



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 8, 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.

PUBLIC HEARINGS

The Public Hearing Remote Participation call-in telephone number is 1-857-444-0744, with the conference code 143644. All testimony at a public hearing, including documents or exhibits, must be in connection with the matter being considered, and confined to the matter at hand, and will be limited to five minutes to allow for the opportunity for others to participate.

- (7:02 P.M.) 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.
NOTE: The Applicant has granted an extension to the October 20, 2020 meeting. No deliberation on this item will occur on September 8, 2020.

GENERAL BUSINESS

- (7:00 P.M.)
1. Minutes of previous meeting
 2. 81-P Plans: a) 21-23, 27 West Street – Nogueira Real Estate
b) 19 North Street – Brandon Blaisdell
 3. *Continued* Site Plan Review: 21 Beaver Street - Rte. 85 Realty Corp.
 4. *Continued* Site Plan Review: 26 Beaver Street - Rte. 85 Realty Corp.
 5. *Continued* Amended Site Plan Review: 96 Medway Street – Little Critters Daycare
 6. Traffic Analysis Follow-up: Platinum Park Transportation Terminal
 7. As-Built Plan Review: Sanylah Crossing Subdivision–Sanylah Crossing LLC
 8. Possible Zoning Amendment – Revised Definition/Inflatable Signs
 9. Possible Zoning Amendment – Revised Definition/Massage Parlor
 10. Revise signature requirements: Planning Board Meeting Minutes
 11. ZBA Variance Referral: 41 Cape Road – A&R Serrano, Inc.
 12. ZBA Special Permit Referral: 39 Camp Street - Wilfredo Vazquez, Jr.
 13. ZBA Special Permit Referral: 28 South Bow Street – Jose Bunay
 14. ZBA Special Permit Referral: 18 Short Street – Dawn Smith
 15. ZBA Variance Referral: 123 Purchase Street – Wayne Kirkpatrick

TOWN OF MILFORD
Milford, Massachusetts
NOTICE OF MEETING

2020 SEP -2 AM 9:33

Board or Commission Planning Board
Date and Time of Meeting Tuesday, September 8, 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:

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(7:02 P.M.) *Continued Public Hearing* - 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.

NOTE: The Applicant has granted an extension to the October 20, 2020 meeting. No deliberation on this item will occur on September 8, 2020.

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- 15. ZBA Variance Referral: 123 Purchase Street – Wayne Kirkpatrick

Signature  Dated 9-2-2020

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, August 11, 2020

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

Members absent: none

Staff participating remotely: Larry L. Dunkin, MCRP (Town Planner), Michael Dean, P.E. (Town Engineer).

Call to order: Chairman McCarthy called the meeting to order at 7:10 P.M.

It was announced that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order concerning imposition of strict limitations on the number of people that may gather in one place, meetings in the Town of Milford are being conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public is being permitted at this meeting, but every effort has been made to ensure that the public can adequately access these proceedings as provided for in the Order.

1. Minutes of Previous Meeting: Motion by Kennelly, Second by Cook to approve the minutes of the July 14, 2020 meeting as submitted.

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

2. 81-P Plan: (None)

The Chairman announced that the Public Hearing Remote Participation call-in telephone number is 1-857-444-0744, with the conference code 143644. All testimony at a public hearing, including documents or exhibits, must be in connection with the matter being considered, and confined to the matter at hand, and will be limited to five minutes to allow for the opportunity for others to participate.

PUBLIC HEARING – Nouria Energy: Application of Nouria Energy Retail, Inc, 326 Clark St., Worcester, MA 01606, for Special Permit approval regarding a 20% reduction in required off-street parking at 91 Medway Street, Assessor's Map 43 Lot 5A, 14.75 Acres, IB Highway Industrial Zone. The Town Planner noted that this is the continued public hearing for a Parking Reduction Special Permit for the shopping plaza in relation to the gasoline station redevelopment being proposed on the subject property. He further noted that a draft decision was contained in the agenda packet. This application seeks an overall reduction of 18% of the required off-street parking.

Participating remotely on behalf of the applicant were Attorney Joseph Antonellis, Tom Healey, James Bernadino, P.E., and traffic engineer Ron Muller, P.E. They reviewed the proposal and noted that the uses and parking calculations have been updated for the plaza. They also noted that the required plaza landscaping has been updated and the gas station parking area has been reconfigured to reduce cut-through traffic.

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Traffic Analysis: Platinum Park Transportation Terminal.

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

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

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

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

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

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

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

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

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

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

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

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

10. Continued Bond Reduction: Sanylah Crossing Subdivision–Sanylah Crossing LLC. The Town Engineer reported that he has confirmed the revised cost estimate provided by Guerriere and Halnon Engineering, Inc., on the performance bond for the Sanylah Crossing Definitive Subdivision. The required Bond amount can be reduced from the original \$1,016,670.00 to the new amount of \$304,100.00. An amended tripartite agreement must now be executed reflecting the new amount.

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

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

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

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

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

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

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

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

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

A brief discussion among the Board members ensued.

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

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

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

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

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

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

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

The Chairman noted that the next meeting of the Planning Board will be on September 1, 2020.

Adjournment: Motion by Calagione, Second by Kennelly to adjourn the meeting.
Roll Call Vote: Calagione, yes; Cook, yes; Kennelly, yes; Mainini, yes; McCarthy, yes.
Motion carried unanimously.

The meeting was adjourned at 9:21 P.M.

Lena McCarthy, Chairman

Joseph Calagione

John H. Cook

Patrick J. Kennelly

Marble Mainini, III

2

FORM A
APPLICATION FOR ENDORSEMENT OF
PLAN BELIEVED NOT TO REQUIRE APPROVAL

MILFORD TOWN CLERK
2020 AUG 25 AM 10:53

File one completed form with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Article III B.

Milford, Mass 8-17-20
(Date)

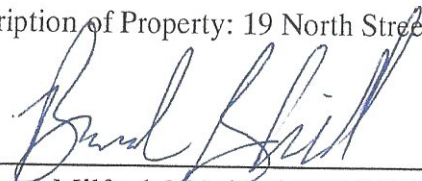
To the Planning Board: The undersigned, believing that the division of property as shown on the accompanying plan does not constitute a subdivision within the meaning of the Subdivision Control Law, hereby requests an endorsement thereon that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: Brandon Blaisdell
Address: 19 North Street, Milford, MA

2. Name of Engineer or Surveyor: Jeffrey Stefanik – Guerriere & Halnon, Inc.
Address: 333 West Street, Milford, MA

3. Deed of property recorded in Worcester District Registry, Book 59879, Page 176

4. Location and Description of Property: 19 North Street, Milford, MA. See ZBA Decision, attached.

Signature of Owner 
Address: 19 North Street, Milford, MA (508) 330-8412



2020 00093077

Bk: 63057 Pg: 23
Page: 1 of 3 08/19/2020 11:04 AM WD

**TOWN OF MILFORD
ZONING BOARD OF APPEALS
TOWN HALL
52 MAIN STREET
MILFORD, MASSACHUSETTS 01757
(508) 634-2302**

CERTIFICATE

IT IS HEREBY CERTIFIED that the enclosed decision is a true copy by photographic process of the Decision of the Zoning Board of Appeals of the Town of Milford, dated July 22, 2020, granting the petition of Brandon Blaisdell, 19 North Street, Milford, MA 01757.

a Variance was requested in order to permit the subdivision of the lot and construction of a single-family residence.

DESCRIPTION OF PARCEL – a parcel of land located at 19 North Street consisting of .31 acre of land more or less, which parcel is located in an RB Zoning District.

OWNER/S – Brandon Blaisdell, 19 North St., Milford, MA 01757.

TITLE – Worcester District Registry of Deeds, Book 59879, Page 176.

It is hereby further certified that copies of the enclosed decision and any plans referred to therein were filed on July 22, 2020 with the Town Clerk. Notice thereof has been mailed to all abutters and interested persons and copies thereof have been available for public inspection at the Office of the Town Clerk, 52 Main Street, Milford, MA 01757.

Date: August 12, 2020

By David R. Consigli
David R. Consigli, Chairman

I hereby certify that twenty days have elapsed since the filing of the above-referenced Decision in this office and that no appeal has been taken therefrom.

Date: August 12, 2020

By Amy Hennessy Neves
Amy Hennessy Neves, Town Clerk

Handwritten initials/signature

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

(508) 634-2302

DECISION

This decision is entered on the application of Brandon Blaisdell of 19 North Street, Milford, MA for a Variance from the provisions of Sections 2.5, or other applicable provisions of the By-Law, in relation to a parcel of land at 19 North Street in Milford consisting of .31 acre of land, more or less, which parcel is located in an RB Zoning District and is owned by him. Variance relief is sought in order to permit the subdivision of the lot and construction of a single-family residence.

Upon receipt of the above petition a public hearing was scheduled thereon for Thursday, July 16, 2020 at 7:05 P.M. in Room 3 of the Town Hall, 52 Main Street, Milford. Notice of the time, place and subject matter of the petition were given as required by law. The matter came on for hearing at the time and place set forth above.

Present were Chairman David R. Consigli, Vice-Chairman John W. Mastroianni, Jr., members David H. Pyne, Mark L. Calzolaio, and alternate member Robert P. Capuzziello. The Petitioner appeared and gave evidence in favor of the petition. At the close of the evidence, the Board further considered the matter and thereafter voted unanimously (5-0) to grant the relief requested basing its decision upon the following findings:

1. The subject property comprises a single uniquely-situated rectangular lot with a total of .31 acre of land. The lot has frontage on North Street. An existing single-family residential dwelling and shed sit on the southerly side of the lot. The northerly portion of the lot is undeveloped. The Lot is in the RB (Residential) Zoning District.
2. Current zoning requires a minimum lot area of 15,00 Square feet. The proposed subdivision of the lot would create two lots, one of 5,158 Square feet and another of 7,936 square feet. In addition, both lots require zoning relief from the frontage and minimum width requirements where 90 feet is required and 52 feet and 80 feet are provided, the minimum width requirements where 100 feet is required and 96.02 is provided, and the minimum yard setbacks where 15 feet of side yard setback is required and 11 feet is provided; where 25 feet of side yard setback is required and 17.2 feet is provided; and where 30 feet of front yard setback is required and 20 feet is provided. The proposed subdivision would create two lots which are typical of lots in the existing developed neighborhood.
3. At the hearing on July 16, 2020, the Petitioner produced the proposed subdivision. The lot is unusual in the neighborhood in that it is twice as large as most lots. This condition is particular to this lot and does not exist in the zoning district as a whole.
4. A grant of the variances for lot area, frontage and width requirements would have very little effect on the premises, abutting premises or the neighborhood. The variance would permit both lots to be used harmoniously, and would be consistent with uses throughout the neighborhood. The Applicant seeks to build a new single-family residence consistent with the style, nature, and development of the existing neighborhood. The intensity of use presented by an additional single-family residence will not result in changes to neighborhood traffic patterns.

5. The Board voted unanimously (5-0) in favor of granting the lot area and setback variances under Section 2.5.
6. In taking its vote, the Board found that existing lot, twice as large as most other neighboring lots presented circumstances relating to the soil conditions, shape or topography of the land or structures and especially affecting such land or structures, but not affecting generally the Residential B (RB) Zoning District in which such land or structures are located which warrants the requested relief. Furthermore, a literal enforcement of the provisions of the By-Law from which the variance is sought would involve substantial hardship, financial or otherwise, to the applicant for the variance, and that hardship caused by the circumstances referred to above. The grant of the variance will neither nullify nor substantially derogate from the intent or purpose of this By-Law.

MILFORD ZONING BOARD OF APPEALS

David R. Consigli

David R. Consigli, Chairman

July 22, 2020

A TRUE COPY OF THE RECORD
ATTEST: *Adriana Neri*
MILFORD TOWN CLERK

DRAFT CONDITIONS OF SITE PLAN APPROVAL

Transportation Terminals – 21 & 26 Beaver Street

Route 85 Realty Corp.

9-8-2020

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.

AGENDA ITEMS #3 & #4

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.

Approval of this site plan establishes a three-year period of validity under ZBL Sec. 1.15.8 as amended.



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 2, 2020

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

Re: “**21 Beaver Street**” – Site Plan Review
Proposed Transportation Terminal

Dear Mrs. McCarthy:

The submittal is for a Site Plan Review for a proposed Transportation Terminal. The applicant is Route 85 Realty Corp., P.O. Box 444, Mendon, MA 01756. The site consists of 14.58 Acres, Zoned Highway Industrial B (IB) and is located on the west side of Beaver Street (behind McDonald’s Restaurant).

Since the original submittal in January of 2020, there has been discussions pertaining to the Traffic Impact Statement (TIS). At the last Planning Board meeting the final discussions pertaining to the TIS took place and it appears the applicant has addressed the Traffic Impact concerns. **Bonds should be established to ensure the offsite Traffic Mitigation is completed.**

Since the original submittal, the drainage analysis / design has been revised along with a final set of design plans.

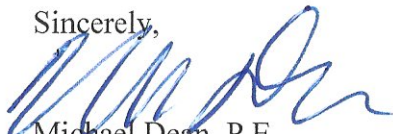
Following a review of the finalized site plans and drainage analysis I offer the following:

1. The plans should show where the proposed two-way portion of Beaver Street will turn into the one-way traffic flow. The appropriate signage, pavement markings, etc., should be added to the plans as needed.
2. The plans should show the proposed curb cut / access drive of the other proposed transportation terminal located across the street (#26 Beaver Street).

3. The line of site that is required in order to create the adequate sight distance (looking south east from the proposed access drive) should be shown on the plan. This will show what needs to be cleared to create the required sight distance.
4. There are test pit locations shown in the area of the proposed detention basin, however there is no pertinent information shown on the plans reflecting the results of the requested Soil Evaluation.
5. The existing edge of the bordering vegetated wetlands should be shown on **all** the plans, it appears the wetland “layer” is turned off on some off the plans.
6. The abutter / owner of the McDonalds property has submitted a 3rd letter to the Planning Board which lists the concerns that the Applicant **has** addressed. One item that is still of concern is the snow storage area.
 - a. In my original review of the originally submitted plans (see Exhibit A, portion of original site plan), the snow storage area was shown outside the paved area, on the side slopes and adjacent to the wetlands. Due to the submitted site plan, my comment pertaining to the snow storage area was “*The snow storage area should be relocated, further away from the wetlands. Ideally so when the snow melts the run-off will drain through the treatment train. The site is located in a DEP Zone IF*”.
 - b. The revised proposal was submitted with the snow storage as shown. The intent of the above comment was to store the snow in a place that would not be on the edge of the wetlands and would drain through the proposed drainage system. The snow storage area can be relocated if the applicant is willing to do so, therefore addressing the remaining concern of the Abutter / Owner of McDonalds.
7. The address of the proposed site should be shown on the cover sheet of the set of plans.

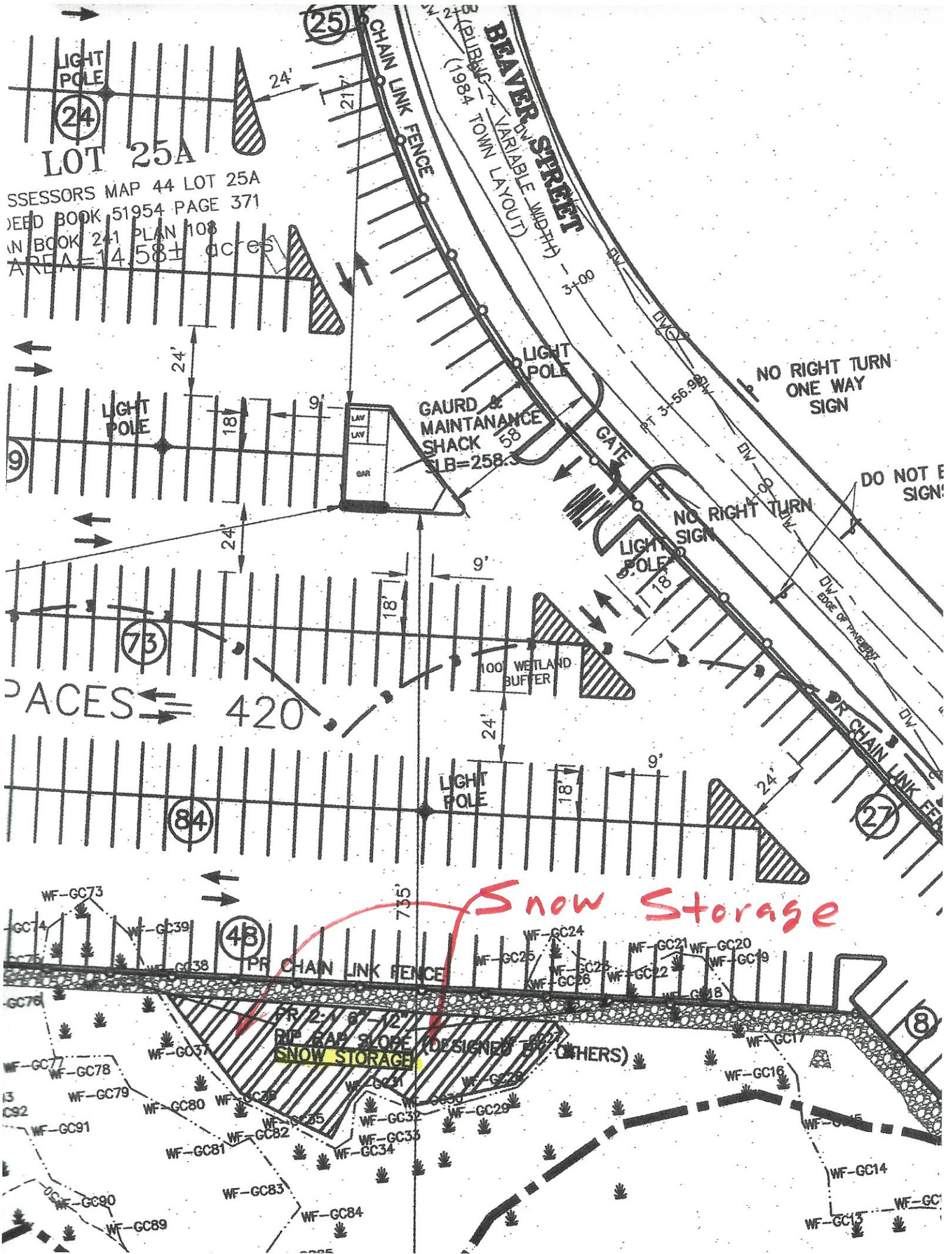
The above comments should be addressed prior to the approval of the site plan.

Sincerely,



Michael Dean, P.E.
Town Engineer

Exhibit "A"
(portion of original site plan)



Snow Storage

RIP RAP SLOPE (DESIGNED BY OTHERS)



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 2, 2020

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

Re: “**26 Beaver Street**” – Site Plan Review
Proposed Transportation Terminal

Dear Mrs. McCarthy:

The submittal is for a Transportation Terminal at 26 Beaver Street, the applicant is Route 85 Realty Corp, Mendon, MA.

The Parcels consists of 5.86 Acres, Zoned as Highway Industrial B (IB). The parcels refer to the Town Assessors Map 44, Block 0, Lots 23B, 23C & 25.

Since the original submittal in March of 2020, there has been discussions pertaining to the Traffic Impact Statement (TIS). At the last Planning Board meeting the final discussions pertaining to the TIS took place and it appears the applicant has addressed the Traffic Impact concerns. **Bonds should be established to ensure the offsite Traffic Mitigation is completed.**

Since the original submittal, the drainage analysis / design has been submitted along with a final set of design plans.

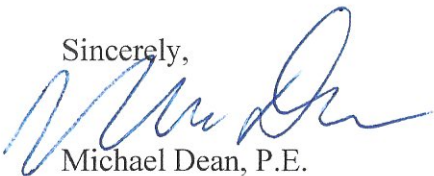
Following a review of the finalized site plans and drainage analysis I offer the following:

1. The plans should show where the proposed two-way portion of Beaver Street will turn into the one-way traffic flow. The appropriate signage, pavement markings, etc., should be added to the plans as needed.

2. The drainage inlets and outlets associated with the underground detention basins should be located on “opposite” sides / ends of each basin.
3. The plans should show the proposed curb cut / access drive of the other proposed transportation terminal located across the street (#21 Beaver Street).
4. What is the disposition of the existing 10” water line?
5. There is some type of electric line shown connecting to, or from the property across the street (#26 beaver Street). What is this electric line?
6. There is currently a Request for Determination of Applicability (RDA) filed with the Conservation Commission to determine the types of Resource Areas that are associated with this parcel. It is suggested the Planning Board make it clear that the approval of this site plan does not constitute an approval of the resource areas shown on the submitted plans.
7. There appears to be some type of conflict with the proposed parking area and the wetland line. There are several proposed parking spaces shown with in the wetlands located in the northern portion of the parking lot.
8. The address of the proposed site should be shown on the cover sheet of the set of plans.

The above comments should be addressed prior to the approval of the site plan.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Dean', is written over the typed name.

Michael Dean, P.E.
Town Engineer



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 8, 2020

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

(
(**Amended Site Plan**
(**Little Critters Daycare**
(**96 Medway Street**
(**Map 43 Lot 66**
(**RB Zone**
(

Dear Mdm. Chairman:


The applicant has updated the change of use site plan for the Child Day Care Center on the subject property. The Day Care Center is to replace the former church-related math academy previously located in the building.

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.

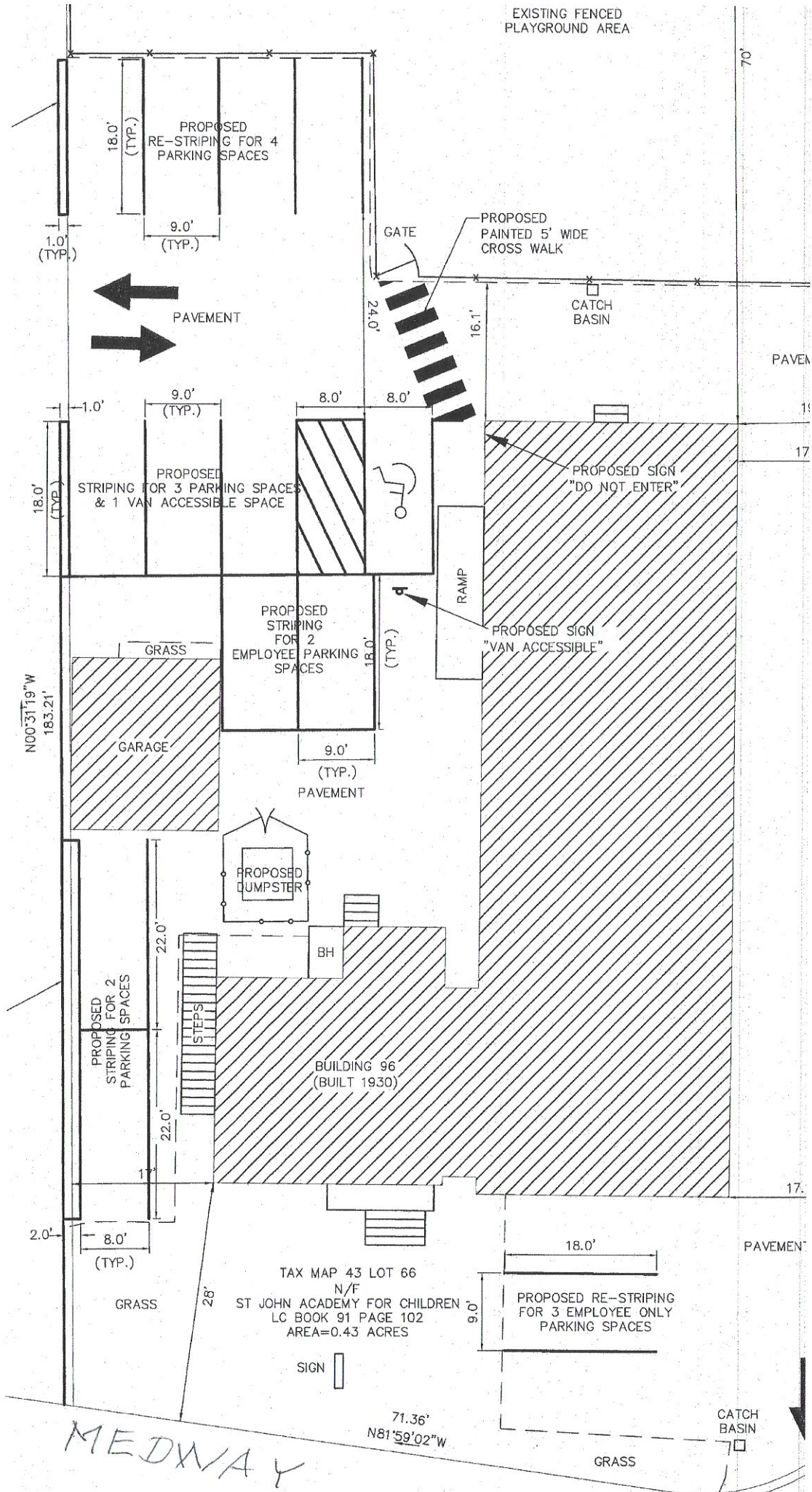
The driveway around the building has been designated for one-way clockwise traffic flow. This will be the safest circulation pattern given the daycare use. Additional striping has been added to help define the edge of Messina Street since there is no curb and gutter on that street. Also, the three parking spaces in front of the building are to be designated for employee parking.

I recommend approval of the updated site plan.

Respectfully,


Larry L. Dunkin, MCRP
Town Planner

MESSINA STREET



MEDWAY



6

MEMORANDUM

TO: Town of Milford Planning Board
Larry Dunkin, Town Planner
Michael Dean, PE, Town Engineer

DATE: September 3, 2020

FROM: Elizabeth Oltman, PE

PROJECT NO.: T0909/924

RE: Platinum Park Transportation Terminal – Traffic Generation

At the Planning Board's August 11, 2020 meeting, the Board expressed a desire for Lyman Realty Trust to conduct additional post-occupancy traffic counts at the Platinum Park Transportation Terminal during the month of December.

The site is currently occupied by 240 delivery vehicles, less than the originally anticipated 420 vehicles, and generates trips at a rate lower than anticipated in the original planning study. Additional delivery vehicles may be temporarily stationed at the site in December for holiday deliveries. These will be a seasonal occurrence and not typical for the rest of the year. Designers do not normally engineer intersections around any retail-type development to accommodate December traffic volumes, simply because the intersections would be over-designed for a large portion of the year. The current total traffic volumes generated by the site are notably less than originally projected, allowing for additional seasonal traffic fluctuations while remaining conservative for projecting the impact of the facility on the adjacent roadway system.

In order to be responsive to the Board's request, TEC recommends that counts be conducted at the site driveway continuously from Sunday, December 6, 2020 through Saturday, December 19, 2020. Results and conclusions will subsequently be provided to the Board.

AGENDA ITEM # 8

ARTICLE _____: To see if the Town will vote to amend Section 3.9 Sign Regulations of the Zoning Bylaw relating to Inflatable Signs as noted hereinafter:

BY ADDING in 3.9.3 Definitions, the words “except for balloons under two feet in diameter.” at the end of the current definition of Inflatable Sign.

Or take any other action related thereto.

(Planning Board)



MILFORD BOARD OF SELECTMEN

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679
Phone 508-634-2303 Fax 508-634-2324

TO: MUNICIPAL BOARDS AND DEPARTMENT HEADS

FROM: MILFORD BOARD OF SELECTMEN

RE: **SPECIAL TOWN MEETING**

DATE: August 11, 2020

THE 2020 SPECIAL TOWN MEETING WILL BE HELD AT THE MILFORD TOWN HALL, 52 MAIN STREET, AT 7:00 PM, ON MONDAY, OCTOBER 26, 2020.

A Pre-Town Meeting forum will be held on Tuesday, October 20, 2020 at the Milford Town Hall at 7:00PM

THIS FORM CAN ALSO BE FOUND ON THE TOWN'S WEBSITE www.milfordma.gov under Town Administrator/Selectmen's Page. Please submit Warrant Articles now. *The warrant will remain open until 12 NOON, THURSDAY, SEPTEMBER 17TH, 2020.*

Reproduce this form for each warrant article and submit one copy only to the Town Administrator by the deadline date.

COMPLETE SECTIONS A THROUGH D. INCOMPLETE FORMS WILL BE RETURNED.

A. PROPOSED: That the Town vote to...(insert text of article here)

ARTICLE _____: To see if the Town will vote to amend Section 3.9 Sign Regulations of the Zoning Bylaw relating to Inflatable Signs as noted hereinafter:

BY ADDING in 3.9.3 Definitions, the words "except for balloons under two feet in diameter." at the end of the current definition of Inflatable Sign.

Or take any other action related thereto.

B. SOURCE OF FUNDING: Bonding Approp. Transfer N/A AMOUNT: \$ -0-

C. SPONSOR (Board or Official) Planning Board

D. BACKGROUND INFORMATION: Explain in detail why this Article is being proposed.
Include account title(s) and number(s) if transfer of funds is involved.

Because inflatable signs are prohibited, adopting this definition change will allow for small balloon to be displayed where signs are otherwise permitted

For office use: BOS _____ FC _____ CIC _____ DATE _____ W# _____

TOWN MEETING ARTICLE NOTICE

ARTICLE _____: To see if the Town will vote to amend Article VI Definitions of the Zoning Bylaw relating to Massage Parlor uses as noted hereinafter:

BY DELETING in Section 4.1 the current definition of Massage Parlor and adopting in lieu thereof the following new definition:

“Massage Parlor - Any establishment in which a person practices an activity of treating the soft tissues of the body by manipulation with the hands through touching, handling, rubbing, or the use of pressure, friction, stroking, percussion, kneading, or vibration by manual or mechanical means, but excluding an athletic club or gymnasium the primary use of which is physical conditioning or athletics, or any establishment such as a hospital or medical clinic where such activity is performed by or under the direction of a licensed medical practitioner, a licensed chiropractor, or a licensed physical therapist.”

Or take any other action related thereto.

(Planning Board)



MILFORD BOARD OF SELECTMEN

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679
Phone 508-634-2303 Fax 508-634-2324

TO: MUNICIPAL BOARDS AND DEPARTMENT HEADS
FROM: MILFORD BOARD OF SELECTMEN
RE: **SPECIAL TOWN MEETING**
DATE: August 11, 2020

THE 2020 SPECIAL TOWN MEETING WILL BE HELD AT THE MILFORD TOWN HALL, 52 MAIN STREET, AT 7:00 PM, ON MONDAY, OCTOBER 26, 2020.

A Pre-Town Meeting forum will be held on Tuesday, October 20, 2020 at the Milford Town Hall at 7:00PM

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Reproduce this form for each warrant article and submit one copy only to the Town Administrator by the deadline date.

COMPLETE SECTIONS A THROUGH D. INCOMPLETE FORMS WILL BE RETURNED.

A. PROPOSED: That the Town vote to...(insert text of article here)

ARTICLE _____: To see if the Town will vote to amend Article VI Definitions of the Zoning Bylaw relating to Massage Parlor uses as noted hereinafter:

BY DELETING in Section 4.1 the current definition of Massage Parlor and adopting in lieu thereof the following new definition:

“Massage Parlor - Any establishment in which a person practices an activity of treating the soft tissues of the body by manipulation with the hands through touching, handling, rubbing, or the use of pressure, friction, stroking, percussion, kneading, or vibration by manual or mechanical means, but excluding an athletic club or gymnasium the primary use of which is physical conditioning or athletics, or any establishment such as a hospital or medical clinic where such activity is performed by or under the direction of a licensed medical practitioner, a licensed chiropractor, or a licensed physical therapist.”

Or take any other action related thereto.

B. SOURCE OF FUNDING: Bonding Approp. Transfer N/A AMOUNT: \$ -0-

C. SPONSOR (Board or Official) Planning Board

D. BACKGROUND INFORMATION: Explain in detail why this Article is being proposed.
Include account title(s) and number(s) if transfer of funds is involved.

The current definition is overly vague, and refers to a state statute section which has changed over time.

For office use: BOS _____ FC _____ CIC _____ DATE _____ W# _____

TOWN MEETING ARTICLE NOTICE



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 8, 2020

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

(
(**ZBA Variance Referral**
(**A&R Serrano, Inc.**
(**41 Cape Road**
(**Map 59 Lot 12**
(**CC Zone**
(

Dear Mdm. Chairman:

The applicant requests a variance from front yard setback requirements to allow for the development of the subject property.

Specifically, the proposal is 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, but with a slightly greater front yard setback than the existing building. At its closest point 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, and as such has two required front yard setbacks. 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.

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

Respectfully,

Larry L. Dunkin, MCRP
Town Planner

RECEIVED
MILFORD TOWN CLERK
2020 AUG 10 PM 2:49

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

Zoning Board of Appeals
Milford, MA 01757

Date: August 10, 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:

Applicant: A&R Serrano, Inc.

Owner: F&D Central Realty Corp., Inc.

Tenant (if any) Tri-County Urgent Care

1. **Location of Premises:** 41 Cape Road, Milford, MA
Assessor's: Map 59 **Block** 0 **Lot** 12
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 19441, Page 102
4. **State whether there is in existence any executory option, lease, or purchase and sale agreement with respect to the property:** Applicant presently owns the adjoining lot (127 South Main St., Property ID 59-0-11), and has signed a purchase and sale agreement to acquire the subject property.
5. **If variance is sought from side line requirements, how far from the side line(s) is (are) the nearest building on abutting premises:** No variances relief is requested from sideline requirements.
6. **State present use of premises:** The premises are currently vacant land.
7. **State proposed use of premises:** The neighboring lot presently houses a Tri-County Urgent Care facility. The Applicant is proposing to expand the existing facility through the construction of a two-story medical office building.
8. **Give extent of proposed alterations, if any:** 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.”)

- 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 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: 

A&R Serrano, Inc.

Address: 25 Josiah Drive, Upton, MA 01568

Phone:

Email:

Owner Signature: 

F&D Central Realty Corp., Inc.

Address: 189 Main Street, Milford, MA

Phone:

Email:

Attorney: *Joseph M. Antonellis*
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 59-0-12
Location 41 CAPE RD
Owner F + D CENTRAL REALTY CORP



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 8, 2020

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

(
(**ZBA Special Permit Referral**
(**Wilfredo Vasquez**
(**39 Camp Street**
(**Map 12 Lot 11C**
(**RC Zone**
(

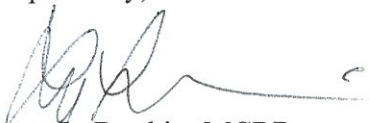
Dear Mdm. Chairman:

The applicant requests a special permit to allow for dog grooming as a home occupation the subject property. There is no site plan accompanying this application.

While 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 prohibited in the Zoning Bylaw. Misrepresenting the proposed use as a home occupation does not change the fact that it is a prohibited use.

Therefore, I recommend an unfavorable report be forwarded to the Zoning Board of Appeals.

Respectfully,


Larry L. Dunkin, MCRP
Town Planner

TOWN OF MILFORD
PETITION FOR SPECIAL PERMIT
UNDER THE ZONING BY-LAW

RECEIVED
MILFORD TOWN CLERK

To the Milford Zoning Board of Appeals
Milford, MA 01757

Date: August 5, 2020
2020 AUG -5 PM 2:22

The undersigned petitions the Milford Planning Board to grant a special permit for the reasons hereinafter set forth and in accordance with the applicable provisions of the zoning by-law in relation to the following described premises:

Applicant: **Wilfredo Vazquez, Jr. & Aimee Vazquez** **39 Camp Street, Milford, MA**
(Full Name) (Address)

Owner: **Wilfredo Vazquez, Jr. & Aimee Vazquez** **39 Camp Street, Milford, MA**
(Full Name) (Address)

Tenant (if any): **Owner Occupied Premises**

1. *Location of Premises:*
39 Camp Street, Milford, MA **12-0-11C**
(Street/Address) (Assessors Map/Parcel Number)
2. *Which Zoning District is the premises within?* **RC**
3. *State the Registry of Deeds Book and Page number, or the Land Court Certificate number for title of present owner* **Book 59403, Page 293**
4. *State present use of premises* **Single Family Residence**
5. *State proposed use of premises* **Single Family Residence with a Home Occupation under Section 3.3 of the Milford Zoning By-Law.**
6. *Give extent of proposed alterations* **The Applicant is requesting a special permit for a small dog grooming operation in the basement utilizing less than 25% of the home's living space.**
7. *Number of families for which building is to be arranged* **N/A**
8. *Have you submitted plans for above to the Building Inspector?* **No**
9. *Has a permit been refused?* **No**
10. *Pursuant to what provisions(s) of the zoning by-law do you seek a special permit and for what purpose(s)* **Section 3.3.7 notes that home barber shops, beauty parlors, and commercial kennels are prohibited under the by-law, but further states that**

barber shops and beauty parlors may be allowed upon issuance of a special permit from this Board. The Applicant asserts that a small grooming operation where only one dog is present at a time is analogous to a barber shop/beauty parlor/salon. No boarding of dogs will take place.

11. *Explain the reasons you assert that:*

(a) *the special permit sought is in harmony with the general purpose and intent of the zoning by-law* **The Zoning By-Law allows home occupations with certain restrictions to prevent harm to the community and neighbors. This lot is 6.3 acres in the RC zone, meaning various agricultural uses are allowed by right. Furthermore, the Zoning By-Law allows commercial kennels in the RC zone following receipt of a special permit from this Board. The Applicant is proposing a less intense use than many allowed in the By-Law, and the use is in harmony with the general purpose and intent thereof. The Applicant will maintain daily business hours and will not keep animals overnight.**

(b) *the proposed use of the premises will not create undue traffic congestion or impair pedestrian safety* **The Applicant understands that the RC district is not a commercial or industrial zone and as such the business would only service one client at a time inside the home. Traffic and pedestrian changes to the area would be de minimis.**

(c) *the proposed use of the premises will not cause harm to the neighborhood or create a nuisance or hazard affecting the health, safety or general welfare of the public* **The Applicant's proposed use would be entirely contained within the basement of the home, which sits on a six acre wooded lot. The expectation is that the home business operation will have no noticeable impact on the neighborhood and that the addition of one dog at a time will not be a nuisance in terms of noise or any other potential nuisance.**

12. *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 Aimee Vaggay
Signature: [Signature]

Address: 39 Camp st.

Telephone: 508-735-9085

Attorney (if any) _____

Address: _____

Telephone: _____

Owner Aimee Vaggay
Signature: [Signature]

Address: 39 camp st

A. Eli Leino
Mayer, Antonellis,
Jachowicz & Haranas, LLP
288 Main Street
Milford, MA 01757

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.



Property Information

Property ID 12-0-11C
Location 39 CAMP ST
Owner VAZQUEZ WILFREDO JR & AIMEE L



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 8, 2020

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

(
(**ZBA Special Permit Referral**
(**Jose Bunay**
(**28 South Bow Street**
(**Map 48 Lot 406**
(**RA Zone**
(

Dear Mdm. Chairman:

The applicant requests a special permit to allow for the expansion of the second (rear) dwelling on the subject property. There is no building floor plan accompanying this application.

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.

Therefore, I recommend an unfavorable report be forwarded to the Zoning Board of Appeals.

Respectfully,

Larry L. Dunkin, MCRP
Town Planner

TOWN OF MILFORD
PETITION FOR SPECIAL PERMIT
 UNDER THE ZONING BY-LAW

RECEIVED
 MILFORD TOWN CLERK
 2020 AUG -6 PM 3:43

To the Zoning Board of Appeals
 Milford, MA 01757

Date: 8/4/2020

NOTE: All petitions for special permits 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 grant a special permit for the reasons hereinafter set forth and in accordance with the applicable provisions of the zoning by-law in relation to the following described premises:

Applicant: Jose Miguel Yupa Bunay 34 South Bow Street
(Full Name) (Address)

Owner: Same Milford, MA 01757
(Full Name) (Address)

Tenant (if any): None

1. *Location of Premises* 28 South Bow Street
(Address Number) (Name of Street)

Assessor's: 48 0 406
(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 59767, Page 361
4. *State present use of premises* Residential
5. *State proposed use of premises* Residential
6. *Give extent of proposed alterations* Applicant proposes to add at 10' x 21' addition to the side of the rear building at 28 South Bow Street and to add a second floor.
7. *Number of families or housing units for which building is to be arranged* 1
8. *Have you submitted plans for above to the Building Inspector?* No
9. *Has a permit been refused?* No
10. *Pursuant to what provisions(s) of the zoning by-law do you seek a special permit and for what purpose(s)* Section 3.1.3 enables the Board of Appeals to issue the requested permit if the Board finds the change is not substantially more detrimental to the neighborhood than the existing non-conforming structure.
11. *Explain the reasons you assert that:*
- (a) *the special permit sought is in harmony with the general purpose and intent of the zoning by-law* The proposed use requires this special permit because the existing structure is within the required rear setback. However, the proposed alteration will have a minimal impact on the neighborhood and will not be detrimental or closer to the lot line.
- (b) *the proposed use of the premises will not create undue traffic congestion or impair pedestrian safety* The addition will not change the use of the property and should not have any effect on the number of car trips to/from the premises on a given day.
- (c) *the proposed use of the premises will not cause harm to the neighborhood or create a nuisance or hazard affecting the health, safety or general welfare of the public* The proposed alteration will improve the living conditions in the building without causing any negative effects on the neighborhood or for the public at large.
12. *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: 

Address: 34 South Bow Street
Milford, MA

Owner
Signature: 

Address: 34 South Bow Street
Milford, MA

Telephone: 774 287 6646

Cell phone: _____

e-mail: _____

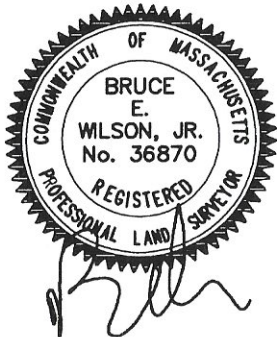
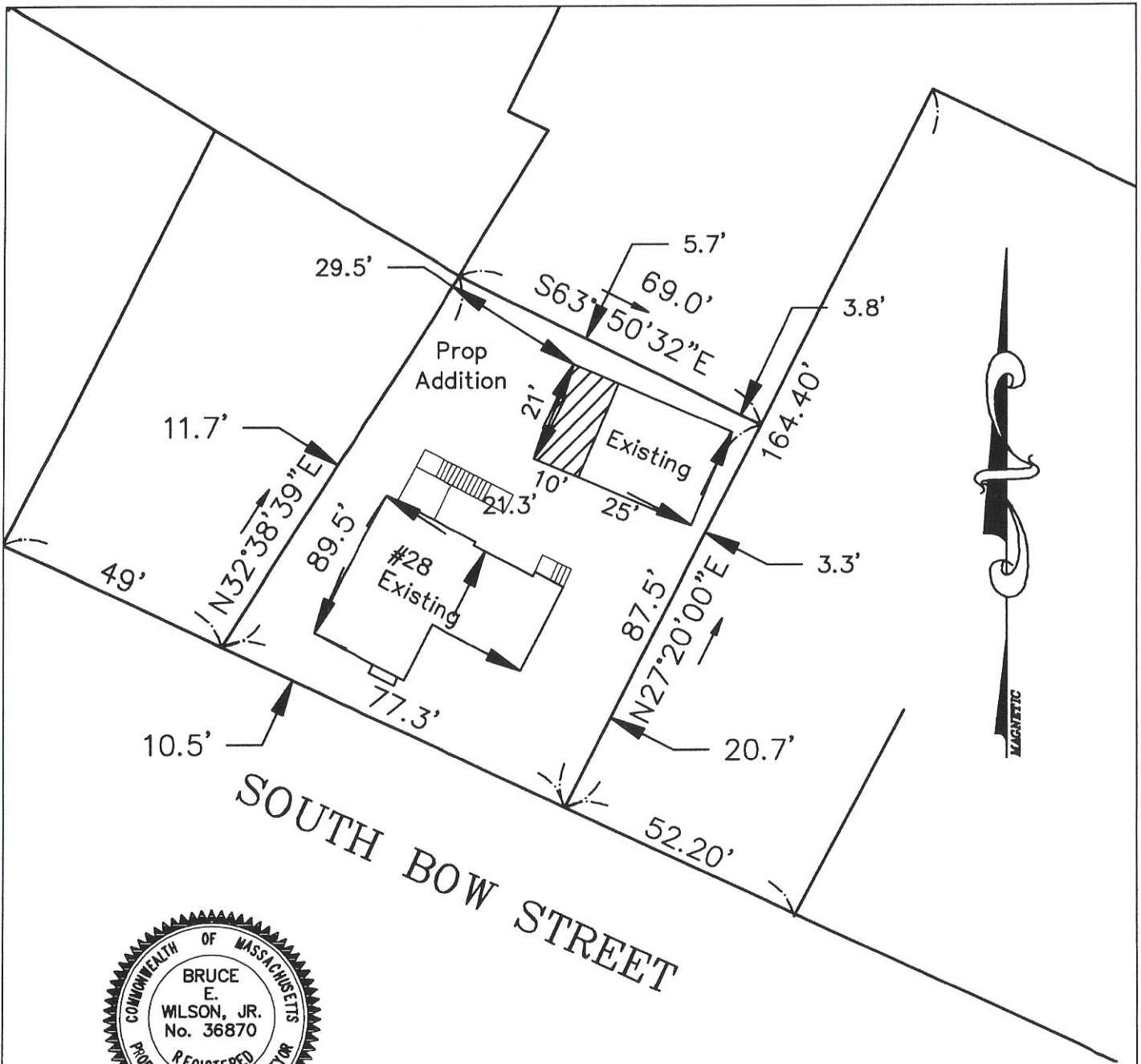
Attorney (if any) Joseph M. Antonellis

Address: 288 Main Street

Telephone: 508-473-2203

e-mail: jma@majhllp.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.



SOUTH BOW STREET

ZONE: RA
 FRONTAGE TWO FAMILY 100'
 AREA REQUIRED 12,000 S.F.
 SETBACKS F-25' S-10 R-15
 EXISTING NON-CONFORMING USE

ADDITION PLAN
 28 SOUTH BOW STREET
 MILFORD, MASSACHUSETTS
 DATE: MARCH 21, 2020
 SCALE: 1" = 30'

GW SITE SOLUTIONS
 ENGINEERING & SURVEY SERVICES
 248 ELM STREET
 BLACKSTONE, MASSACHUSETTS 01504

PREPARED FOR:
 JOSE MIGUEL YUPA BUNAY
 34 SOUTH BOW STREET
 MILFORD, MA 01757
 JOB NO 2020-4



Property Information

Property ID 48-0-406
Location 28 SOUTH BOW ST
Owner YUPA BUNAY JOSE MIGUEL



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 8, 2020

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

(
(**ZBA Special Permit Referral**
(**Dawn Smith**
(**18 Short Street**
(**Map 33 Lot 74**
(**RB Zone**
(

Dear Mdm. Chairman:

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....".

Therefore, 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 SPECIAL PERMIT
 UNDER THE ZONING BY-LAW

RECEIVED
 MILFORD TOWN CLERK
 20 AUG 17 AM 11:19

To the Zoning Board of Appeals
 Milford, MA 01757

Date: 07/20/2020

NOTE: All petitions for special permits 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 grant a special permit for the reasons hereinafter set forth and in accordance with the applicable provisions of the zoning by-law in relation to the following described premises:

Applicant: Dawn & Robert Smith 18 Short Street, Milford, Ma
(Full Name) *(Address)*

Owner: Dawn & Robert Smith 18 Short Street, Milford, Ma
(Full Name) *(Address)*

Tenant (if any): _____

1. *Location of Premises* 18 Short Street, Milford, Ma
(Address Number) *(Name of Street)*

Assessor's: 33 0 74
(Map) *(Block)* *(Lot)*

- (RB) 33-0-74
2. Within which Zoning District is the premises located? Single Family Residential
 3. State the Worcester Registry of Deeds Book and Page number, or the Land Court Certificate number for title of present owner 57678 / 274
 4. State present use of premises Residence Single Family
 5. State proposed use of premises Dog Kennel and Keep as is
 6. Give extent of proposed alterations Keeping animals in home adding fencing in future in rear of house
 7. Number of families or housing units for which building is to be arranged 1
 8. Have you submitted plans for above to the Building Inspector? no
 9. Has a permit been refused? no
 10. Pursuant to what provisions(s) of the zoning by-law do you seek a special permit and for what purpose(s) We wish to keep a total of 5 dogs (2 previous and 3 puppies).
 11. Explain the reasons you assert that:
 - (a) the special permit sought is in harmony with the general purpose and intent of the zoning by-law basically the dogs stay indoors or while outside they are on leash or leads and supervised.
 - (b) the proposed use of the premises will not create undue traffic congestion or impair pedestrian safety no, the dogs are always supervised on leads and leashes
 - (c) the proposed use of the premises will not cause harm to the neighborhood or create a nuisance or hazard affecting the health, safety or general welfare of the public they are inside and the breed is not generally a "barking" breed.
 12. 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. N/A I am owner.

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

Applicant Dawn M Smith
Signature: [Signature]

Owner Dawn M Smith
Signature: [Signature]

Address: 18 Short Street, Milford, Ma

Address: 18 Short Street, Milford, Ma

Telephone: _____

Cell phone: (508)380-0129

e-mail: dawnmariesmith@msn.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.

17MIP10268

NEW ENGLAND LAND SURVEY
Professional Land Surveyors

710 MAIN STREET
N.Oxford, MA 01537
PHONE: (508) 987-0025
FAX: (508) 234-7723

REGISTRY WORCESTER

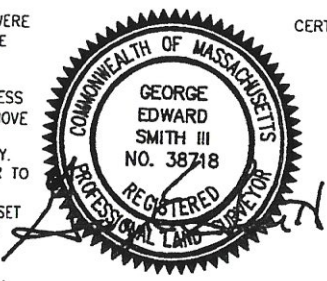
MORTGAGE INSPECTION PLAN

NAME ROBERT W & DAWN SMITH

LOCATION 18 SHORT STREET
MILFORD, MA

SCALE 1"=50' DATE 8/23/2017

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.



CERTIFY TO: FIRST HOME MORTGAGE CORPORATION

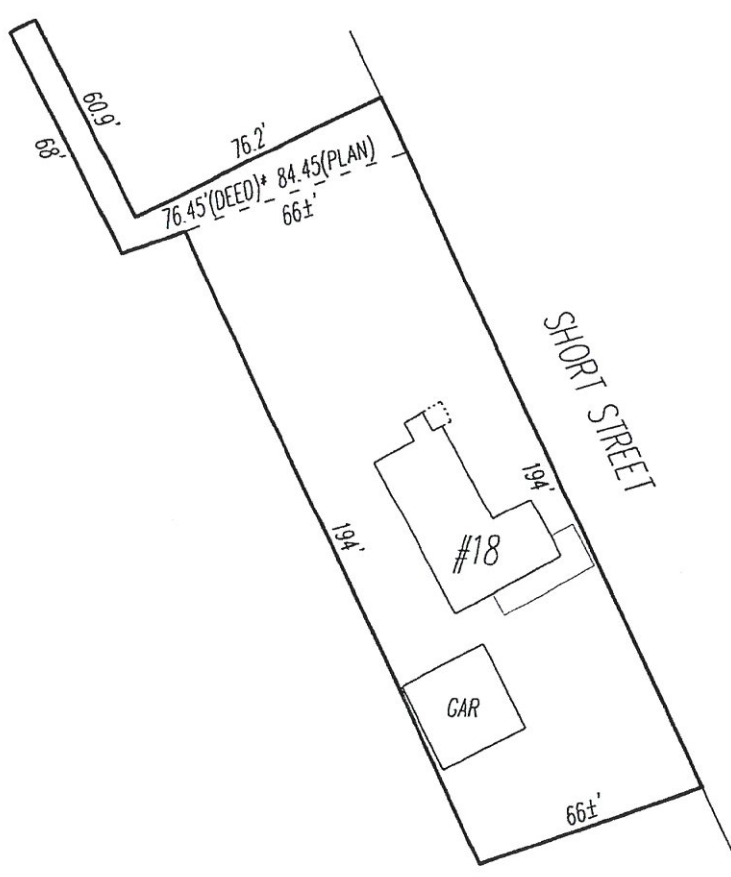
DEED REFERENCE: 42031/120

PLAN REFERENCE: 11/42

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FIRM:

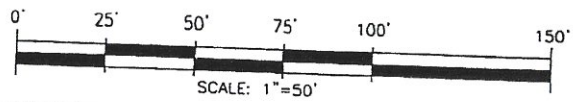
25027C0869E DTD: 07/04/2011

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



*CONFIGURATION OF LOT IS COMPILED FROM DEED & ASSESSOR MAP INFORMATION. A TITLE SEARCH IS RECOMMENDED.

*POSSIBLE SCRIVENER ERROR IN DEED.



REQUESTED BY: MELTZER LAW OFFICES
DRAWN BY: JRM
CHECKED BY: GES
FILE: 17MIP10268



Property Information
Property ID 33-0-74
Location 18 SHORT ST
Owner SMITH ROBERT W



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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Geometry updated March 2018
Data updated 11/16/2018



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Larry L. Dunkin, MCRP
Town Planner

September 8, 2020

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

(
(**ZBA Variance Referral**
(**Wayne Kirkpatrick**
(**123 Purchase Street**
(**Map 27 Lot 22**
(**RB Zone**
(

Dear Mdm. Chairman:

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.

Therefore, I recommend a favorable report be forwarded to the Zoning Board of Appeals only if the expanded deck is minimally required for access.

Respectfully,

Larry L. Dunkin, MCRP
Town Planner

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

RECEIVED
MILFORD TOWN CLERK
2020 AUG 12 PM 2:26

To the Zoning Board of Appeals
Milford, MA 01757

Date: 8/4/2020

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- 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: Wayne R. Kirkpatrick 123 Purchase Street, Milford, MA 01757
(Full Name) (Address)

Owner: Wayne R. Kirkpatrick 123 Purchase Street, Milford, MA 01757
(Full Name) (Address)

Tenant (if any): N/A
(Full Name) (Address)

1. Location of Premises 123 Purchase Street
(Address Number) (Name of Street)

Assessor's: 27 0 22
(Map) (Block) (Lot)

2. Within which Zoning District is the premises located? RB
3. State the Worcester Registry of Deeds Book and Page number, or the Land Court Certificate number for title of present owner Book 43515, Page 185
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 _____
6. State present use of premises single family residence
7. State proposed use of premises same
8. Give extent of proposed alterations, if any Applicant proposes to replace his existing deteriorating deck and existing sets of stairs with pressure-treated wood and to widen the deck by three feet.
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? yes
11. Has a building permit been refused? No
12. What section(s) of the zoning by-law do you ask to be varied? 2.5
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 shape is long and narrow with 59 feet of width. The house and deck were built in 1925 and are pre-existing, non conforming structures.
14. If the variance were not granted, what hardship would be caused by the circumstances described in 13 above? The applicant would be unable to repair and improve the deteriorating deck at his residence.
15. State why you feel the grant of the variance will not cause substantial detriment to the public good The slight increase to the deck width will be farther away from the side boundary than the existing deck. The deck and stairs will be constructed with aesthetically pleasing new pressure treated wood.

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: Wayne Karkpatrick

Owner
Signature: _____

Address: 123 Purchase Street
Milford, MA 01757

Address: _____

Telephone: 508-527-0916

Cell phone: _____

e-mail: _____

Attorney (if any) Thomas L. McLaughlin

Address: 117 Water Street, Suite 203, Milford, Ma 01757

Telephone: 508-478-3100

e-mail: tom@tlmlaw.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.



ZONING DATA

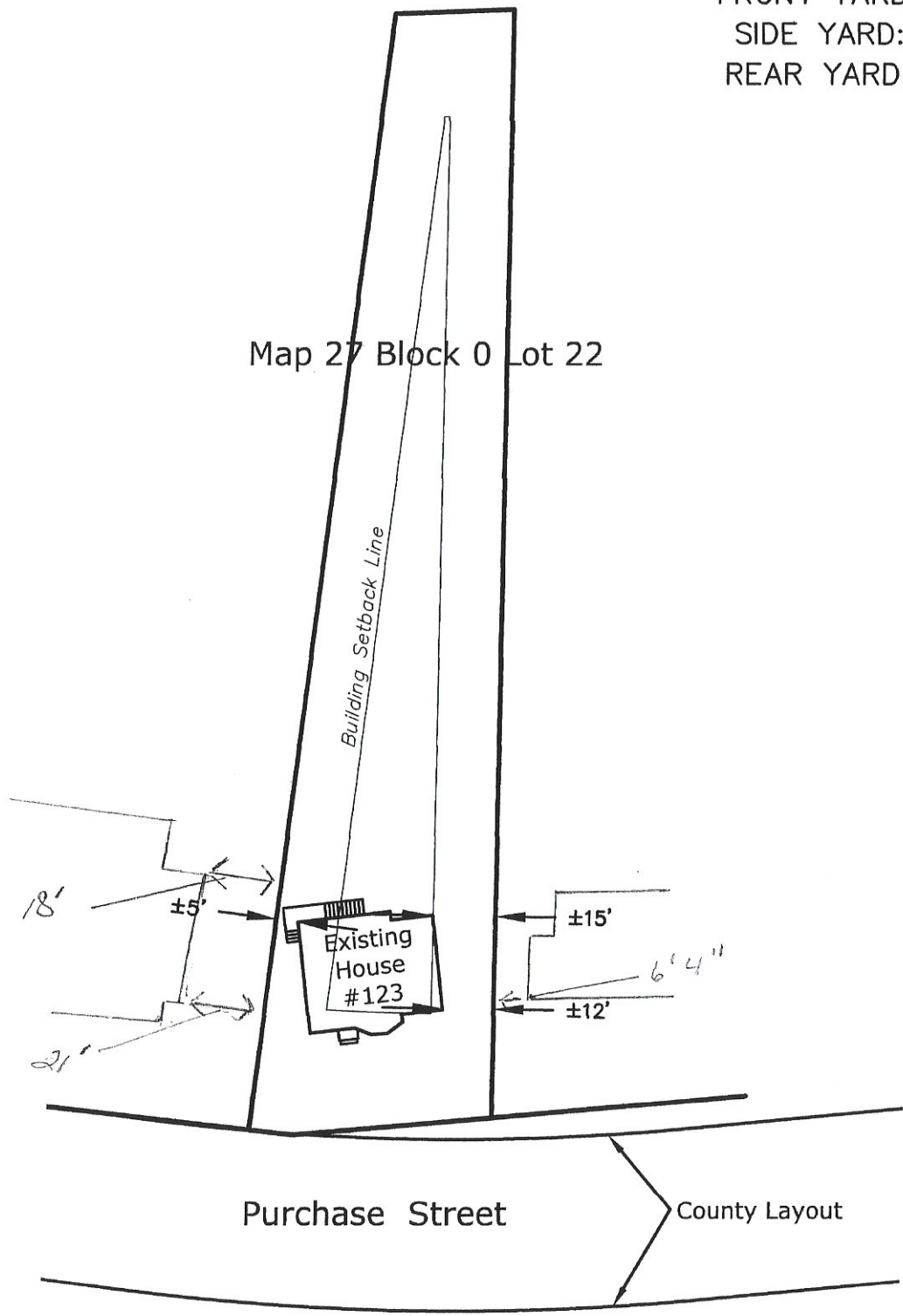
ZONE: RB

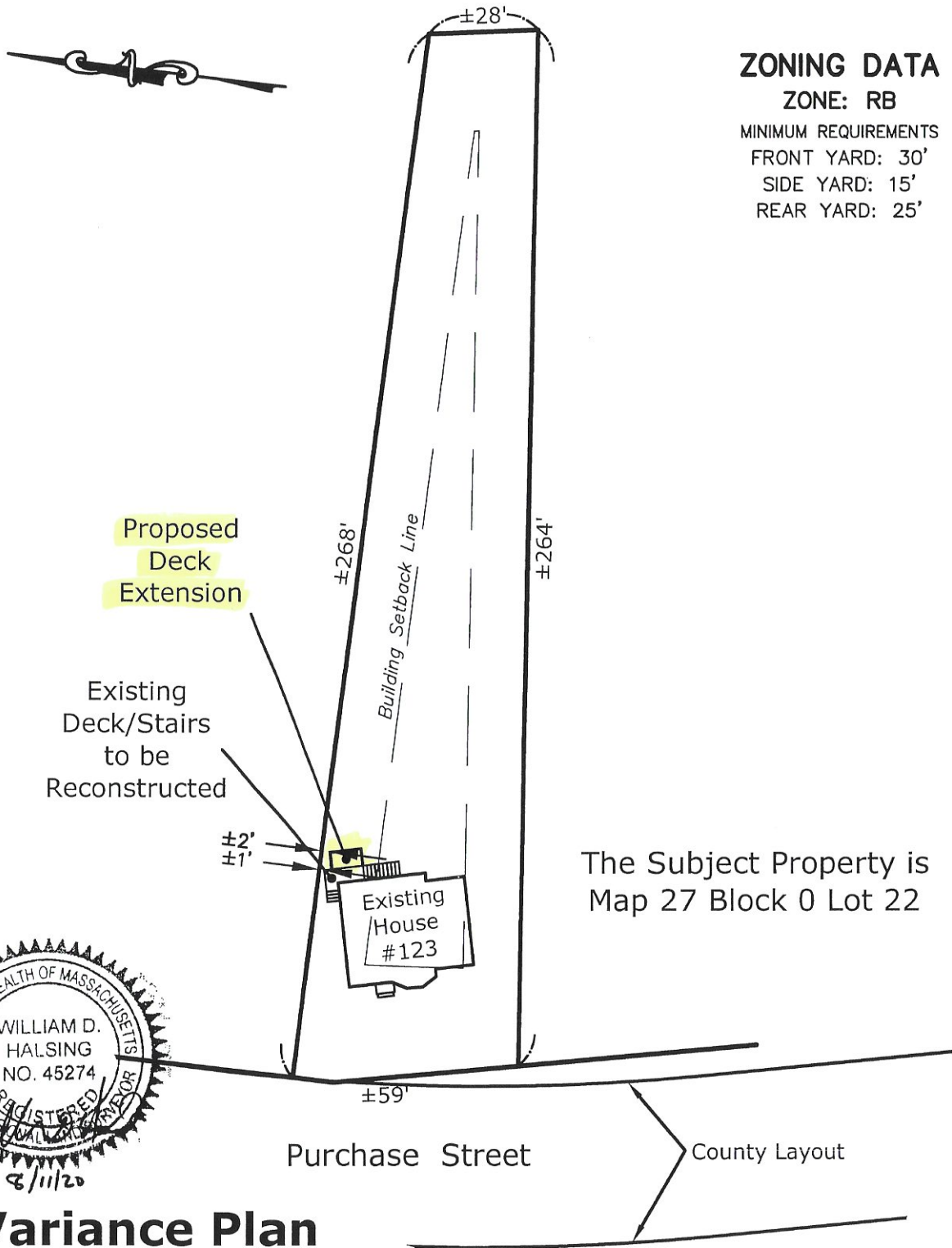
MINIMUM REQUIREMENTS

FRONT YARD: 30'

SIDE YARD: 15'

REAR YARD: 25'





ZONING DATA

ZONE: RB

MINIMUM REQUIREMENTS

FRONT YARD: 30'

SIDE YARD: 15'

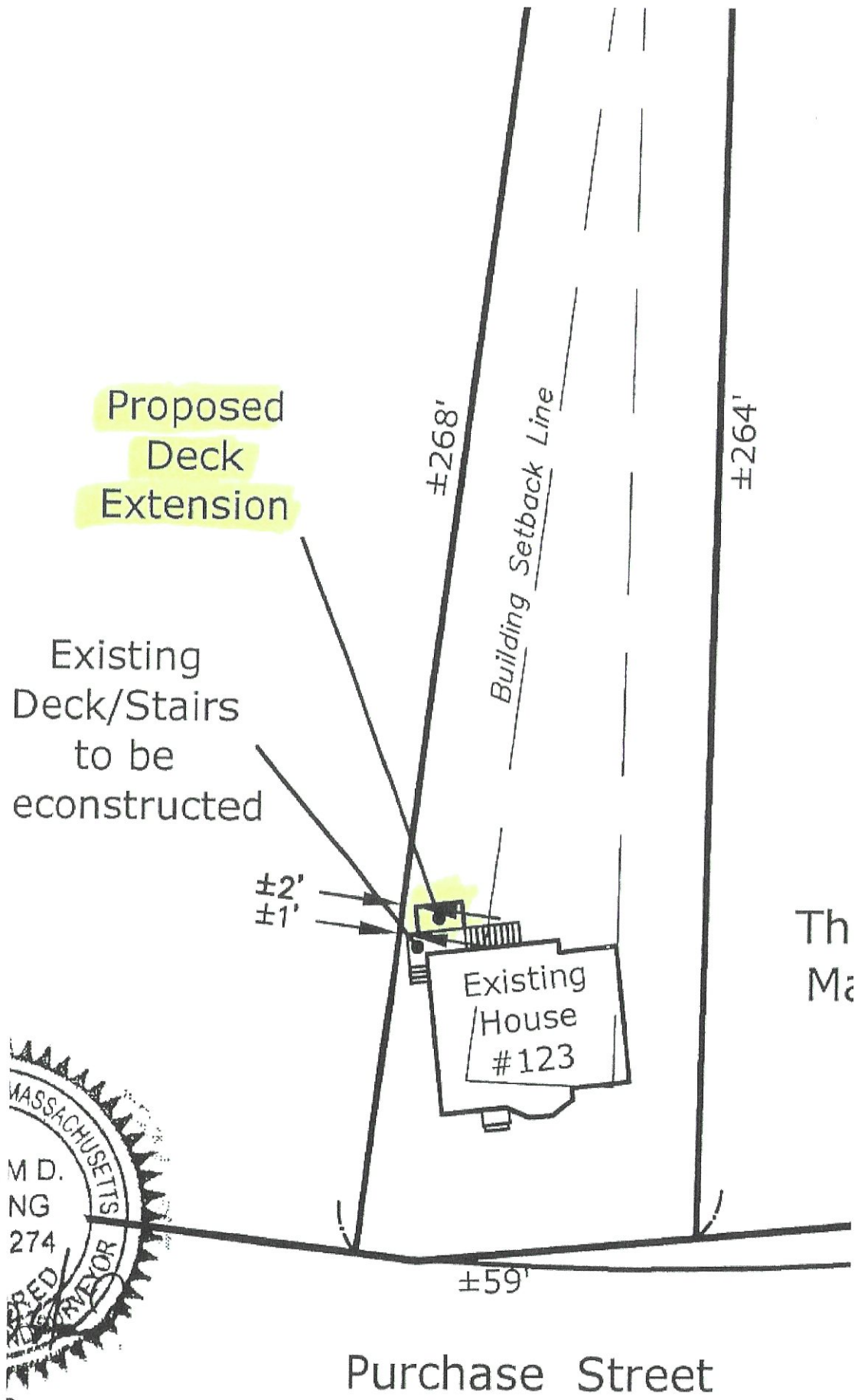
REAR YARD: 25'



Variance Plan

Located at
123 Purchase Street
Milford, MA
 Owned by
Wayne Kirkpatrick

	Land Planning, Inc. 167 Hartford Avenue Bellingham, MA 02019 508-966-4130 bellingham@landplanninginc.com	
	Date 8/11/20	Scale 1"=40'




Site Plan

located at



Property Information	
Property ID	27-0-22
Location	123 PURCHASE ST
Owner	KIRKPATRICK WAYNE R


**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