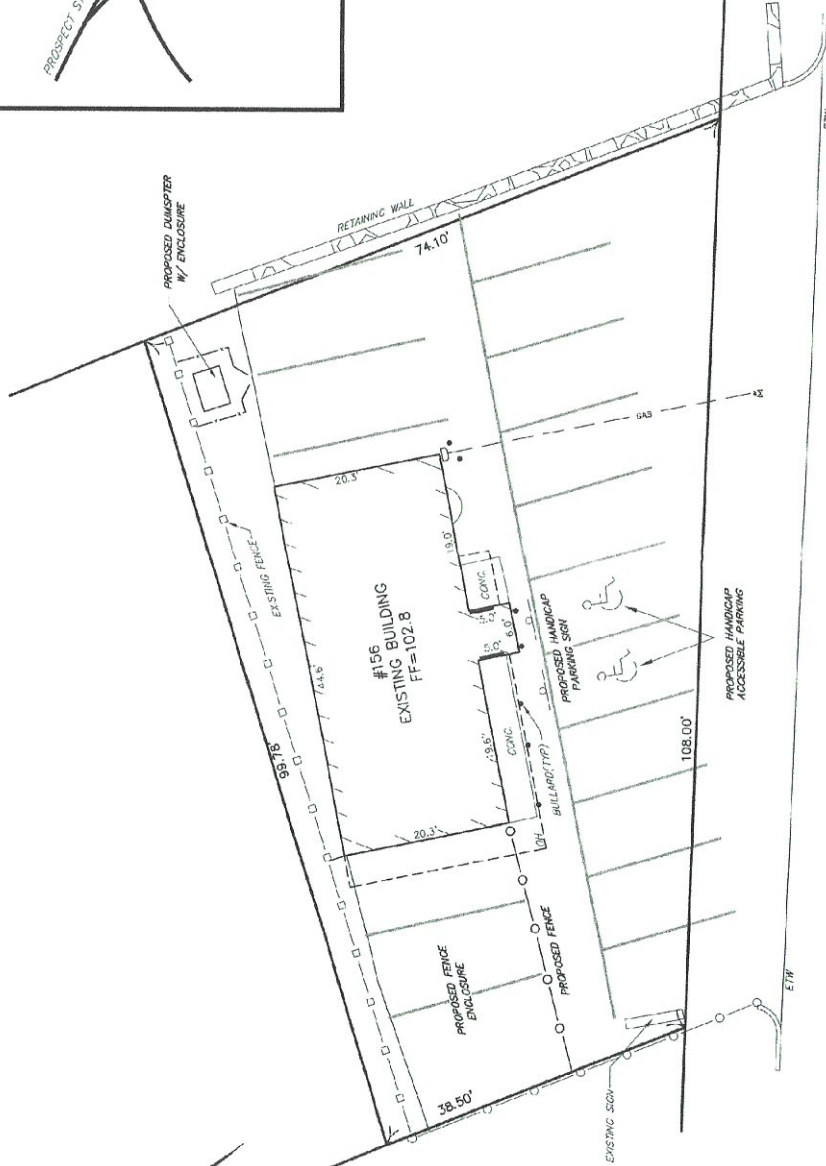
Date received: / / +65 days = / / Fee received: \$ Date Fee received: / /

Copy to: [] Engineer [] Highway [] Fire [] Sewer [] Water [] Con. Com. [] Com. on Disabilities





LOCUS MAP



WEST (1929 STATE LAYOUT) 66' WIDE) STREET

ASSESSOR'S REFERENCE:
49-0-78

OWNER OF RECORD
EFTHIMIOS & ADAMANTIA
DALMANERAS
119 PURCHASE STREET
MILFORD, MA 01757

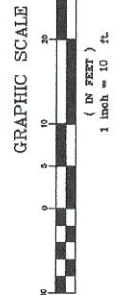
DEED REFERENCE:
WORCESTER COUNTY REGISTRY OF DEEDS
BOOK 15907, PAGE 287

PLAN REFERENCE:
WORCESTER COUNTY REGISTRY OF DEEDS
PLAN BOOK 192, PLAN NO. 11

ZONING CLASSIFICATION:
CC

MIN. LOT SIZE = --
MIN. FRONTAGE = --
MAX. LOT COVERAGE = 35%
MIN. SETBACK REQUIREMENTS:
FRONT SETBACK = 5'
SIDE SETBACK = 0'
REAR SETBACK = 30'

PARKING SPACES - 11
HANDICAP SPACES - 2
TOTAL PARKING SPACES - 13



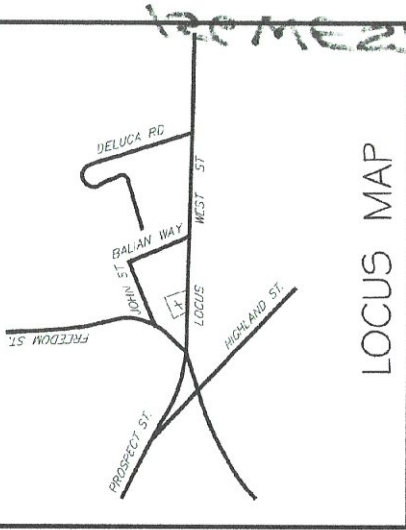
FLD.: RMC
DRW.: DMR
CHKD.: JEH

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100 F: 508-429-7160
www.GLMengineering.com

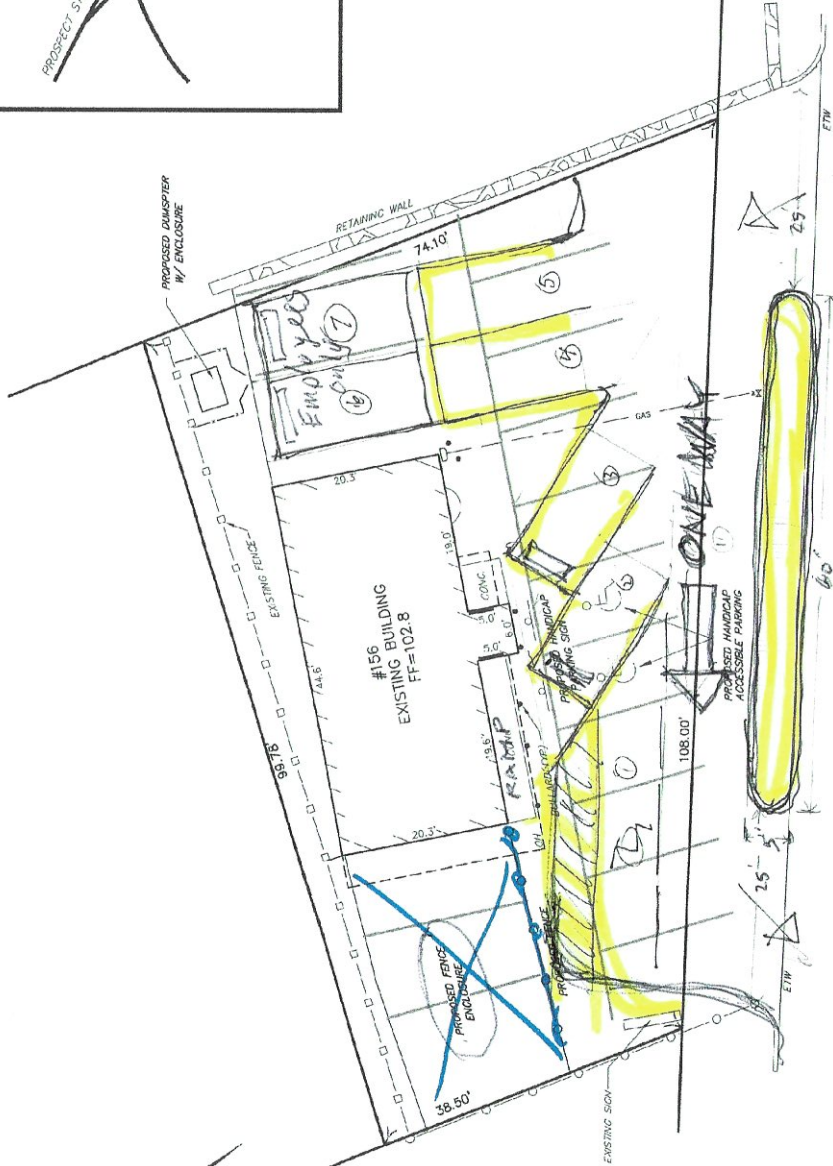


PROPOSED SITE PLAN
156 WEST STREET
MILFORD, MASSACHUSETTS
PREPARED FOR
FILIPE PEROBA
9A WOODLAND AVE.
MILFORD, MA 01757

JOB No. 16862
DATE: 9/4/2020
SCALE: 1"=20'
PLAN # 20,347



LOCUS MAP



WEST STREET

(1929 STATE LAYOUT 66' WIDE)

SKETCH PLAN

1" = 10'



ASSESSOR'S REFERENCE:
49-0-78

OWNER OF RECORD
EFTHIMIOS & ADAMANTIA

DALMANERAS
119 PURCHASE STREET
MILFORD, MA 01757

DEED REFERENCE:
WORCESTER COUNTY REGISTRY OF DEEDS
BOOK 15907, PAGE 287

PLAN REFERENCE:
WORCESTER COUNTY REGISTRY OF DEEDS
PLAN BOOK 192, PLAN NO. 11

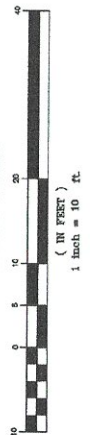
ZONING CLASSIFICATION:
CC

MIN. LOT SIZE = --
MIN. FRONTAGE = --
MAX. LOT COVERAGE = 35%

MIN. SETBACK REQUIREMENTS:
FRONT SET BACK = 55'
SIDE SETBACK = 0'
REAR SETBACK = 30'

PARKING SPACES = 11
HANDICAP SPACES = 2
TOTAL PARKING SPACES = 13

GRAPHIC SCALE



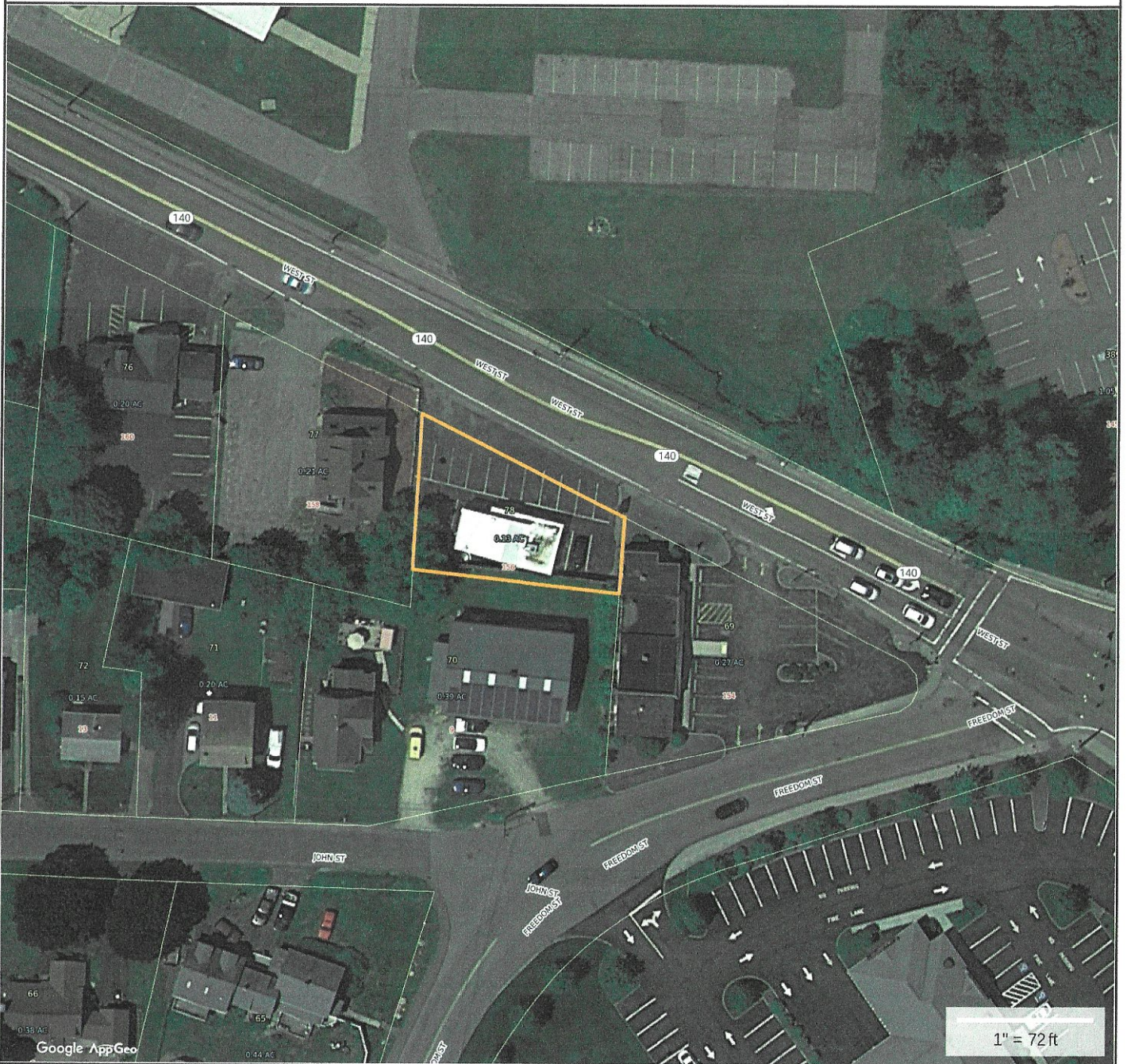
FLD: RMC
DRW: DMR
CHKD: JEH

GLM Engineering Consultants, Inc.
19 EXCHANGE STREET
HOLLISTON, MA 01746
P: 508-429-1100 F: 508-429-7160
www.GLMengineering.com



PROPOSED SITE PLAN
156 WEST STREET
MILFORDS, MASSACHUSETTS
PREPARED FOR
FILIPE PEROBA
9A WOODLAND AVE.
MILFORD, MA 01757

JOB No. 16862
DATE: 9/4/2020
SCALE: 1" = 20'
PLAN # 20,347



Property Information

Property ID 49-0-78
Location 156 WEST ST
Owner DALMANIERAS EFTHIMIOS



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Milford, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated March 2018
Data updated 11/16/2018



TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

OFFICE OF PLANNING
AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

September 22, 2020

Lena McCarthy, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

(
(**ZBA Variance Referral**
(**BTK Enterprises, Inc.**
(**93 Cedar Street**
(**Map 28 Lot 4**
(**IB Zone**
(

Dear Mdm. Chairman:

The applicant requests a variance from side yard setback requirements to allow for the construction of a 2,880sf addition to the existing industrial building on the subject property to be 7' from the side (north) property line, 25' required in the IB district.

Specifically, the proposal is to construct a one-story addition to the existing steel garage building. The parcel is a long (550'+) narrow lot, having 138' frontage on Cedar Street. The abutting property to the north is the Town transfer station. Given the location of the existing garage building on the lot, the placement of the proposed addition is optimal to maintain adequate on-site circulation. No other variances are being requested.

I recommend a favorable report be forwarded to the Zoning Board of Appeals.

Site plan approval will be required from the Planning Board upon receipt of the ZBA variance.

Respectfully,

Larry L. Dunkin, MCRP
Town Planner

**TOWN OF MILFORD
PETITION FOR VARIANCE
UNDER THE ZONING BY-LAW**

To the Zoning Board of Appeals
Milford, MA 01757

Date: August 28, 2020

NOTE: All petitions for variances must be accompanied a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or a Registered Land Surveyor (See item B below in the ZBA Instructions to Applicants).

INSTRUCTIONS TO APPLICANTS

- A. All questions on this petition must be answered. Failure to answer any question may result in rejection or denial as an incomplete petition.
- B. All petitions for variances must be accompanied by five (5) copies of a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or Registered Land Surveyor, which plan must set forth the position of all structures thereon, their size and distance from the front, side, and rear boundary of the lot. Said plan must also show the location of proposed additions or structures, dimensions of said additions or structures, and relevant distances to lot lines. Said plan shall show the nearest side of any and all structures on adjacent properties within 30 feet of the subject lot. If applicable, dimensional areas for vehicular parking, for open space and/or recreation must be shown.
- C. All petitions and accompanying documents must be filed in quintuplicate with the Town Clerk.
- D. The filing fee for each petition seeking relief from the Board is **\$250, inclusive** of the \$25 paid to the Board of Assessors under paragraph E hereof. Checks are to be made payable to the Town of Milford.
- E. The petitioner must also provide a list with the names and addresses of the owners of all abutting land and of abutters to those abutters within 300 feet of the premises, which list must be obtained at the cost of \$25.00 from the Board of Assessors tax listings.
- F. Upon filing of a completed petition with the Town Clerk, the Board of Appeals shall schedule a hearing to be held no sooner than thirty (30) days from the date of filing to allow for newspaper publication and review by other Boards.

The undersigned hereby petitions the Zoning Board of Appeals to vary, in the manner and for the reasons set forth, the application of the provisions of the zoning by-law to the premises as described hereinafter:

<i>Applicant:</i>	<u>BTK Enterprises, Inc.</u> <i>(Full Name)</i>	<u>93 Cedar St. Milford, MA 01757</u> <i>(Address)</i>
<i>Owner:</i>	<u>Same as above</u> <i>(Full Name)</i>	<u>c/o Bradley Kaye</u> <i>(Address)</i>
<i>Tenant (if any):</i>	<u>N/A</u> <i>(Full Name)</i>	<u></u> <i>(Address)</i>
<i>1. Location of Premises</i>	<u>93</u> <i>(Address Number)</i>	<u>Cedar Street</u> <i>(Name of Street)</i>
<i>Assessor's:</i>	<u>28</u> <i>(Map)</i>	<u>0</u> <i>(Block)</i>
		<u>04</u> <i>(Lot)</i>

2. *Within which Zoning District is the premises located?* Highway Industrial (IB)
3. *State the Worcester Registry of Deeds Book and Page number, or the Land Court Certificate number for title of present owner* 30038/284
4. *State whether there is in existence any executory option, lease, or purchase and sale agreement with respect to the property* N/A
5. *If variance is sought from side line requirements, how far from the side line(s) is (are) the nearest building on abutting premises* The abutting property located adjacent to the proposed building addition, does not contain any habitable structures.
6. *State present use of premises* Art's Auto Service
7. *State proposed use of premises* Same as current use
8. *Give extent of proposed alterations, if any* A one-story, 2,880+/- Square-foot building addition is proposed to the existing 3,600+/- square foot building.
9. *Number of families or housing units for which building is to be arranged* N/A
10. *Have you submitted plans for above to the Building Inspector?* No
11. *Has a building permit been refused?* No
12. *What section(s) of the zoning by-law do you ask to be varied?* Article II, Section 2.5 which requires a side-yard setback of 25 feet. The proposed setback is 7.5 feet.
13. *What circumstances exist, relating to the soil conditions, shape or topography of the subject premises, which do not generally affect other land in the zoning district, that would warrant the relief requested?* The existing lot is unusually long (in depth) and narrow (in width) as compared to surrounding lots in the immediate area.
14. *If the variance were not granted, what hardship would be caused by the circumstances described in 13 above?* The owner needs additional building space to serve the demand of his business. The area of the proposed addition is the only viable location that will not disrupt the function and circulation of the existing facility.
15. *State why you feel the grant of the variance will not cause substantial detriment to the public good* The proposed building addition is proposed on the north side of the lot, adjacent to Town-owned property that is used as a transfer recycle station where no habitable buildings exist.

16. If applicant is not the owner, provide proof of authorization by owner, either by copy of executed agreement or by the owner's authorized signature below.

I hereby certify that the above statements are true to the best of my/our knowledge and belief.

Applicant
Signature: 

Owner
Signature: 

Address: 93 Cedar Street
Milford, MA 01757

Address: Same

Telephone: 508 473-5232

Cell phone: 508 962-1230

e-mail: flyn3d@yahoo.com

Attorney (if any) Engineer: Allen Engineering

Address: 1 Charlesview Road, Hopedale, MA 01747

Telephone: 508 381-3212

e-mail: micheald@allen-ea.com

BE SURE THAT ALL QUESTIONS HAVE BEEN ANSWERED FULLY. IF MORE SPACE IS NECESSARY TO ANSWER ANY QUESTION(S), FEEL FREE TO USE AND ATTACH ADDITIONAL SHEETS.

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXIST. SPOT GRADE
- PROV. SPOT GRADE
- PROV. SURFACE
- PROV. DRIVEWAY
- SPAN LINE
- UTILITY POLE
- UTILITY POLE
- OVERHEAD WIRE
- DESIGN CENTER
- UNDERGROUND ELECTRIC TELEPHONE & CABLE
- UNDERGROUND ELECTRIC
- STONE WALL
- EDGE OF PAVEMENT
- TOP
- FMS
- NEW OR FORMERLY
- SHRUBBERY
- IRON PIPE/IRON PIN
- ASSESSORS PARCEL
- DEED BOOK/PAGE
- EXISTING BUILDING
- TREE LINE
- PROPOSED LIGHT POLE
- WETLAND FLAG

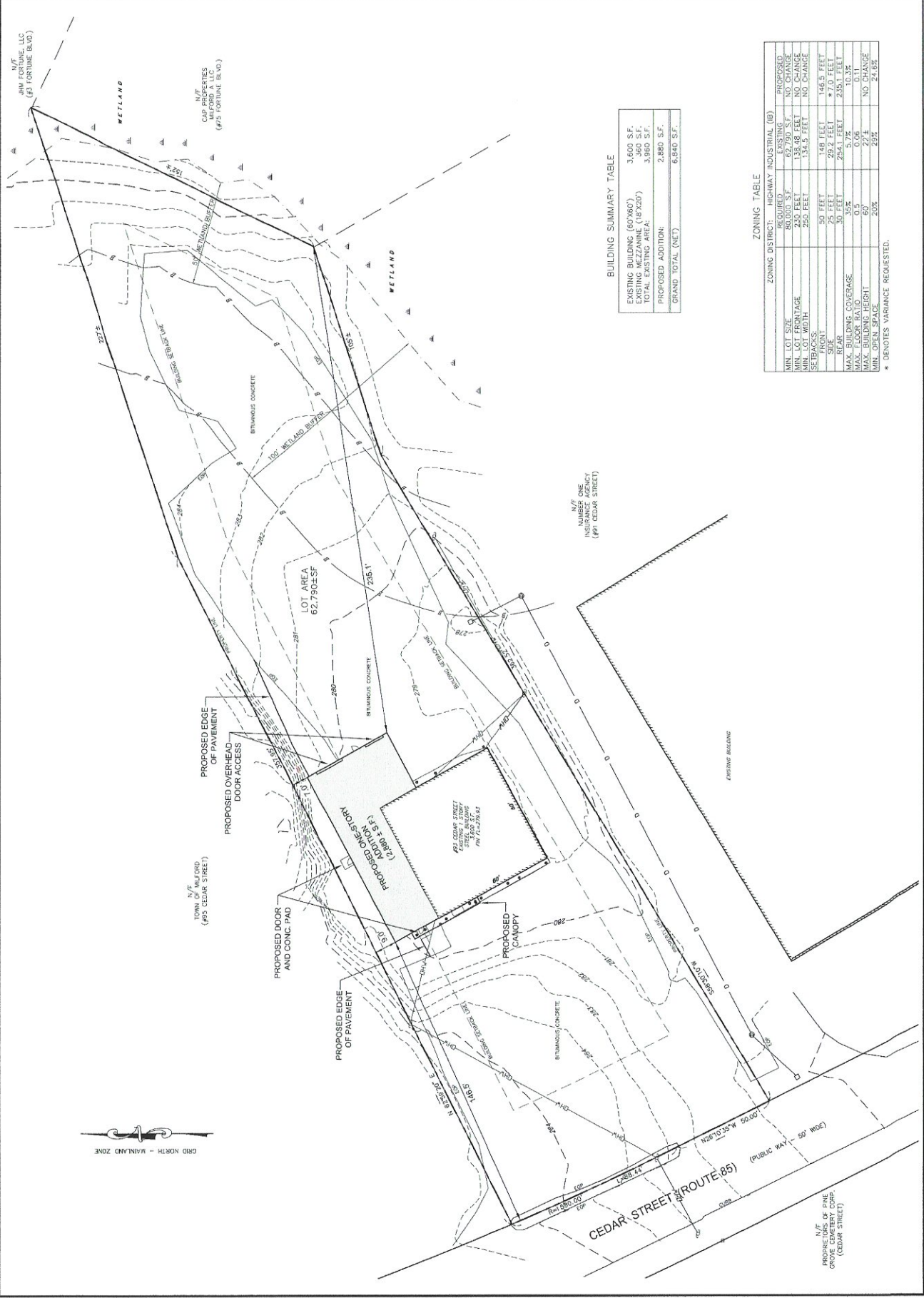
OWNER/APPLICANT:
 BTK Enterprises, Inc.
 93 Cedar Street
 Milford, MA 01757

TITLE:
VARIANCE PETITION
 PLAN
 FOR
COMMERCIAL ADDITION
ART'S AUTO SERVICE
 AT
 93 Cedar Street
 Milford, MA 01757

PREPARED BY:

ALLEN ENGINEERS & ASSOCIATES, INC.
 Civil Engineers - Surveyors
 Land Development Consultants
 One Clarks Cove Road
 Hopedale, MA 01747
 508-381-3212 • Phone
 www.aen.com

SCALE: 1" = 20' FEET
 DATE: September 1, 2020
 REVISIONS:
 # DATE DESCRIPTION
 1 002258 SHEET: 1 of 1



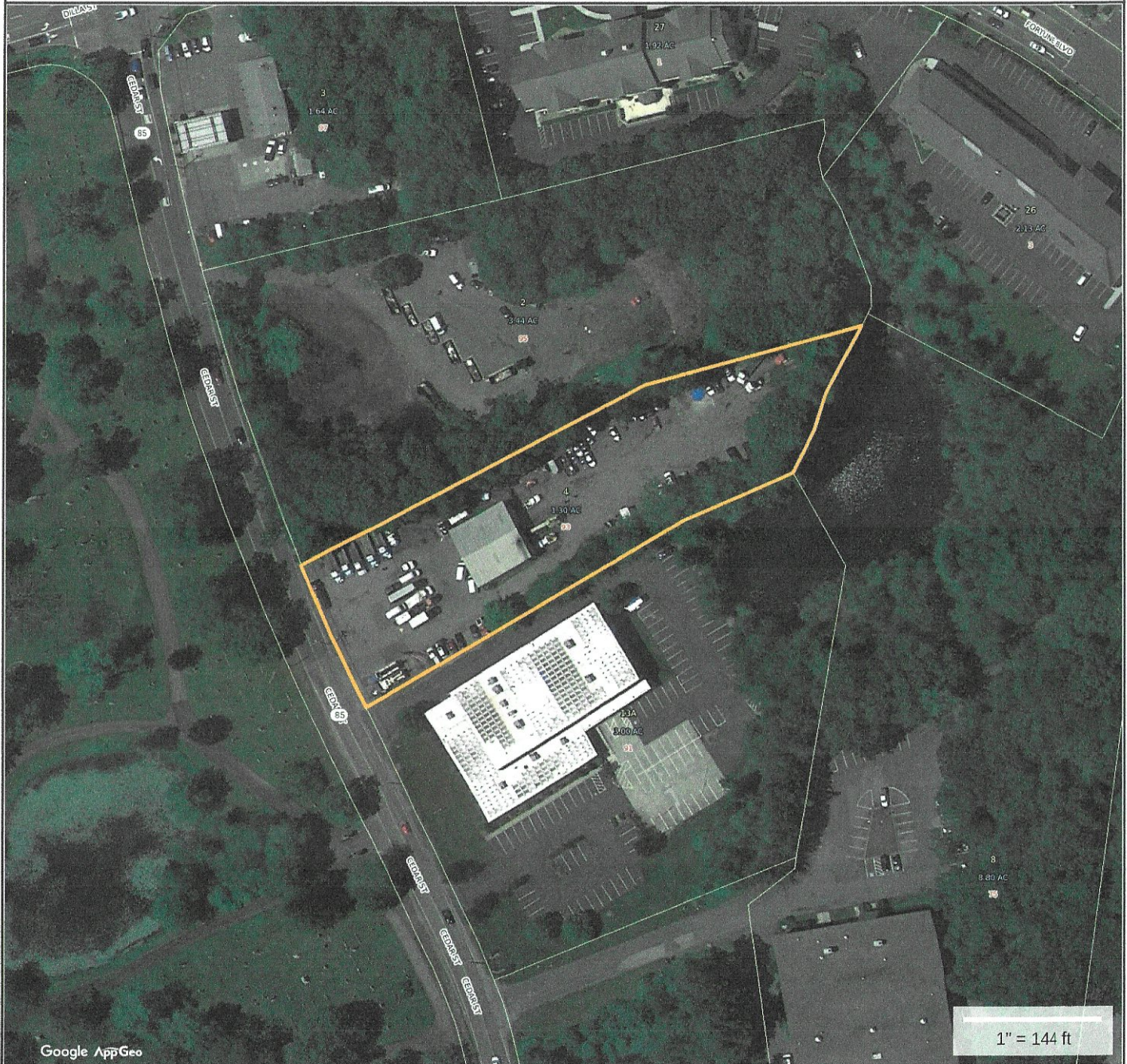
BUILDING SUMMARY TABLE

EXISTING BUILDING (60'x80')	3,600 S.F.
EXISTING MEZZANINE (18'x20')	360 S.F.
TOTAL EXISTING AREA	3,960 S.F.
PROPOSED ADDITION:	2,880 S.F.
GRAND TOTAL (NET)	6,840 S.F.

ZONING TABLE

ZONING DISTRICT	HIGHWAY INDUSTRIAL (H)
MIN. LOT SIZE	80,000 S.F.
MIN. LOT FRONTAGE	250 FEET
MIN. LOT WIDTH	134.9 FEET
SEBACKS:	
FRONT	50 FEET
SIDE	25 FEET
REAR	35 FEET
MAX. BUILDING COVERAGE	0.5
MAX. FLOOR RATIO	0.11
MAX. BUILDING HEIGHT	60'
MIN. OPEN SPACE	20%
PROPOSED	NO CHANGE
EXISTING	NO CHANGE
REQUIRED	NO CHANGE
TOTAL EXISTING AREA	2,880 S.F.
PROPOSED ADDITION	2,880 S.F.
GRAND TOTAL (NET)	5,760 S.F.
MIN. OPEN SPACE	20%
MAX. BUILDING HEIGHT	29'±
MAX. FLOOR RATIO	0.11
MAX. BUILDING COVERAGE	29.10.32%
FRONT	146.5 FEET
SIDE	29.2 FEET
REAR	29.2 FEET
SEBACKS:	
MIN. LOT WIDTH	134.9 FEET
MIN. LOT FRONTAGE	250 FEET
MIN. LOT SIZE	80,000 S.F.

* DENOTES VARIANCE REQUESTED.



Property Information

Property ID 28-0-4
Location 93 CEDAR ST
Owner BTK ENTERPRISES INC



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Milford, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated March 2018
Data updated 11/16/2018



TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

OFFICE OF PLANNING
AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

September 22, 2020

Lena McCarthy, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

(
(**ZBA Variance Referral**
(**Cassia Ludwig**
(**48 Winter Street**
(**Map 41 Lot 97B**
(**RA Zone**
(

Dear Mdm. Chairman:

The applicant requests a variance from front yard setback requirements to maintain the 6' high opaque fence within the required front yards, 4' maximum height allowed. The application also seeks to maintain a shed within the required front yard to be 1' from the front property line, 25' required.

The parcel is a flat, corner lot, having frontage on both Lincoln Street and Winter Street, and as such has two required front yard setbacks. While the parcel is of a somewhat irregular shape, that has no bearing on being able to meet the setback requirements.

The installation of the fence and shed in violation of the zoning bylaw does not constitute a hardship. Furthermore, receiving a variance for an opaque fence in a clear sight area will not magically make the fence transparent. It should be noted that the prior picket fence complied with both the height limitations and the corner sight requirements of the bylaw.

Therefore, I recommend an un-favorable report be forwarded to the Zoning Board of Appeals.

Respectfully,

Larry L. Dunkin, MCRP
Town Planner

48 Winter St,

TOWN OF MILFORD
PETITION FOR VARIANCE
UNDER THE ZONING BY-LAW

Zoning Board of Appeals
Milford, MA 01757

Date: September 15, 2020

MILFORD TOWN CLERK
2020 SEP 15 PM 1:42

NOTE: All petitions for variances must be accompanied a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or a Registered Land Surveyor (See item B below in the ZBA Instructions to Applicants).

INSTRUCTIONS TO APPLICANTS

- A. All questions on this petition must be answered. Failure to answer any question may result in rejection or denial as an incomplete petition.
- B. All petitions for variances must be accompanied by five (5) copies of a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or Registered Land Surveyor, which plan must set forth the position of all structures thereon, their size and distance from the front, side, and rear boundary of the lot. Said plan must also show the location of proposed additions or structures, dimensions of said additions or structures, and relevant distances to lot lines. Said plan shall show the nearest side of any and all structures on adjacent properties within 30 feet of the subject lot. If applicable, dimensional areas for vehicular parking, for open space and/or recreation must be shown.
- C. All petitions and accompanying documents must be filed in quintuplicate with the Town Clerk.
- D. The filing fee for each petition seeking relief from the Board is \$250, inclusive of the \$25 paid to the Board of Assessors under paragraph E hereof. Checks are to be made payable to the Town of Milford.
- E. The petitioner must also provide a list with the names and addresses of the owners of all abutting land and of abutters to those abutters within 300 feet of the premises, which list must be obtained at the cost of \$25.00 from the Board of Assessors tax listings.
- F. Upon filing of a completed petition with the Town Clerk, the Board of Appeals shall schedule a hearing to be held no sooner than thirty (30) days from the date of filing to allow for newspaper publication and review by other Boards.

The undersigned hereby petitions the Zoning Board of Appeals to vary, in the manner and for the reasons set forth, the application of the provisions of the zoning by-law to the premises as described hereinafter:

Applicant: Cassia Ludwig & Marlon Luiz

Owner: Same

Tenant (if any) Owner-occupied premises

1. **Location of Premises:** 48 Winter Street, Milford, MA
Assessor's: Map 41 **Block** 0 **Lot** 97B
2. **Within which Zoning District is the premises located?** RA – General Residential
3. **State the Worcester Registry of Deeds Book and Page number, or the Land Court Certificate number for title of present owner:** Book 54762, Page 180
4. **State whether there is in existence any executory option, lease, or purchase and sale agreement with respect to the property:** No
5. **If variance is sought from side line requirements, how far from the side line(s) is (are) the nearest building on abutting premises:** This variance request relates to a fence and a shed located inside the fence. The existing fence in question abuts Winter Street, Lincoln Street, and a parking lot to an abutting apartment building.
6. **State present use of premises:** The premises are currently used as a single-family owner-occupied residence.
7. **State proposed use of premises:** Same
8. **Give extent of proposed alterations, if any:** Applicant is requesting relief to keep the existing fence and the partially constructed storage shed.
9. **Number of families or housing units for which building is to be arranged:** N/A
10. **Have you submitted plans for above to the Building Inspector?** No
11. **Has a building permit been refused?** No
12. **What section(s) of the zoning by-law do you ask to be varied?**

Request for relief 1 – Fence: Applicant requests relief from Sections 2.4.6 and 2.4.7 regarding the existing opaque 6' fence on the property. In roughly 2014, Applicant replaced the existing picket fence with an opaque vinyl fence, sited roughly on the edge of their lot line but outside of the road right of way. Section

2.4.6 prohibits, among other things, opaque fences within twenty feet of intersections. (See 20' Radius marked on included plan). Additionally, Section 2.4.7 prohibits fences exceeding 6' in height or which obstruct vision to observe setback requirements. The Applicant's fence is roughly 6" in height (over/under in some place by a few inches) and purposefully obstructs vision of the aboveground swimming pool in the main yard. Over the course of the fence's existence, there had been no concerns registered by the neighbors or building department until Summer 2020, when the building inspector noticed it was not in compliance while observing the construction of a new shed.

Request for relief 2 – Shed: The Applicant commenced construction of a 12'x12' (8' high) shed inside the existing fence, erroneously believing no zoning relief was necessary. The shed is stick-built wood construction on a base of crushed gravel. In the present location, on a lot with two street frontages, Section 3.2.1 dictates that accessory buildings are not permitted within the 25' setback required in the RA zone. The setback may be reduced by 50% under section 3.2.4 for sheds under 120 square feet. As this shed exceeds the square footage requirement, the Applicant requests relief from section 3.2.1.

13. ***What circumstances exist, relating to the soil conditions, shape or topography of the subject premises, which do not generally affect other land in the zoning district that would warrant the relief requested?*** The lot is situated in a densely populated neighborhood where the majority of the homes are multifamily. The direct abutter on Lincoln Street is a multiunit apartment building with a significant parking lot. The shape of the lot is such that installing an opaque fence within the required setbacks as it required would result in the majority of the lot actually falling outside of the fenced in area. Additionally, the flat topography of this neighborhood actually makes it so that the lot has no natural screening of any sort and therefore requires a fence for privacy. The shed is two feet taller than the fence but significantly shorter than the home, so its visual impact on the neighborhood is limited. Requiring the shed to be placed within the setback requirements would cause it to be centrally located in the backyard, effectively rendering the yard unusable.
14. ***If the variance were not granted what hardship would be caused by the circumstances described in 13 above?*** The Applicant would be forced to either remove the fence, replace a high-quality opaque fence with one that does not affect vision from the street (chain link or similar), or comply with the bylaw by meeting the 25' front setback on two sides and the 10' side setback, which would result in an unusably narrow (5' wide) fenced in area. The first two options would result in significant financial expenditure to create a less usable and worse looking space, and strict compliance with the bylaw fence requirement creates a back yard area that would be too small to actually contain the existing swimming pool.

Regarding the shed, it is presently located in the least obtrusive space on the lot. Moving it will require the existing base gravel to be removed and more of the lot will be taken up by the shed.

15. ***State why you feel the grant of the variance will not cause substantial detriment to the public good.*** This lot is located in the RA general residential district, which allows for a mix of housing options. This family is working to maintain a single family home while much of the neighborhood is multifamily. The fence is high-quality and well maintained and allows for the private use of the backyard adjacent to the busy apartment parking lot. Removal of this fence would probably go unnoticed by the majority of the people travelling Lincoln and Winter Streets, but would functionally condemn the Applicant's private use of their yard. The shed is similarly being built in a manner that will improve the Applicant's use of the home, but will have no substantive effect on the neighborhood.
16. ***If applicant is not the owner, provide proof of authorization by owner, either by copy of executed agreement or by the owner's authorized signature below.***

I hereby certify that the above statements are true to the best of my/our knowledge and belief.

Applicant/Owner Signature:



Marlon Luiz

Address: 48 Winter Street, Milford, MA

Phone:

Email:

Attorney: A. Eli Leino
Mayer, Antonellis, Jachowicz & Haranas, LLP
(508) 473-2203
Eli@majhllp.com

BE SURE THAT ALL QUESTIONS HAVE BEEN ANSWERED FULLY. IF MORE SPACE IS NECESSARY TO ANSWER ANY QUESTIONS, FEEL FREE TO USE AND ATTACH ADDITIONAL SHEETS.

Google Maps 13 Lincoln St





(10-2011)



TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

OFFICE OF PLANNING
AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

September 22, 2020

Lena McCarthy, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

(
(**ZBA Variance Referral**
(**A&R Serrano, Inc.**
(**127-129 South Main Street**
(**Map 59 Lot 11**
(**CC Zone**
(

Dear Mdm. Chairman:

The applicant requests a variance from front yard setback requirements to allow for the development of the subject property. This application is a follow-up to the variance request for 41 Cape Road reviewed at the last meeting. Due to an oversight, the parcel number for this lot was omitted from the notice for that original application. That case has been continued by the ZBA to accommodate this filing which will, when combined with the request for 41 Cape Road, provide a complete application for the unified re-development of the two parcels.

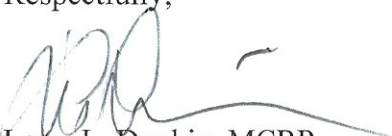
Specifically, this application focuses on the small northerly addition to the Urgent Care facility located at 127 South Main. The addition will connect the existing Urgent Care facility to the proposed two-story medical office building proposed on 41 Cape Road.

The subject parcel is a triangular corner lot, having frontage on both South Main Street and Cape Road, and as such has two required front yard setbacks. Upon final acquisition of 41 Cape Road by the applicant, the two parcels will be merged.

The overall project as proposed will have access on Cape Road only, other than the integrated parking lot connection to the south. The proposed unified development plan will have no additional access to South Main Street from this parcel, which will greatly benefit traffic flow in the area. No other variances are being requested.

Therefore, I recommend a favorable report be forwarded to the Zoning Board of Appeals.

Respectfully,


Larry L. Dunkin, MCRP
Town Planner

127-129 So. Main

MILFORD TOWN CLERK
2023 SEP 15 PM 1:13

TOWN OF MILFORD
PETITION FOR VARIANCE
UNDER THE ZONING BY-LAW

Zoning Board of Appeals
Milford, MA 01757

Date: September 15, 2023

NOTE: All petitions for variances must be accompanied a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or a Registered Land Surveyor (See item B below in the ZBA Instructions to Applicants).

INSTRUCTIONS TO APPLICANTS

- A. All questions on this petition must be answered. Failure to answer any question may result in rejection or denial as an incomplete petition.
- B. All petitions for variances must be accompanied by five (5) copies of a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or Registered Land Surveyor, which plan must set forth the position of all structures thereon, their size and distance from the front, side, and rear boundary of the lot. Said plan must also show the location of proposed additions or structures, dimensions of said additions or structures, and relevant distances to lot lines. Said plan shall show the nearest side of any and all structures on adjacent properties within 30 feet of the subject lot. If applicable, dimensional areas for vehicular parking, for open space and/or recreation must be shown.
- C. All petitions and accompanying documents must be filed in quintuplicate with the Town Clerk.
- D. The filing fee for each petition seeking relief from the Board is \$250, inclusive of the \$25 paid to the Board of Assessors under paragraph E hereof. Checks are to be made payable to the Town of Milford.
- E. The petitioner must also provide a list with the names and addresses of the owners of all abutting land and of abutters to those abutters within 300 feet of the premises, which list must be obtained at the cost of \$25.00 from the Board of Assessors tax listings.
- F. Upon filing of a completed petition with the Town Clerk, the Board of Appeals shall schedule a hearing to be held no sooner than thirty (30) days from the date of filing to allow for newspaper publication and review by other Boards.

The undersigned hereby petitions the Zoning Board of Appeals to vary, in the manner and for the reasons set forth, the application of the provisions of the zoning by-law to the premises as described hereinafter:



Applicant: A&R Serrano, Inc.

Owner: A&R Serrano, Inc. via merger with Crossroads Place, Inc.

Tenant (if any) Milford Regional Urgent Care (Milford Regional Physician Group)


1. **Location of Premises:** 127-129 South Main Street, Milford, MA
Assessor's: Map 59 **Block** 0 **Lot** 11
2. **Within which Zoning District is the premises located?** CC – Highway Commercial
3. **State the Worcester Registry of Deeds Book and Page number, or the Land Court Certificate number for title of present owner:** Book 48783, Page 129
4. **State whether there is in existence any executory option, lease, or purchase and sale agreement with respect to the property:** Applicant presently has signed a purchase and sale agreement to acquire the property located at 41 Cape Road, for which a companion application is filed.
5. **If variance is sought from side line requirements, how far from the side line(s) is (are) the nearest building on abutting premises:** This application and the companion application for 41 Cape Road, propose attaching a buildings across the lot line. Upon the closing of the purchase and sale, the lots will merge; however, at present this variance relief is necessary to construct the connector building shown on the site plan from the existing medical building to the building proposed at 41 Cape Road. This technically will require a variance of the required side setback to 0', but will be moot once the lots come into common ownership.
6. **State present use of premises:** The premises are currently used as a Milford Regional Urgent Care facility.
7. **State proposed use of premises:** The neighboring lot is presently vacant. The Applicant is proposing to expand the existing facility through the construction of a two-story medical office building on the neighboring lot and connect the two buildings to enhance visual appearance and maintain continuity between the two buildings.
8. **Give extent of proposed alterations, if any:** For the entire two lot site, Applicant is proposing a ~16,095 s.f. addition to the existing building, along with expanded parking in compliance with the By-Law requirements.
9. **Number of families or housing units for which building is to be arranged:**
N/A



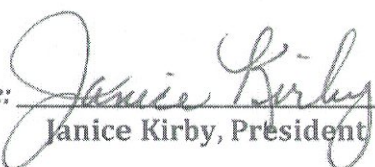
10. ***Have you submitted plans for above to the Building Inspector? No***
11. ***Has a building permit been refused? No***
12. ***What section(s) of the zoning by-law do you ask to be varied? Section 2.5 Intensity of Use Schedule; in particular, Front Yard Setback and Footnote b ("Through lots must maintain front yard requirements for both frontages. On through lots, all yards other than the front yards shall be construed to be side yards. Corner lots must maintain front yard requirements for all frontages. On corner lots, the remaining yard(s) shall be construed to be side yards.")*** The existing building was rebuilt from a preexisting non-conforming gas station that was sited within the 55' front yard setback in the highway commercial zone. The new connecting piece between the two buildings will also be located within 55' of South Main Street (18' 9") but will be setback further than the existing building.
13. ***What circumstances exist, relating to the soil conditions, shape or topography of the subject premises, which do not generally affect other land in the zoning district that would warrant the relief requested?*** Upon purchase of the subject premises, the lot will come into common ownership with the neighboring lot and will merge into one larger lot. The resulting lot is triangular in shape and has frontage on both South Main Street and Cape Road (Route 140). Granting relief from the South Main Street front yard setback requirement would allow the Applicant to configure a cohesive parking lot and contain the bulk of the lot traffic to the side of the lot accessed by Cape Road, the larger and more heavily trafficked of the two frontages.
14. ***If the variance were not granted what hardship would be caused by the circumstances described in 13 above?*** The Applicant would be forced to reconfigure the entire lot in a manner less conducive to safe pedestrian and traffic flow and to the detriment of the tenant and neighbors.
15. ***State why you feel the grant of the variance will not cause substantial detriment to the public good.*** Granting this variance will allow expansion of a medical facility and a vacant lot in a high-visibility part of Milford to be developed. The expansion of medical services benefits the public welfare, and the expansion and improvement of the parking lot will greatly enhance ease of use for patients at the site.
16. ***If applicant is not the owner, provide proof of authorization by owner, either by copy of executed agreement or by the owner's authorized signature below.***



I hereby certify that the above statements are true to the best of my/our knowledge and belief.

Applicant Signature: 
Janice Kirby, President

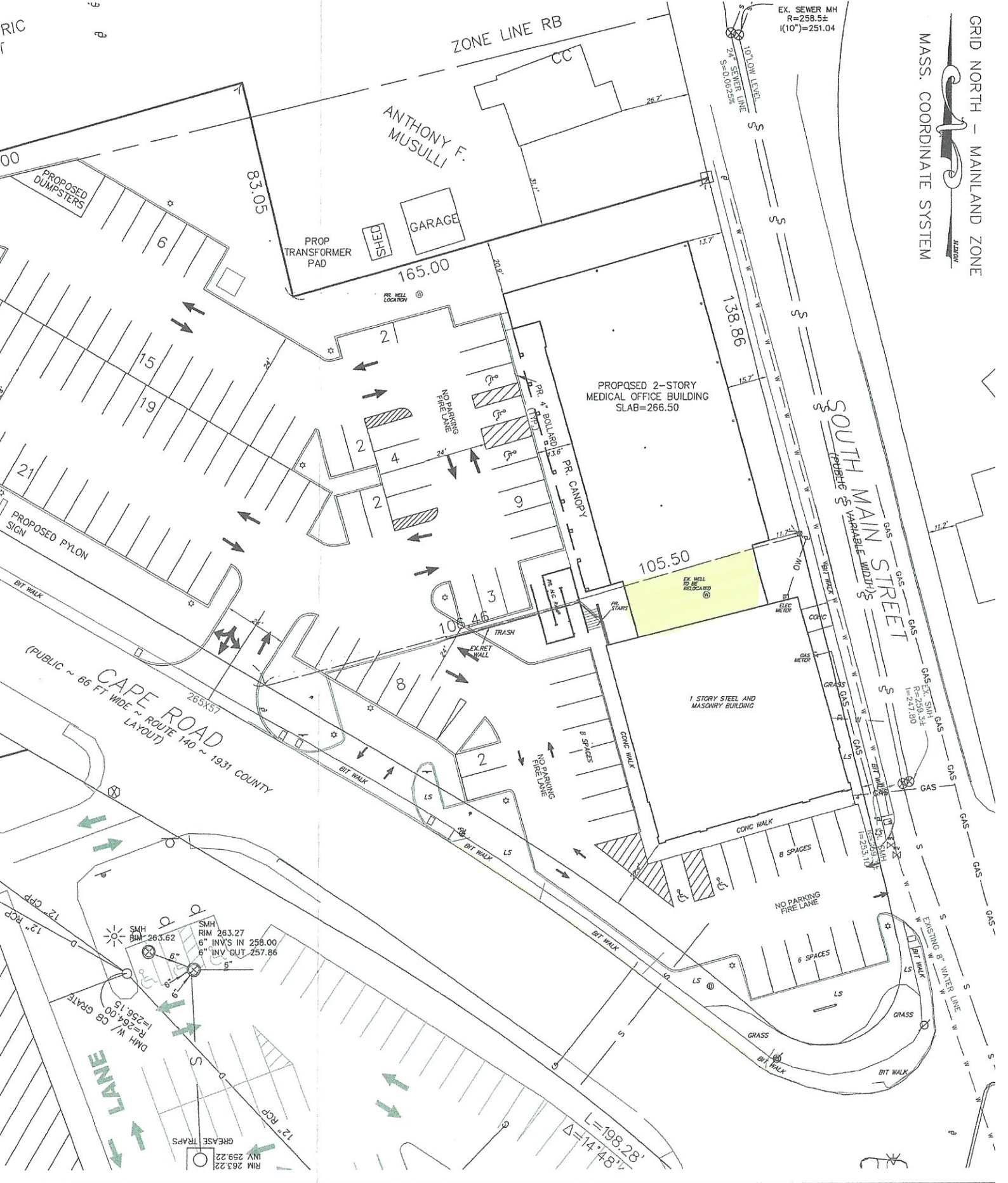
Address: A&R Serrano, Inc.
25 Josiah Drive, Upton, MA 01568
Phone:
Email:

Owner Signature: 
Janice Kirby, President

Address: 189 Main Street, Milford, MA
Phone:
Email:

Attorney: Joseph M. Antonellis
A. Eli Leino
Mayer, Antonellis, Jachowicz & Haranas, LLP
(508) 473-2203
JMA@majhllp.com

BE SURE THAT ALL QUESTIONS HAVE BEEN ANSWERED FULLY. IF MORE SPACE IS NECESSARY TO ANSWER ANY QUESTIONS, FEEL FREE TO USE AND ATTACH ADDITIONAL SHEETS.





Property Information

Property ID 59-0-11
Location 127 SOUTH MAIN ST
Owner SERRANO ROSE+CARROLL PATRICIA TRUSTEES



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Milford, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated March 2018
Data updated 11/16/2018



TOWN OF MILFORD

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 508-634-2317 Fax 508-473-2394
 ldunkin@townofmilford.com

OFFICE OF PLANNING
 AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

M E M O R A N D U M

TO: Milford Planning Board
 FROM: Larry L. Dunkin, MCRP
 Milford Town Planner
 DATE: September 22, 2020
 SUBJECT: **“The Residences at Stone Ridge II” 40B Development**

The above referenced 40B development is being proposed on 17.25 acres at 300 Deer Street (Map 14 Lot 3A), north-westerly off of Route 85/Cedar Street, and lying north of I-495. The proposal consists of 296 studio, one-, two- and three-bedroom residential units in three 5-story buildings. All of the units are rental units, with 75 of the units designated affordable.

The proposed 40B is within the Stone Ridge Business Park that was originally approved in 2008 for the construction of four office buildings totaling 625,000+/- sq.ft., a total of 2,100 off-street parking spaces, and the 694’ westerly extension of Deer Street. Substantial improvements have been completed, including construction of Deer Street and the bridge over the Charles River, drainage, and utilities. Additional utility work, as well as certain transportation improvements required by the Planning Board and MassDOT will need to be completed irrespective of this 40B proposal. In addition, the Planning Board approved a special permit in 2017 on 6.59 acres within the business park for the existing Restaurant Depot facility at 100 Deer Street. In 2018 The ZBA approved a Comprehensive Permit for the “Residences at Stone Ridge”, a 242-unit 40B at 200 Deer Street.

This latest 40B development will occupy 17.25 acres, or 21.6% of the overall 80-acre Business Park development. Continuing to build high-density residential uses in a Business Park poses a growing concern for safe and adequate access. This is due in part to the long distance the apartments will be located from Route 85/Cedar Street, and in part to the access around the new units being only the parking lot drive aisles. Also, parking is being proposed at a ratio of 1.75 per dwelling unit.

Therefore, I recommend a favorable report be forwarded to the Zoning Board of Appeals subject to adequate access being provided to and within the development.

TOWN OF MILFORD
ZONING BOARD OF APPEALS
TOWN HALL
52 MAIN STREET
MILFORD, MASSACHUSETTS 01757

(508) 634-2302

Planning Board


Sewer Commission
Fire Chief
Police Chief
Town Engineer
Town Planner
Board of Health
Superintendent of Schools
Building Commissioner
Milford Water Company

August 17, 2020

Re: Stone Ridge II – Application of Gutierrez Company for
296 Units off Cedar Street

Through my memo of July 27, 2020, I informed all of the then planned opening of the Public Hearing on the above for September 10, 2020. Scheduling difficulties have caused the Chairman of the Zoning Board to reschedule the matter for October 7, 2020 at 6:30PM in the Upper Town Hall. Please adjust your schedules accordingly.

Very truly yours,



Gerald M. Moody

CC: ZBA members
Town Administrator
Board of Selectmen
Bob Hartzel, CEI

Public Hearing Line/Conference Line:1-857-444-0744
Conference Code: 143644

NOTICE OF HEARING

Notice is hereby given that the Zoning Board of Appeals of the Town of Milford will conduct a Public Hearing on the following petition on October 7, 2020 in the Upper Town Hall, 52 Main Street, Milford, MA at the time indicated:

Pursuant to Governor Baker's March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, §18, this meeting is being conducted both in person and via remote participation.

1. **At 6:30 P.M.** On the application of The Gutierrez Company, a Delaware Corporation with a principal address of 200 Summit Drive, Burlington, MA for a Comprehensive Permit pursuant to General Laws Chapter 40B in relation to a 17.25 acre portion of a larger 80 acre, more or less, parcel of land known as Stone Ridge and located on the westerly side of Cedar Street north of US Route 495. The property is shown on the Milford Assessors Sheets 14 as lots 3A and 4. The Petitioner proposes to develop and construct a 296-unit rental apartment development in approximately 17.25 acres of the site located at 300-400 Deer Street, off of Cedar Street. 75% of the units will be market rate and 25% of the units will be affordable units, pursuant to applicable provisions of law and requirements of the financing agency.

Copies of the above petition and diagrams of the proposal to which it relates are on file with the Town Clerk, Town Hall, 52 Main Street, Milford, MA and are available for public inspection. In addition, the application and related documents are available on the Town of Milford website. Persons interested in said petition are invited to review same and express their views thereon at the above-scheduled hearing.

MILFORD ZONING BOARD OF APPEALS

David R. Consigli, Chairman

**TOWN OF MILFORD
ZONING BOARD OF APPEALS
TOWN HALL
52 MAIN STREET
MILFORD, MASSACHUSETTS 01757**

(508) 634-2302

Planning Board

Sewer Commission

Fire Chief

Police Chief

Town Engineer

Town Planner

Board of Health

Health Agent

Superintendent of Schools

Building Commissioner

Milford water Company

July 27, 2020

Re: Stone Ridge II – Application of Gutierrez Company for
296 Units off of Cedar Street

This is a follow up to my memo of June 8, 2020. The Zoning Board of Appeals has now scheduled the opening of the Public Hearing on the most recent application of the Gutierrez Company for 6:30PM on September 10, 2020 in the upper Town Hall. All necessary health and social distancing requirements will be met.

Some Boards or agencies have already provided comments or input. All should try to have additional comments or input as much before the September 10 date as possible. If input has already been provided any follow up or changes will certainly be welcome.

The Board has retained the services of CEI Engineers to undertake a peer review of the Application and plans. Where helpful, there should be coordination with CEI. The lead person for that firm is Bob Hartzel, CEI Engineers, Inc., 41 Main Street, Bolton, MA 01740. The office phone is 508 281-5201.

The Application and plans were distributed earlier. If any require additional copies see Melissa Tomas in the Legal department or call me at 508 797-8377. Feel free to call me if there are any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'G. Moody', with a long horizontal flourish extending to the right.

Gerald M. Moody
40B Coordinator

Cc: ZBA Members
Town Administrator
Board of Selectmen
Bob Hartzel, CEI

TOWN OF MILFORD
ZONING BOARD OF APPEALS
TOWN HALL
52 MAIN STREET
MILFORD, MASSACHUSETTS 01757

(508) 634-2302

Planning Board
Sewer Commission
Fire Chief
✓ Police Chief
✓ Town Engineer
Town Planner
Board of Health
Health Agent
Superintendent of Schools
Building Commissioner
Milford Water Company

June 8, 2020

Re: Application of Gutierrez Company Under G.L. c. 40B
296 Apartment units off Cedar Street

Please be advised that an application under G.L. c. 40B has been filed as of June 5, 2020 with the Zoning Board of Appeals (ZBA). The application by the Gutierrez Company seeks approval for 296 apartment units referred to as Stone Ridge Phase II.

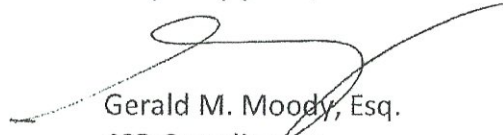
You might wonder how Milford could still be subject to G.L. c. 40B with projects consisting of some 900 units having been approved in 2018, putting Milford over the 10% quota. The difficulty is that under the applicable EOCD regulations that "protection" is available for only one year, unless a building permit has been pulled. No building permits have been issued for the 2018 projects so their protections have expired. The ZBA is required to consider the application as if G.L. c. 40B is fully applicable.

Under G.L.c. 40B, section 21, the ZBA is required to notify all of the above Department and officials and seek their input. Hard copies of the application and plans are available in the Selectmen's office. Electronic copies will be posted on the Town website.

Normally, the ZBA must open the public hearing within 30 day of the application. However, COVID-19 relief legislation, c. 53 of the Acts of 2020 allows the ZBA to delay commencement of the required public hearings. I will inform all when the ZBA determines to start the process. The ZBA is seeking a proposal from CEI Engineers for peer review services.

The ZBA looks forward to the review and input from all parties. I will keep you informed as to the date of opening of the public hearing.

Very truly yours,



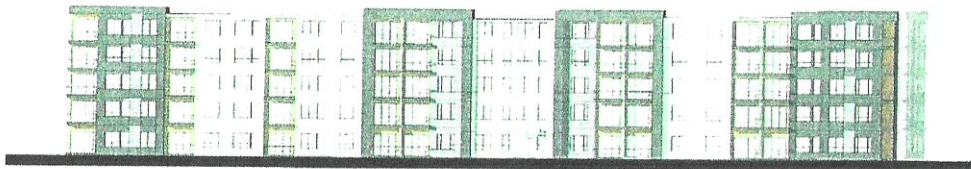
Gerald M. Moody, Esq.
40B Coordinator

Cc: ZBA members
Town Administrator
Board of selectmen

THE RESIDENCES AT STONE RIDGE – PHASE II

Milford, MA

June, 5 2020



Comprehensive Permit Application to Town of Milford Zoning Board of Appeals

Submitted by:



200 Summit Drive | Burlington, MA 01803

Project Team

Architect:	<i>Cube 3 Studio</i>
Engineer:	<i>SMMA</i>
Landscape Architect:	<i>SMMA</i>
Traffic Engineer	<i>TEC</i>



(i) *Background / Project Summary*

The Residences at Stone Ridge **PHASE II** (the "Project") represents the next phase in the development of Stone Ridge Center. Originally approved in 2008 as a 625,000 square foot traditional suburban office park, the subject 80 acre site has been re-adapted to a mix of residential and commercial uses reflecting the need for multifamily / affordable housing and current market demands.

Stone Ridge Center is bounded by woodlands owned by the Town of Milford to the northeast, Cedar Street (Rt. 85) to the east, and Interstate 495 to the south and west. The overall site is currently improved with a 63,000 SF Restaurant Depot facility near the site entrance along Cedar Street and will also contain (once constructed) a 242-unit 40B residential project previously permitted by the Applicant.

The subject Project site will consist of approximately 17.25 acres located near the center of the approximately 80 acre site. It will be bounded by the phase I residential project to the east, I-495 to the south, undeveloped Stone Ridge Center land to the west, and conservation land to the north.

The proposed Project will consist of approximately 296 residential units, along with first class amenities including a clubhouse with media/game room, fitness center, package receiving room, and leasing office. Outdoor amenities will include a pool, stone patios with outdoor seating, and covered parking garages. The residential units will be housed in two buildings clustered around a vegetated green space. There are approximately 29 acres of conservation land in the overall Stone Ridge site, much of which abuts the subject Phase II residential site, thereby providing a natural buffer and wooded view for the residents of the Project. The Project will also benefit from its close proximity to the Upper Charles bike path, which bisects the site near the entrance with Cedar Street. The Applicant constructed the bike path crossing as part of its earlier site improvements.

The Project will be accessed from the existing roadway (Deer Street), that was recently constructed by the Applicant. Deer Street is improved with underground utilities (Sewer and water) and serves all of the various developments at the Stone Ridge Center site. The existing developments at Stone Ridge are served by the Milford Water Company and Milford public sewer and it is expected that the Project will also be serviced by the same.

For additional detail on the Stone Ridge permitting history, and the proposed project including impacts, see the attached Technical Report by SMMA dated March 13, 2018.

The Residences at Stone Ridge – Phase II



(ii) *Applicant*

The within application is filed by The Gutierrez Company (Applicant), a Delaware Corporation with a principal address of 200 Summit Drive, Burlington, MA 01803. A copy of the Applicant's certificate of incorporation is attached.





Residences at Stone Ridge - Phase II

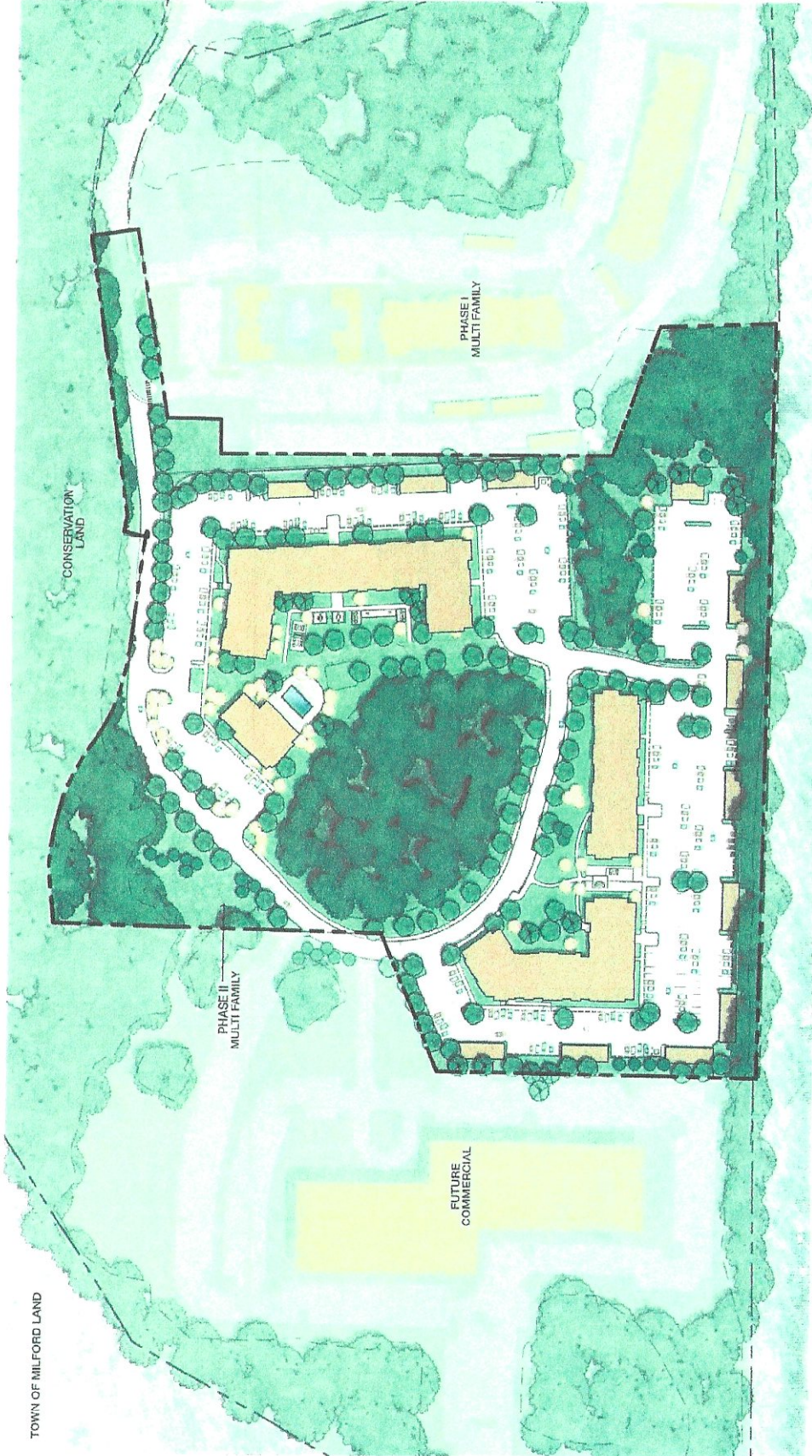
Millford, MA

Current Proposed Site Plan

03.13.2020



SMMA



Residences at Stone Ridge - Phase II

Millford, MA

Current Proposed Site Plan

03.13.2020



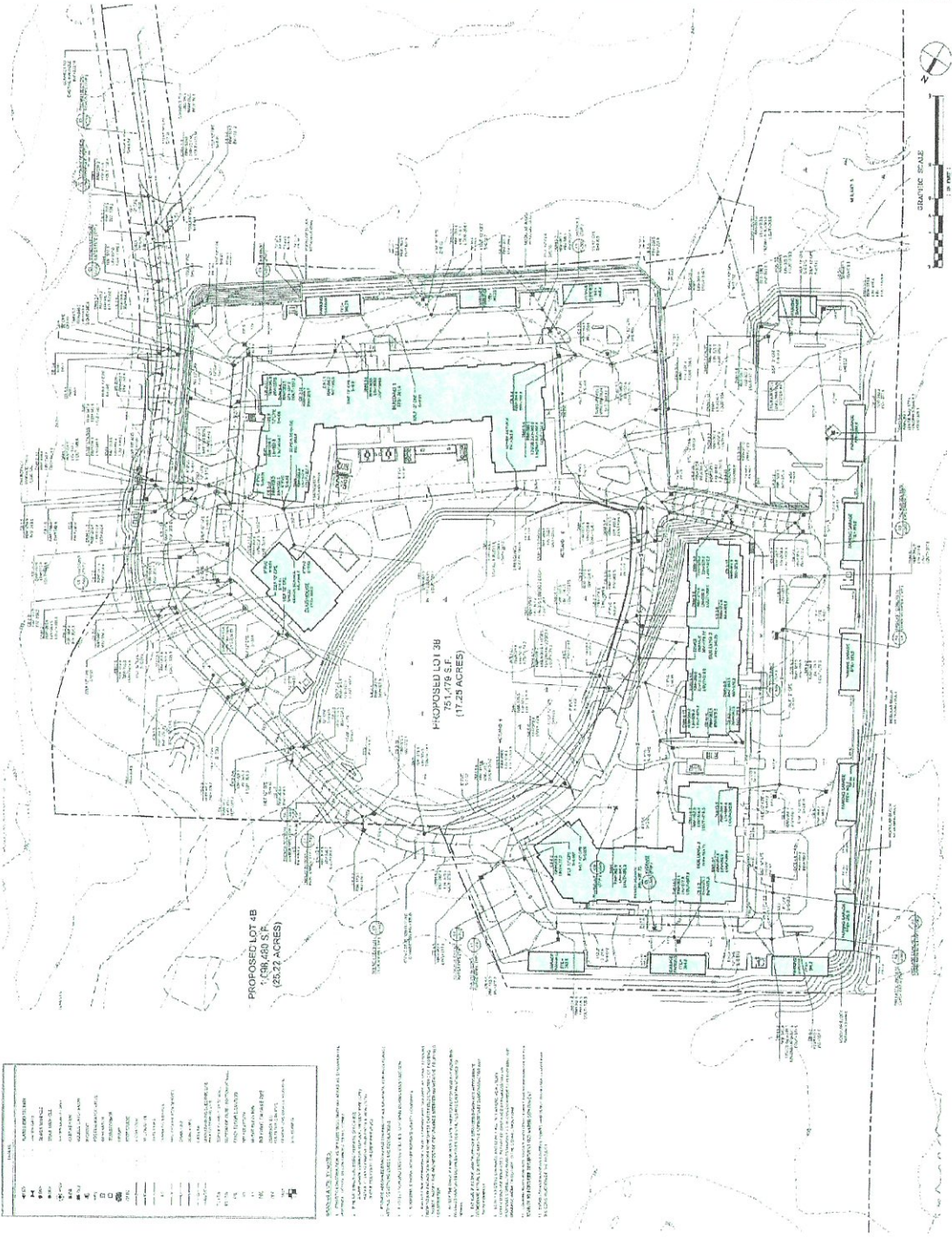
SMIMA

DATE	10/20/2011
PROJECT	RESOURCES AT STONE ISLE PHASE II
PROJ. NO.	11-0001
CLIENT	THE GUTIERREZ COMPANY
DESIGNER	STEVENS LANE & WHITE ASSOCIATES
SCALE	AS SHOWN



DATE	10/20/2011
PROJECT	RESOURCES AT STONE ISLE PHASE II
PROJ. NO.	11-0001
CLIENT	THE GUTIERREZ COMPANY
DESIGNER	STEVENS LANE & WHITE ASSOCIATES
SCALE	AS SHOWN

GRADING & UTILITIES PLAN



SYMBOLS	
4" x 4" x 1/2"	CONCRETE
6" x 6" x 1/2"	CONCRETE
8" x 8" x 1/2"	CONCRETE
12" x 12" x 1/2"	CONCRETE
16" x 16" x 1/2"	CONCRETE
20" x 20" x 1/2"	CONCRETE
24" x 24" x 1/2"	CONCRETE
30" x 30" x 1/2"	CONCRETE
36" x 36" x 1/2"	CONCRETE
42" x 42" x 1/2"	CONCRETE
48" x 48" x 1/2"	CONCRETE
54" x 54" x 1/2"	CONCRETE
60" x 60" x 1/2"	CONCRETE
66" x 66" x 1/2"	CONCRETE
72" x 72" x 1/2"	CONCRETE
78" x 78" x 1/2"	CONCRETE
84" x 84" x 1/2"	CONCRETE
90" x 90" x 1/2"	CONCRETE
96" x 96" x 1/2"	CONCRETE
102" x 102" x 1/2"	CONCRETE
108" x 108" x 1/2"	CONCRETE
114" x 114" x 1/2"	CONCRETE
120" x 120" x 1/2"	CONCRETE
126" x 126" x 1/2"	CONCRETE
132" x 132" x 1/2"	CONCRETE
138" x 138" x 1/2"	CONCRETE
144" x 144" x 1/2"	CONCRETE
150" x 150" x 1/2"	CONCRETE
156" x 156" x 1/2"	CONCRETE
162" x 162" x 1/2"	CONCRETE
168" x 168" x 1/2"	CONCRETE
174" x 174" x 1/2"	CONCRETE
180" x 180" x 1/2"	CONCRETE
186" x 186" x 1/2"	CONCRETE
192" x 192" x 1/2"	CONCRETE
198" x 198" x 1/2"	CONCRETE
204" x 204" x 1/2"	CONCRETE
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228" x 228" x 1/2"	CONCRETE
234" x 234" x 1/2"	CONCRETE
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252" x 252" x 1/2"	CONCRETE
258" x 258" x 1/2"	CONCRETE
264" x 264" x 1/2"	CONCRETE
270" x 270" x 1/2"	CONCRETE
276" x 276" x 1/2"	CONCRETE
282" x 282" x 1/2"	CONCRETE
288" x 288" x 1/2"	CONCRETE
294" x 294" x 1/2"	CONCRETE
300" x 300" x 1/2"	CONCRETE
306" x 306" x 1/2"	CONCRETE
312" x 312" x 1/2"	CONCRETE
318" x 318" x 1/2"	CONCRETE
324" x 324" x 1/2"	CONCRETE
330" x 330" x 1/2"	CONCRETE
336" x 336" x 1/2"	CONCRETE
342" x 342" x 1/2"	CONCRETE
348" x 348" x 1/2"	CONCRETE
354" x 354" x 1/2"	CONCRETE
360" x 360" x 1/2"	CONCRETE
366" x 366" x 1/2"	CONCRETE
372" x 372" x 1/2"	CONCRETE
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402" x 402" x 1/2"	CONCRETE
408" x 408" x 1/2"	CONCRETE
414" x 414" x 1/2"	CONCRETE
420" x 420" x 1/2"	CONCRETE
426" x 426" x 1/2"	CONCRETE
432" x 432" x 1/2"	CONCRETE
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444" x 444" x 1/2"	CONCRETE
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504" x 504" x 1/2"	CONCRETE
510" x 510" x 1/2"	CONCRETE
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522" x 522" x 1/2"	CONCRETE
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534" x 534" x 1/2"	CONCRETE
540" x 540" x 1/2"	CONCRETE
546" x 546" x 1/2"	CONCRETE
552" x 552" x 1/2"	CONCRETE
558" x 558" x 1/2"	CONCRETE
564" x 564" x 1/2"	CONCRETE
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594" x 594" x 1/2"	CONCRETE
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606" x 606" x 1/2"	CONCRETE
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618" x 618" x 1/2"	CONCRETE
624" x 624" x 1/2"	CONCRETE
630" x 630" x 1/2"	CONCRETE
636" x 636" x 1/2"	CONCRETE
642" x 642" x 1/2"	CONCRETE
648" x 648" x 1/2"	CONCRETE
654" x 654" x 1/2"	CONCRETE
660" x 660" x 1/2"	CONCRETE
666" x 666" x 1/2"	CONCRETE
672" x 672" x 1/2"	CONCRETE
678" x 678" x 1/2"	CONCRETE
684" x 684" x 1/2"	CONCRETE
690" x 690" x 1/2"	CONCRETE
696" x 696" x 1/2"	CONCRETE
702" x 702" x 1/2"	CONCRETE
708" x 708" x 1/2"	CONCRETE
714" x 714" x 1/2"	CONCRETE
720" x 720" x 1/2"	CONCRETE
726" x 726" x 1/2"	CONCRETE
732" x 732" x 1/2"	CONCRETE
738" x 738" x 1/2"	CONCRETE
744" x 744" x 1/2"	CONCRETE
750" x 750" x 1/2"	CONCRETE
756" x 756" x 1/2"	CONCRETE
762" x 762" x 1/2"	CONCRETE
768" x 768" x 1/2"	CONCRETE
774" x 774" x 1/2"	CONCRETE
780" x 780" x 1/2"	CONCRETE
786" x 786" x 1/2"	CONCRETE
792" x 792" x 1/2"	CONCRETE
798" x 798" x 1/2"	CONCRETE
804" x 804" x 1/2"	CONCRETE
810" x 810" x 1/2"	CONCRETE
816" x 816" x 1/2"	CONCRETE
822" x 822" x 1/2"	CONCRETE
828" x 828" x 1/2"	CONCRETE
834" x 834" x 1/2"	CONCRETE
840" x 840" x 1/2"	CONCRETE
846" x 846" x 1/2"	CONCRETE
852" x 852" x 1/2"	CONCRETE
858" x 858" x 1/2"	CONCRETE
864" x 864" x 1/2"	CONCRETE
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882" x 882" x 1/2"	CONCRETE
888" x 888" x 1/2"	CONCRETE
894" x 894" x 1/2"	CONCRETE
900" x 900" x 1/2"	CONCRETE
906" x 906" x 1/2"	CONCRETE
912" x 912" x 1/2"	CONCRETE
918" x 918" x 1/2"	CONCRETE
924" x 924" x 1/2"	CONCRETE
930" x 930" x 1/2"	CONCRETE
936" x 936" x 1/2"	CONCRETE
942" x 942" x 1/2"	CONCRETE
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954" x 954" x 1/2"	CONCRETE
960" x 960" x 1/2"	CONCRETE
966" x 966" x 1/2"	CONCRETE
972" x 972" x 1/2"	CONCRETE
978" x 978" x 1/2"	CONCRETE
984" x 984" x 1/2"	CONCRETE
990" x 990" x 1/2"	CONCRETE
996" x 996" x 1/2"	CONCRETE
1000" x 1000" x 1/2"	CONCRETE

NOTATIONS:

1. ALL CONCRETE SHALL BE 4000 PSI COMPRESSIVE STRENGTH.
2. ALL CONCRETE SHALL BE 4" MINIMUM COVER.
3. ALL CONCRETE SHALL BE 4" MINIMUM COVER.
4. ALL CONCRETE SHALL BE 4" MINIMUM COVER.
5. ALL CONCRETE SHALL BE 4" MINIMUM COVER.
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17. ALL CONCRETE SHALL BE 4" MINIMUM COVER.
18. ALL CONCRETE SHALL BE 4" MINIMUM COVER.
19. ALL CONCRETE SHALL BE 4" MINIMUM COVER.
20. ALL CONCRETE SHALL BE 4" MINIMUM COVER.

Residence at
 Stone Ridge
 Phase II
 Bristol, MA

The Gallieroz
 Company

225 Sumner Ave.
 Burlington, MA

Comprehensive
 Permit Set
 NOT FOR
 CONSTRUCTION

DATE: 07/15/13
 DRAWN BY: JAC
 CHECKED BY: JAC
 PROJECT NO.: 13-002
 SHEET NO.: 101



Building
 Perspective

A-200



Building Perspective

Residence at
Stone Ridge
Phase II
Lot 401A

The Gallieraz
Company

225 Summit Drive
Burlington, MA

Comprehensive
Permit Set

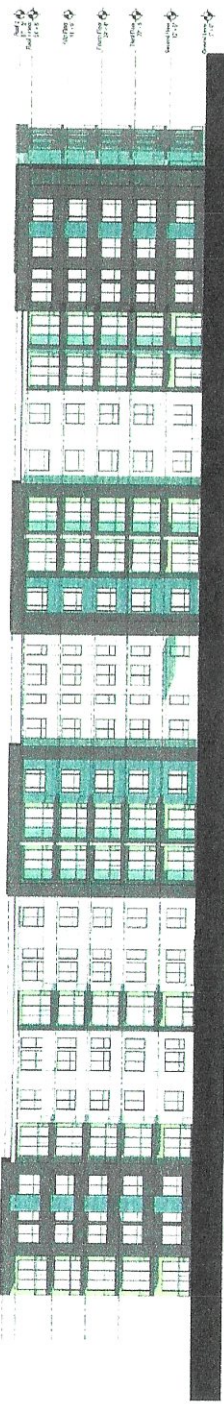
100% FOR
CONSTRUCTION

NO.	DATE	DESCRIPTION
1	11/21/18	ISSUED FOR PERMITTING
2	12/21/18	ISSUED FOR CONSTRUCTION
3		
4		
5		

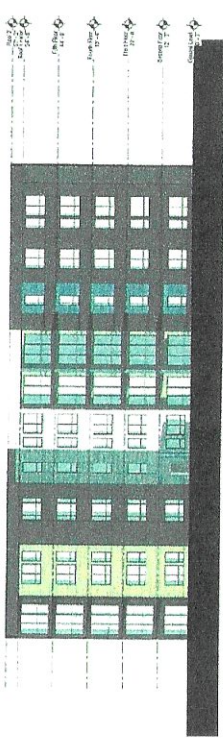


Building 1
Elevations

A-201



Building 1 - South Elevation
11/18/18



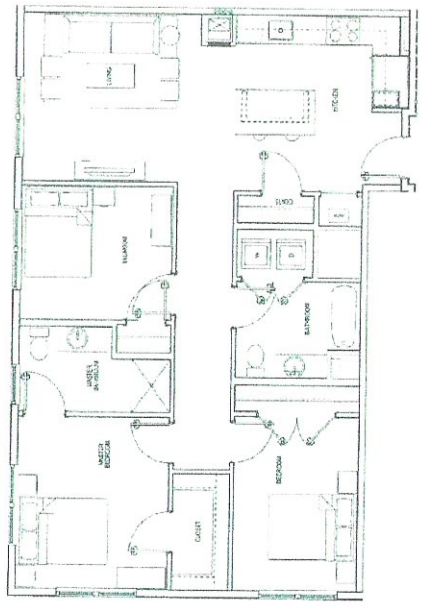
Building 1 - East Elevation
11/18/18

Project No.	101
Sheet No.	101
Revision	
Scale	1/4" = 1'-0"
Date	10/1/12
Drawn by	UTTER
Checked by	UTTER
Approved by	UTTER

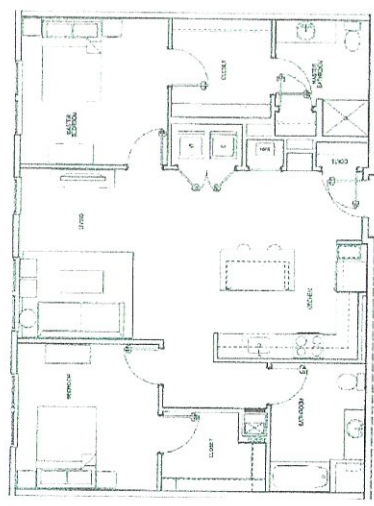


Typical Units

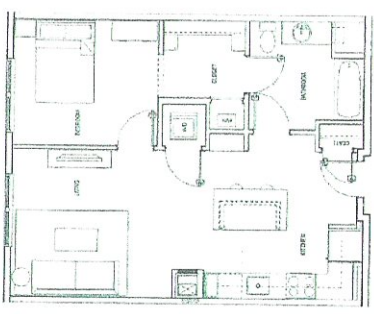
A-401



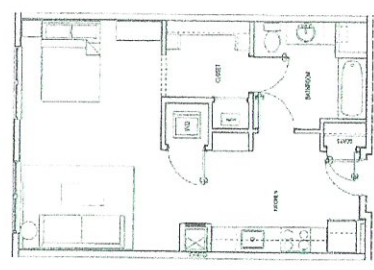
Typical 3-Bed Unit



Typical 2-Bed Unit



Typical 3-Bed Unit



Typical Studio Unit



TOWN OF MILFORD

52 MAIN STREET, MILFORD, MASSACHUSETTS 01757
508-634-2317 Fax 508-473-2394
ldunkin@townofmilford.com

OFFICE OF PLANNING
AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

September 22, 2020

Lena McCarthy, Chairman
Milford Planning Board
52 Main Street
Milford, MA 01757

(
(**ZBA Variance Referral**
(**Frederico Caneiro**
(**75 Fruit Street**
(**Map 52 Lot 164**
(**RA Zone**
(

Dear Mdm. Chairman:

The applicant requests a variance from frontage requirements to allow for the division the subject property.

Specifically, the proposal is to divide the existing lot to retain a 8,511sf house lot containing the existing dwelling, and create a separate 8,215sf rear parcel having no frontage. No changes to the front property are proposed.

The proposed rear parcel is to be combined with other land of the applicant for future subdivision.

No other variances are being requested.

I recommend a favorable report be forwarded to the Zoning Board of Appeals.

Respectfully,

Larry L. Dunkin, MCRP
Town Planner

TOWN OF MILFORD
PETITION FOR VARIANCE
 UNDER THE ZONING BY-LAW

RECEIVED
 MILFORD TOWN CLERK
 2020 SEP 16 PM 12:12
 Date: _____

To the Zoning Board of Appeals
 Milford, MA 01757

NOTE: All petitions for variances must be accompanied a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or a Registered Land Surveyor (See item B below in the ZBA Instructions to Applicants).

INSTRUCTIONS TO APPLICANTS

- A. All questions on this petition must be answered. Failure to answer any question may result in rejection or denial as an incomplete petition.
- B. All petitions for variances must be accompanied by five (5) copies of a current plan of the property or lot, prepared and signed by a Certified Civil Engineer or Registered Land Surveyor, which plan must set forth the position of all structures thereon, their size and distance from the front, side, and rear boundary of the lot. Said plan must also show the location of proposed additions or structures, dimensions of said additions or structures, and relevant distances to lot lines. Said plan shall show the nearest side of any and all structures on adjacent properties within 30 feet of the subject lot. If applicable, dimensional areas for vehicular parking, for open space and/or recreation must be shown.
- C. All petitions and accompanying documents must be filed in quintuplicate with the Town Clerk.
- D. The filing fee for each petition seeking relief from the Board is **\$250, inclusive** of the \$25 paid to the Board of Assessors under paragraph E hereof. Checks are to be made payable to the Town of Milford.
- E. The petitioner must also provide a list with the names and addresses of the owners of all abutting land and of abutters to those abutters within 300 feet of the premises, which list must be obtained at the cost of \$25.00 from the Board of Assessors tax listings.
- F. Upon filing of a completed petition with the Town Clerk, the Board of Appeals shall schedule a hearing to be held no sooner than thirty (30) days from the date of filing to allow for newspaper publication and review by other Boards.

The undersigned hereby petitions the Zoning Board of Appeals to vary, in the manner and for the reasons set forth, the application of the provisions of the zoning by-law to the premises as described hereinafter:

Applicant: Frederico & Lisa Carneiro 4 Ben's Way Hopedale MA 01747
 (Full Name) (Address)

Owner: Same Same
 (Full Name) (Address)

Tenant (if any): _____
 (Full Name) (Address)

1. *Location of Premises* 75 Fruit Street
 (Address Number) (Name of Street)

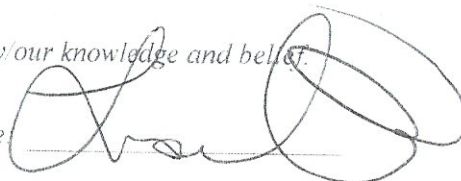
Assessor's: 52 0 164
 (Map) (Block) (Lot)

2. Within which Zoning District is the premises located? RA
3. State the Worcester Registry of Deeds Book and Page number, or the Land Court Certificate number for title of present owner Book 57421 Page 49
4. State whether there is in existence any executory option, lease, or purchase and sale agreement with respect to the property None
5. If variance is sought from side line requirements, how far from the side line(s) is (are) the nearest building on abutting premises Nearest abutting property is on 73 Fruit Street, which is approximately 14 feet from the side line
6. State present use of premises Residential single family dwelling
7. State proposed use of premises The use will remain the same
8. Give extent of proposed alterations, if any No change to the existing structure are proposed. The rear portion of the lot will be divided off and conveyed to others. The remaining lot will be similar in shape and area to the other lots in the area.
9. Number of families or housing units for which building is to be arranged 1
10. Have you submitted plans for above to the Building Inspector? No
11. Has a building permit been refused? No
12. What section(s) of the zoning by-law do you ask to be varied? Article 2 section 2.5 regarding frontage, width and setbacks.
13. What circumstances exist, relating to the soil conditions, shape or topography of the subject premises, which do not generally affect other land in the zoning district, that would warrant the relief requested? The lot is a pre-existing non conforming lot. The structure and accessory structures will not be changed. The shape of the lot is not conducive for the development of the rear of the lot due to a wetland at the rear of the lot.
14. If the variance were not granted, what hardship would be caused by the circumstances described in 13 above? The house would need to be razed to subdivide the lot. A new conforming structure would be severely restricted in the size and location due to a wetland at the rear of the lot.
15. State why you feel the grant of the variance will not cause substantial detriment to the public good No change in the structure on the property will be performed. The only change will be the size. The rear lot line will be modified so the lot is similar to the existing lots in the neighborhood. The rear lot line is in conformance with zoning setbacks for the existing use.

16. If applicant is not the owner, provide proof of authorization by owner, either by copy of executed agreement or by the owner's authorized signature below.

I hereby certify that the above statements are true to the best of my/our knowledge and belief.

Applicant
Signature: Fredenico Carneiro

Owner
Signature: 

Address: 4 Ben's Way
Hopedale MA 01747

Address: 4 Ben's Way
Hopedale MA 01747

Telephone: (508) 294-0132

Cell phone: _____

e-mail: carneirofisa@gmail.com

Attorney (if any) _____

Address: _____

Telephone: _____

e-mail: _____

BE SURE THAT ALL QUESTIONS HAVE BEEN ANSWERED FULLY. IF MORE SPACE IS NECESSARY TO ANSWER ANY QUESTION(S), FEEL FREE TO USE AND ATTACH ADDITIONAL SHEETS.

JEFFREY J. STEFANK P.E.S. DATE



NOTES:
 1) THE FOLLOWING PLANS, RECORDED IN THE WORCESTER DISTRICT REGISTRY OF DEEDS:-
 PLAN BOOK 978 PLAN 78 JUNE 1999
 PLAN BOOK 728 PLAN 111 APRIL 1998
 PLAN BOOK 827 PLAN 17 OCTOBER 1999
 PLAN BOOK 608 PLAN 31 AUGUST 1989-AS
 PLAN BOOK 175 PLAN 41 OCTOBER 1990
 2) ZONING DISTRICT- RA
 MAXIMUM BUILDING HEIGHT- 35' OR 2 STOREYS
 MINIMUM LOT AREA- 10,000 SQ FT
 MINIMUM FRONTAGE- ONE FAMILY 80'
 TWO FAMILY 100'
 MINIMUM OPEN SPACES PER BUILDING- 20%
 3) A VARIANCE IS REQUESTED IN REGARD TO ARTICLE 8 SECTION 2.5 OF THE MILFORD ZONING ORDINANCE, IN THAT THE WIDTH AND SETBACKS FOR PROPOSED LOT 164 (75 FRUIT STREET).
 4) LOT NUMBERS DEPICTED HEREON REFER TO MILFORD TAX MAP 52.

OWNER:
 FREDERICO CARNERO
 LISA CARNERO
 HOPEDALE MA 01747

VARIANCE
 PLAN OF LAND
 75 FRUIT STREET
 MILFORD, MASS.
 SCALE: 1"=40'
 DATE: JULY 30, 2020



SHEET 1 OF 1 G-10114

SEE PLAN BOOK 605 PLAN 51



FOR REGISTRY USE ONLY

ST.

STREET (PUBLIC-45' WIDE)

N/F MAURICE BEAUCHAMP
BOOK 54765 PAGE 191
69 FRUIT ST.

N/F VICTORIA H. DALIO
BOOK 41461
PAGE 27
71 FRUIT ST.

N/F PETERSON
AND
STEELE
BOOK 54301
PAGE 253
73 FRUIT ST.

LOT A
(SHAPE FACTOR 17.9)
AREA=8,511 SF

LOT 164
N/F
FREDERICO CARNEIRO
AND
LISA CARNEIRO
BOOK 57421 PAGE 49

ONE FAMILY
HOUSE 75
(BUILT 1890)

N/F
PETER SCIOLI

PARCEL B
AREA=8,215 SF
(NOT A
BUILDING LOT)

N/F
SANDRA A. ARSENAULT
BOOK 56823 PAGE 199
79 FRUIT STREET

43
F.
CARNEIRO
D
CARNEIRO
PAGE 279
STREET

R
A.
BO
P,
81

S47°49'24"E
396.00'

S47°49'24"E
66.00'

N41°51'46"E
132.01'

DRIVEWAY

GARAGE

135.04'
N41°51'46"E

N51°57'11"W
65.44'

S42°10'36"W
127.30'

68.73'
S47°44'58"E
492.61'

139.91'
S40°27'30"W

208.48'



Property Information
Property ID 52-0-164
Location 75 FRUIT ST
Owner CARNEIRO FREDERICO



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town of Milford, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated March 2018
 Data updated 11/16/2018