

MILFORD SELECT BOARD: AGENDA
September 12, 2022 – 6:00 PM, ROOM 03, TOWN HALL

- A.) SIGNING OF WARRANT, APPROVAL of Minutes, August 22, 2022
EXECUTIVE SESSION Minutes, August 29, 2022**
- B.) INVITATION TO SPEAK**
Remote Public Hearing/Invitation to Speak access now requires advanced registration. Please register online here: <http://tiny.cc/nubyuz> Any member of the public may now register to access the zoom webinar as an attendee. Public attendees will be able to view the zoom LIVE and request to speak at the “Public Hearing/Invitation to Speak.”
- C.) PUBLIC HEARINGS**
1. 6:00 PM, National Grid/Verizon New England, re: Pole Relocation-Purchase Street
- D.) SCHEDULED APPOINTMENTS**
1. Town Administrator, Finance Director, Chair of Geriatric Authority of Milford, re: Countryside Healthcare
2. Quentin Nowland & Michael Lynch, re: Discontinuance/Relocation of Old Cedar Street
- E.) TOWN ADMINISTRATOR’S REPORT**
- F.) OLD BUSINESS**
- G.) NEW BUSINESS**
1. Police Chief, re: Acceptance of Gift
2. Town Administrator, re: Request to waive permit fees for Youth Center project
- H.) CORRESPONDENCE**
- I.) EXECUTIVE SESSION**
1. Town Counsel, re: Water Department Employee’s Union

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.



C-1
9-12-22

MILFORD SELECT BOARD

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679

Phone 508-634-2303 Fax 508-634-2324

Thomas J. O'Loughlin, Esq., Chairman

Paul A. Mazzuchelli

Michael K. Walsh

Richard A. Villani

Town Administrator

TOWN OF MILFORD: NOTICE OF PUBLIC HEARING

Notice is hereby given that the Milford Select Board has received the following petition:

PLAN NO. 30621973

RECEIVED FROM: Massachusetts Electric Company DBA National Grid/Verizon New England, Inc.

DESCRIPTION: Purchase Street

National Grid respectfully request permission to replace and relocate pole 28 (25') NW of present location to remove tree guy from #74 Purchase St. Old location does not work due to customer retaining wall.

A Select Board meeting will be held on Monday September 12, 2022, Room 03 Milford Town Hall at 6:00PM to discuss this petition.

Abutters are invited to attend this hearing and participate in the discussion if you wish to do so.

PER ORDER SELECT BOARD

Thomas J. O'Loughlin, Esq., Chairman

Paul A. Mazzuchelli

Michael K. Walsh

cc: Massachusetts Electric
Verizon New England
Files

August 25, 2022

Town

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

July 14, 2022

To the Board of Selectmen
of the Town of Milford, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY D/B/A NATINAL GRID and VERIZON NEW ENGLAND, INC. request permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Purchase St

National Grid respectfully request permission to replace and relocate pole 28 (25') NW of present Location to remove tree guy from #74 purchase St. Old location does not work due to customer retaining wall.

provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY D/B/A NATIONAL GRID and VERIZON NEW ENGLAND, INC.**

Plan No. **30621973** Dated: **7/13/2022**

Also, for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

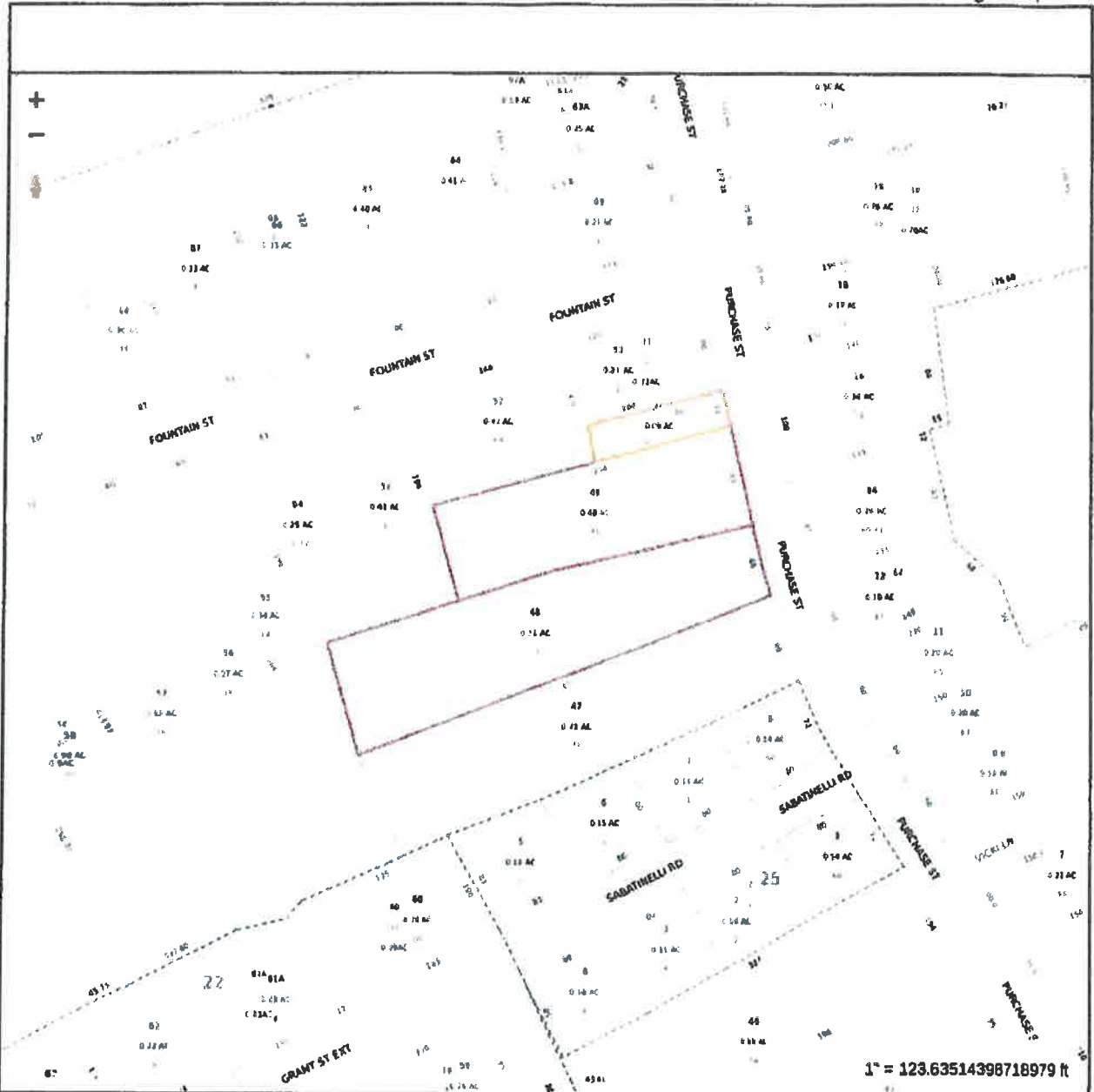
Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY D/B/A NATIONAL GRID

By: Robert Leonida
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: Albert Bessette
Manager, R.O.W.



Property Information

Property ID 34-0-50
Location 76 PURCHASE ST
Owner GAY FREDRICK E



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

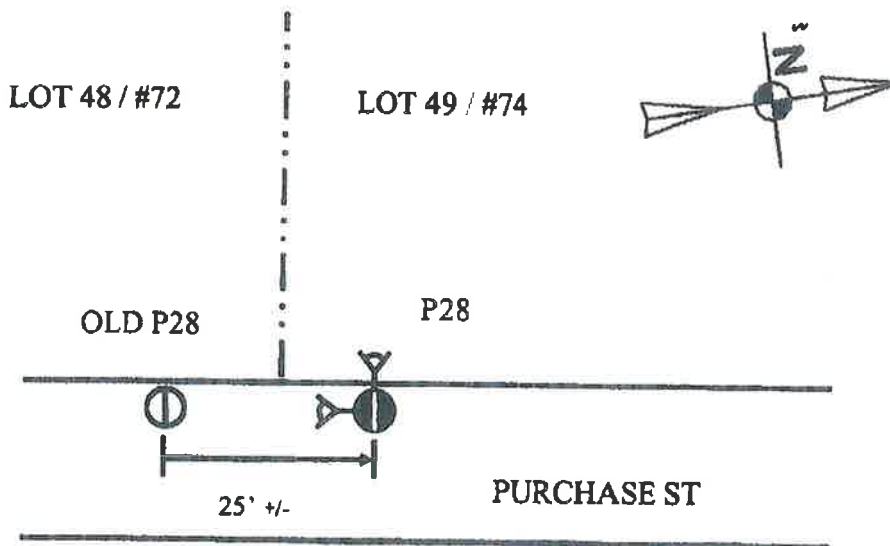
Town of Milford, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 03/25/2022
 Data updated 11/16/2018

Print map scale is approximate.
 Critical layout or measurement
 activities should not be done using
 this resource.

Exhibit A-Not to Scale

The Exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.



NATIONAL GRID RESPECTFULLY REQUEST PERMISSION TO REPLACE AND RELOCATE POLE 28 (25') NW OF PRESENT LOCATION IN ORDER TO REMOVE TREE GUY FROM #74 PURCHASE ST. OLD LOCATION DOES NOT WORK DUE TO CUSTOMERS RETAINING WALL.

JOINT UTILITY PETITION

Legend:

- Existing Pole (IO)-
- New Pole (SO)-
- New Anchor and Down Guy-

- Existing Overhead Wire - - - - -
- New Overhead Wire - - - - -
- Service - - - - -
- Property Line - - - - -

nationalgrid

Property Address: 74 Purchase St
Milford, Ma 01757

**SKETCH TO ACCOMPANY
FOR:**

30621973

DATE: 7/13/2022

Drawn By: M. Roberts

DRAWING NOT TO SCALE.



PLANNING BOARD OF MILFORD, MASS.

TOWN HALL, 52 MAIN STREET
634-2317

Joseph Calagione
Bryan Cole
Patrick J. Kennelly
Marble Mainini, III
Jose M. Morais

9-7-2022

Milford Select Board
52 Main Street
Milford, MA 01757

RE: PETITION FOR Discontinuance/Relocation of Old Cedar Street DATED 8-31-2022

APPLICANT: Quentin Nowland & Michael Lynch 12 Prospect Street, Upton, MA 01568

LOCATION: Old Cedar Street

Dear Board Members:

The Planning Board reviewed the petition listed above at the regularly scheduled meeting held on 9-6-2022 and recommends the following:

The Planning Board has made a **favorable** recommendation to place the appropriate Article(s) on the 10-24-2022 Special Town Meeting Warrant.

The Town Planner's report is attached for your reference.

Respectfully,


Chairman, Milford Planning Board

cc: applicant



TOWN OF MILFORD

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

OFFICE OF PLANNING
AND ENGINEERING

Larry L. Dunkin, MCRP
Town Planner

September 6, 2022

Patrick J. Kennelly, Chairman
Milford Planning Board
52 Main Street

Milford, MA 01757

- (
- (**Select Board Referral**
- (**Old Cedar Street Relocation &**
- (**Partial Discontinuance**
- (**Map 28 Lots 12, 12A, 13, 16, 17**
- (**IB Zone**
- (

Dear Mr. Chairman:

You may recall that some 13 years ago, Town Meeting approved the relocation/discontinuance of Old Cedar Street under Articles 21 & 22 on the May 21, 2007 Annual Town Meeting Warrant. This had been done in conjunction with a Goodyear Tire Center development that at the time was being proposed on Lot 17. Subsequently, the tire center development did not proceed; so, even though Town Meeting had voted to approve the two Warrant Articles (which votes remain valid), the balance of the relocation and discontinuance process effectively stalled.

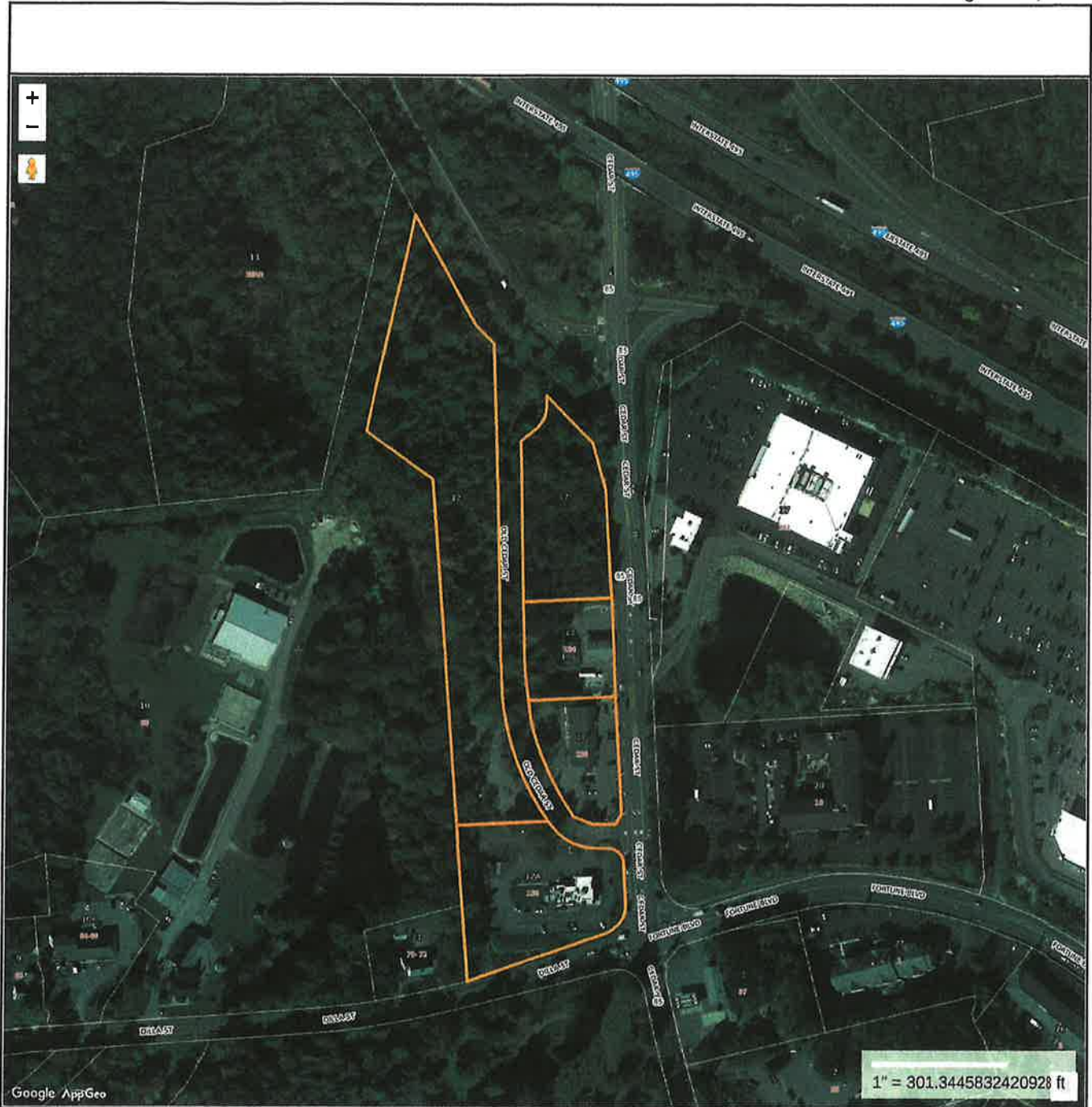
A local developer is now proposing a self-storage facility to be located on Lots 12 & 17 and on a portion of discontinued Old Cedar Street. They seek to complete the relocation and discontinuance process by returning to Town Meeting this Fall. This will provide the appropriate revisions to the two Articles previously approved so-as to reflect the current affected parties and property owners, to update the final metes & bounds description, and to update the roadway/alignment plans.

The relocation/discontinuance of Old Cedar Street was originally proposed to address the traffic problems that existed at the intersection of Old Cedar Street and Route 85. While the Town has since implemented the use of flex-post median barriers in the Route 85 right-of-way to control left turns, the relocation of Old Cedar Street to intersect with Dilla Street remains the appropriate final step. This will not only provide adequate access to the adjacent properties, but will dramatically improve traffic safety overall.

Therefore, I recommend that a favorable report be forwarded to the Select Board to place both proposed Articles on the Warrant for the October 24, 2022 Special Town Meeting, and further that the Select Board once again support and sponsor both Articles.

Respectfully,

Larry L. Dunkin, MCRP
Town Planner



Existing Old Cedar Street
Alignment & Adjacent
Parcels



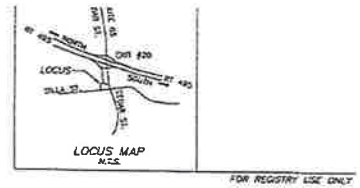
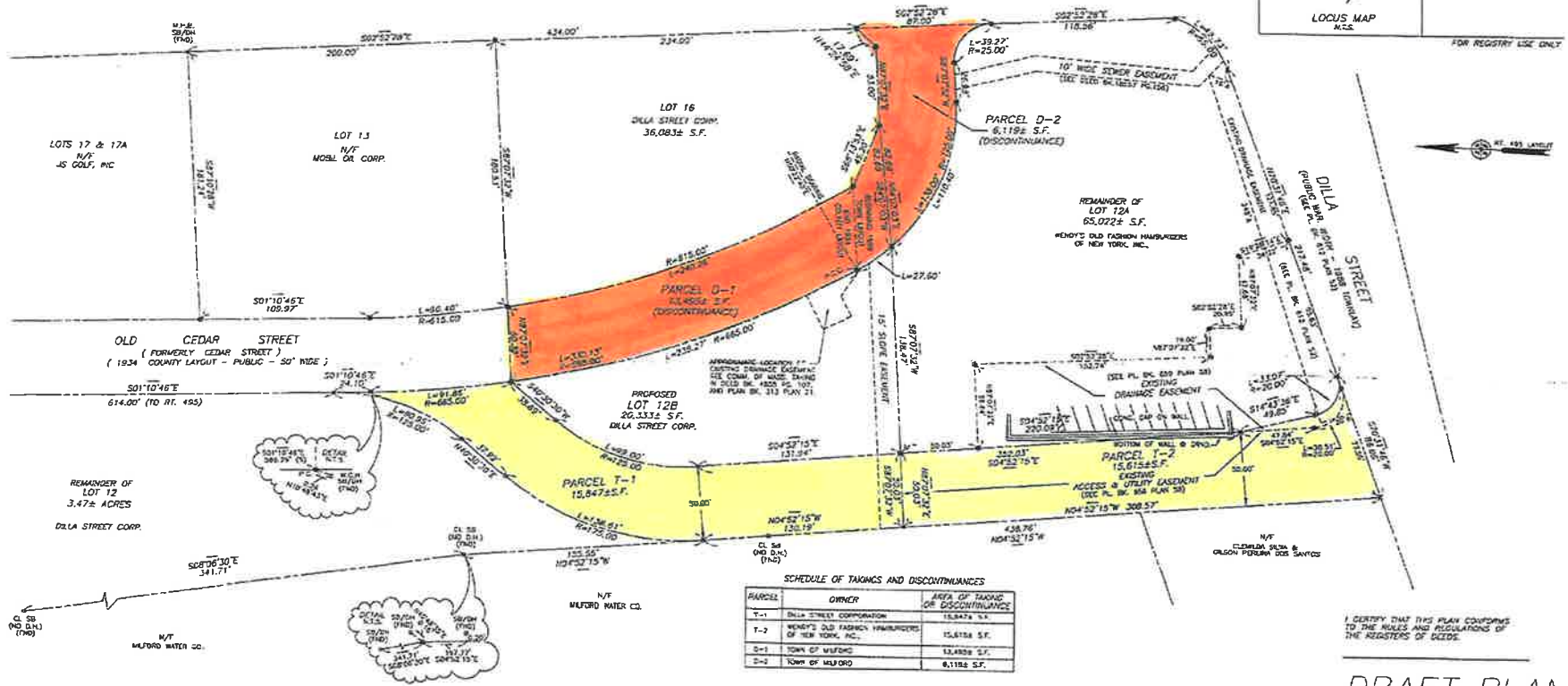
MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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 03/25/2022
Data updated 11/16/2018

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

CEDAR (ROUTE #85) STREET
(PUBLIC MAP 88TH - 1968 TOWNLAY)



SCHEDULE OF TAKINGS AND DISCONTINUANCES

PARCEL	OWNER	AREA OF TAKING OR DISCONTINUANCE
T-1	DILLA STREET CORPORATION	15,847± S.F.
T-2	WENNY'S OLD FASHION FURNITURES OF NEW YORK, INC.	15,613± S.F.
D-1	TOWN OF MILFORD	12,439± S.F.
D-2	TOWN OF MILFORD	6,118± S.F.

- NOTES:**
- THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED RELOCATION AND DISCONTINUANCE FOR A PORTION OF OLD CEDAR STREET.
 - LOCUS IS SHOWN AS LOTS 12 & 12A ON TAX MAP 28.
 - DISCONTINUANCE PARCEL D-1 IS TO BE COMBINED WITH PROPOSED LOT 12B & EXISTING LOT 16 TO CREATE ONE LOT.
 - DISCONTINUANCE PARCEL D-2 IS TO BE COMBINED WITH EXISTING LOT 12A TO CREATE ONE LOT.
 - NO COMPLIANCE WITH ZONING IS INTENDED WITH THIS PLAN.

DRAFT PLAN

APPROVED
MILFORD PLANNING BOARD

LAI D OUT BY
MILFORD BOARD OF SELECTMEN

RELOCATION LAYOUT OF OLD CEDAR STREET
ACCEPTED AT A TOWN MEETING HELD

TOWN CLERK: _____
DATE: _____

DATE: _____
BEING A MAJORITY

GRAPHIC SCALE

APPLICANT: SAMUELS & ASSOCIATES
113 NEWBURY STREET
BOSTON, MA

PLAN SHOWING PROPOSED RELOCATE
FOR A PORTION OF
OLD CEDAR STREET
MILFORD, MASSACHUSETTS

Designed by: _____
Drawn by: _____
Checked by: J.B.S. Date: MARCH 28, 2007

SMB / LAND SURVEYORS
JEFFREY B. SHREVE, P.L.S.
31 SLEEPY HOLLOW DRIVE, FLYTHOUGHT, MA

Original 2007 Relocation Proposal



INTERSTATE ROUTE 495

CEDAR STREET AKA ROUTE 85
(PUBLIC WAY - VARIABLE WIDTH)

N/F
J.S. GOLF, INC.
25638/287

N/F
NET LEASE REALTY I, INC.
55591/786

N/F
DILLA STREET
CORPORATION
16800/211

N/F
WENDY'S PROPERTIES, LLC
54571/363

OLD CEDAR STREET TO BE DISCONTINUED

N/F
DILLA STREET
CORPORATION
13786/158

FUTURE OLD CEDAR STREET R.O.W. (450 Foot Cut-De-Sard)

(PUBLIC WAY - VARIABLE WIDTH)
DILLA STREET

2022 PROPOSED RELOCATION & DISCONTINUANCE

PROGRESS
PLAN
08-31-22

TITLE:
Discontinuance plan
of
Old Cedar Street
in
Milford, Massachusetts

PREPARED BY:

**ALLEN ENGINEERING
& ASSOCIATES, Inc.**
Civil Engineers - Surveyors
Land Development Consultants
One Charlesview Road
Suite 2
Hopedale, Ma 01747
(508) 381-3212 - www.allen-ea.com

SCALE: 1" = 50 FEET


DATE: September 1, 2022

REVISIONS			
#	DATE	DESCRIPTION	BY

JOB NO: 00463 SHEET: 1 of 1

Town of Milford
Planning Board
52 Main St.
Milford, MA 01757

Dear Planning Board and Mr. Dunkin,

We are proposing building a new self-storage facility on Lots 12 and 17 Cedar St. We built one similar to this in Sudbury two years ago and believe Milford is also in need of a Class A self-storage facility with interior loading and unloading, climate-controlled units and a secure and safe place for customers' belongings.

By way of background, Lot 17 was the proposed site for a 2007 Goodyear Auto Service store. Town Meeting voted in 2007 (Articles 21 and 22) to the discontinuance and relocation of Old Cedar Street for purposes of accommodating the potential construction. The Goodyear project did not go forward and further action to implement the Town Meeting vote therefore never occurred. The area of the proposed discontinuance of Old Cedar Street between Lots 12 and 17 for our self-storage project is only nominally a public way, as it is nothing more than a paper street. We have therefore proposed new Articles for the upcoming Town Meeting warrant that are necessary for the proposed development of our self-storage project to proceed.

In comparison to what was originally contemplated by the 2007 Town Meeting Vote, a self-storage facility will be far less intrusive than a Goodyear Auto Service store.

- 1) There will be minimal additional traffic and vehicles in the area of Cedar St (Rt 85) and Dilla St. Please see the attached VHB Traffic Study comparing self storage to a car dealership (similar use to Goodyear Auto Service).
- 2) Self-storage requires minimal parking requirements. A typical 100,000 sq ft facility only requires 15-20 parking spaces.
- 3) Self-storage requires very little electricity, water and waste unlike many other commercial uses.
- 4) This facility will offer Milford a larger tax revenue opportunity than a smaller building like Goodyear Auto Service would afford.
- 5) Self-storage has proven to be the most recession-resistant sector in commercial real estate. Should we enter a recession, people are still moving, downsizing and relocating. Goodyear Auto Services would suffer significantly if we enter a recession as customers would have limited budget for discretionary and maintenance-related items.

It's worth noting that self-storage also does not put any additional burden on the Milford Public Schools system.

Lastly, as noted above, this type of use is the least impactful on the town, its resources and its constitutes. Please let us know if you have any questions or need additional information.

We truly appreciate your time and consideration.

Thank you,



Quentin Nowland & Michael Lynch
12 Prospect St.
Upton, MA 01568

VHB – TRAFFIC STUDY

Table 4 Trip Generation Comparison

Time Period	Direction	Proposed Self-Storage Facility ^a		Day Care Facility ^b	Medical Clinic ^c	Car Dealership ^d
		Based on ITE	Based on Empirical Data			
Weekday Daily	Total	122	42	742	726	528
Weekday Morning Peak Hour	Enter	5	6	73	55	26
	Exit	5	6	64	15	10
	Total	10	12	137	70	36
Weekday Evening Peak Hour	Enter	6	2	62	18	18
	Exit	6	3	70	44	28
	Total	12	5	132	62	46
Saturday Daily	Total	110	34	76	N/A	992
Saturday Midday Peak Hour	Enter	12	4	14	N/A	38
	Exit	10	4	8	N/A	38
	Total	22	8	22	N/A	76

^a Trip generation estimates as presented in Table 3

^b Trip generation estimate based on ITE LUC 365 (Day Care) for 195 students.

^c Trip generation estimate based on ITE LUC 630 (Clinic) for 19,000 square feet. No Saturday data provided for ITE LUC 630 (Clinic)

^d Trip generation estimate based on ITE LUC 840 (Automobile Sales (New)) for 19,000 square feet.

LAW OFFICES OF JERRY C. EFFREN

Jerry C. Effren

Neal J. Bingham

Paralegals

Margaret L. Burchard
Madeleine Rawstron

25 West Union Street
Ashland, Massachusetts 01721
(508) 881-4950 – Telephone
(508) 881-7563 – Telecopier
E-Mail Address: info@effren.net

September 7, 2022

Select Board
Milford Town Hall
52 Main Street
Milford, MA 01757

Re: Discontinuance and Relocation of Old Cedar Street

Dear Board Members:

Our office represents Quentin Nowland and Michael Lynch (the “Developers”) who propose developing a new self-storage facility on Lot 12 and Lot 17 of Old Cedar St (the “Lots”). This is a request to revisit the discontinuance and relocation of Old Cedar Street which was the subject of a Town Meeting votes in 2007 (Articles 21 and 22) for the discontinuance of a portion of Old Cedar Street and its relocation, which was done to accommodate the potential construction of a Goodyear Auto Service Store only on Lot 17 in 2007. However, the Goodyear project did not go forward and further action to implement the 2007 Town Meeting vote therefore never occurred.

The Developers have entered into purchase and sales agreements with the current owners to purchase the Lots. However, the feasibility of the self-storage project depends on the Town discontinuing the entirety of the Old Cedar Street, including those portions contemplated by the 2007 Town Meeting Vote, relocating Old Cedar to intersect Dilla Street, rather than Route 85, and conveying those portions of Old Cedar located between the Lots to the Developer. Notably, the area of proposed discontinuance of Old Cedar Street between the Lots is necessary for siting the self-storage structure and is only nominally a public way, as it is nothing more than a paper street.

On September 6, 2022, the Developer was before the Milford Planning Board on a Petition for Discontinuance/Relocation and the Board favorably recommended placing article on the October 24, 2022 Special Meeting Warrant. The Developer hereby submits two proposed Warrant articles that will effectively do three things: (1) Rescind the 2007 Town meeting vote relative to Old Cedar Street discontinuance and relocation; (2) Discontinue the entirety of Old Cedar Street; and (3) relocate Old Cedar Street so that it intersects with Dilla Street, rather than with Route 85. A Discontinuance Plan of Old Cedar Street, Milford, Massachusetts” dated September 1, 2022, along with the Proposed Warrant Articles have been submitted herewith.

For the foregoing reasons, the Developer respectfully requests that the Select Board sponsor the proposed Articles on the Warrant for the Town’s October 24, 2022 Special Town

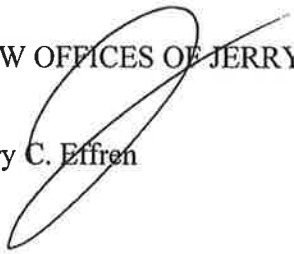
Meeting vote.

We truly appreciate your time and consideration.

Very truly yours,

LAW OFFICES OF JERRY C. EFFREN

Jerry C. Effren

A large, stylized handwritten signature in black ink, consisting of several overlapping loops, is written over the typed name and extends upwards into the space between the typed name and the closing phrase.

ARTICLE _____. To see if the Town will vote to rescind its vote under Article 21 of the May 21, 2007 Annual Town Meeting, which vote sought the relocation and alternation of Old Cedar Street, and in lieu thereof vote to hear the report of the Select Board on the discontinuance, relocation, and alteration of Old Cedar Street so that said Old Cedar Street will intersect with Dilla Street instead of Cedar Street (Route #85); and to see if the Town will vote to accept said relocation and alteration of Old Cedar Street by the Board of Selectmen and according to the “Discontinuance Plan of Old Cedar Street, Milford, Massachusetts” dated September 1, 2022 (the “Discontinuance Plan”) on file with the Town Clerk, said area for relocation being more particularly identified on said Discontinuance Plan as “Future Old Cedar Street R.O.W.”; and to see if the Town will vote to authorize the Select Board to take by Eminent Domain, acquire by purchase, or otherwise acquire, the rights and land necessary for said relocation and alteration; and to provide the sum or sums of money necessary to pay the costs or damages thereof, or take any other action in relation thereto.

(Select Board)

ARTICLE _____. To see if the Town will vote to rescind its vote under Article 22 of the May 21, 2007 Annual Town Meeting, which vote sought to discontinue, as a public way, certain portions of the Old Cedar Street Right-of-Way, and in lieu thereof vote to discontinue, as a public way, and in accordance with G.L. c. 82, Section 21, the entirety of the Old Cedar Street Right-of-Way as shown on said Plan, said areas to be discontinued being more particularly identified on the Plan as “Old Cedar Street To Be Discontinued” and being more particularly described as follows:

BEGINNING: At a point

THENCE:

THENCE:

THENCE:

And further to see if the Town will vote to authorize the Select Board to transfer, upon such terms as it deems appropriate, any or all of those discontinued portions as shown on the aforesaid Plan for a minimum price of not less than \$1.00 per parcel, to the owners of land directly abutting, or take any other action relating thereto.

(Select Board)



INTERSTATE ROUTE 495

CEDAR STREET AKA ROUTE 85
(PUBLIC WAY - VARIABLE WIDTH)

N/F
JS GOLF, INC.
25638/287

N/F
NET LEASE REALTY I, INC.
55591/86

N/F
DILLA STREET
CORPORATION
16800/211

N/F
WENDY'S PROPERTIES, LLC.
54571/363

OLD CEDAR STREET TO BE DISCONTINUED

N/F
DILLA STREET
CORPORATION
13796/188

FUTURE OLD CEDAR STREET R.O.W. (450 Foot Cul-De-Sac)

(Public Way - Variable Width)
DILLA STREET WIDTH

PROGRESS
PLAN
08-31-22

TITLE:
Discontinuance plan
of
Old Cedar Street
in
Milford, Massachusetts

PREPARED BY:

**ALLEN ENGINEERING
& ASSOCIATES, INC.**
Civil Engineers - Surveyors
Land Development Consultants
One Charlesview Road
Suite 2
Hopedale, MA 01747
(508) 381-8212 • www.allen-ea.com

SCALE:
1"=50 FEET


DATE: September 1, 2022

REVISIONS		
#	DATE	DESCRIPTION

JOB NO. 00463 SHEET 1 of 1



E-1
9-12-22

MILFORD POLICE DEPARTMENT

James F Falvey
Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 473-5087

August 17, 2022

Board of Selectmen
Richard Villani, Town Administrator
52 Main Street
Milford, MA 01757

Gentlemen:

I respectfully request that the Board of Selectmen acknowledge that the Milford Police Department has received a donation of bottled water in excess of \$50.00 and consumed by all of our employees of this Department, from Lowes Store of Milford, as a good will gesture to keep our police officers hydrated during the hot summer months while they serve the Town of Milford.

A letter has been sent to thank the manager of Lowes Store for their kind donation and thoughtfulness.

Sincerely,

James J Falvey
Chief of Police



MILFORD POLICE DEPARTMENT

James F Falvey
Chief of Police

250 Main Street * Milford, MA 01757 * Tel. (508) 473-1113 * Fax (508) 473-5087

August 8, 2022

Shannon Morgan, Manager
Lowe's Store
40 Fortune Blvd
Milford, MA 01757

Dear Shannon,

On behalf of the Milford Police Department and the Officers we would like to thank you for your kindness in donating pallets of water several times during these hot summer months. It is surely appreciated and keeps our officers hydrated! I speak for myself and every officer of our department especially during this midsummer heat wave.

We thank you again.

Very truly yours,

A handwritten signature in black ink that reads "James Falvey". The signature is written in a cursive, flowing style.

James F. Falvey
Chief of Police

JFF/jd



E-2
9-12-22

MILFORD SELECT BOARD

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

September 7, 2022

TO: Select Board
FROM: Richard A. Villani, Town Administrator
SUBJECT: HVAC Project Milford Youth Center
DATE: September 7, 2022

This Memo is to advise you that ENE Systems, Inc. will commence the work for the HVAC System Project at the Milford Youth Center.

ENE Systems, Inc. has requested a waiver of the permit fees for the demolition.

Enclosures

cc: Select Board
Files