

Town of Milford – Zoning Board
Milford Town Hall – Room 3
Meeting Minutes – April 21, 2022

Meeting Called to Order – 7:00 P.M.

Members in attendance: David R. Consigli, Chairman; John Mastroianni, Vice Chairman; Mark Calzolaio; David H. Pyne; John Dagnese; Robert Capuzziello; and Christopher Burns. Also, in attendance; Melissa Tomas, Clerk; Gerald M. Moody, 40B Coordinator; and Jerry from Milford TV.

Not in attendance: N/A

Approval of Minutes

Motion made by Mark C. to approve the minutes from the February 10, 2022 meeting – Second by Robert C. – Roll Call Vote taken: Unanimous – Minutes approved.

General Business

Chairman David Consigli opened the April 21, 2022 scheduled meeting.

Motion was made by David Pyne to nominate David Consigli as Chairman; Second by Robert C. – Roll Call Vote was taken; Unanimous.

Motion was made by David Pyne to nominate John M. as Vice Chairman; Second by Mark C. – Roll Call Vote was taken; Unanimous.

Attorney Moody began his presentation to the Board members; informing them that the Board would need to decide if the proposed changes to the plans for the Stone Ridge II, 300-400 Deer St., Milford, MA., Comprehensive Permit project are substantial changes within the meaning of 760 CMR 56.05 and 56.04 or not.

Andy Huntoon, apartment developer from Trammell Crow Residential presented the site plan changes to the Board. He spoke of the changes which include; eliminate free standing building and incorporate with Building #1; Building 2 will be one building (merge building 2 and 3); fire access lanes; 6 foot increase in building height; changed flat roofs to pitched roofs; Emergency Helicopter Pad (materials and changes to be incorporated into the Decision); Height of building 2 was 5 stories now 4 stories; change playground to a dog park; changes to garaged spaces – reduce garage spaces from 60 to 42 (those 18 being surface parking); and more trees less blacktop. Board members asked questions and discussed concerns including; fire apparatuses having access to all floors and roofs and access points/openings being large enough for the Fire Department to get in and out; materials to be used for helicopter pad/landing- the board wants heavy materials to prevent sinkage; discussions and concerns regarding the number of parking spaces; and discussions about a playground for children along with the dog park.

Public participation: None

Vote: Motion made by Robert C. to approve the changes as outlined in the discussions but not the parking changes - Second by Christopher B. – Roll Call Vote taken - Unanimous – Changes approved as outlined with conditions being outlined in the Decision.

Vote: Motion made by Robert C. to approve 2 parking spaces per unit - Second by John D. – Roll Call
Vote taken - Unanimous – Two parking spaces required per unit.

7:40 P.M. - Hearing of Carlos Gutierrez – Petition for Variance

Members participating: David R. Consigli, Chairman; John Mastroianni, Vice Chairman; Mark Calzolaio; John Dagnese; and David Pyne.

Recused Members: N/A.

In Attendance: Carlos Gutierrez, his son, and Ari Gomes (neighbor).

Documents provided: Petition for Variance dated 3/2/22; Assessors “Request for Abutters List” dated 2/2/22; Certified Abutter’s list dated 2/2/22; Planning Board recommendation letter to ZBA dated 3/16/22; Town Planner letter to Planning Board dated 3/15/22; GIS Property Info 40-0-89; copy of D. O’Brien Land Surveying Plan “Certified Plot Plan – 43 Madden Avenue” dated 1/13/22; Notice of Hearing dated 3/31/22.

Chairman Consigli began the hearing. He read the Notice of Hearing, application, Town Planners letter, and the Planning Board recommendation. He then asked board members if there were any questions. Mr. Gutierrez son informed the Board that they have 7 chickens and they are able to move the coop if necessary.

Board members began their discussion with concerns and questions. Bobby C. began by asking what type of coop/enclosure is there now. He wanted to clarify that there is a coop currently on the property. Member Christopher B. also wanted to know the type of coop/home that is there for the chickens. Member Mark C. spoke about the coop and would like a better-looking chicken coop. He doesn’t feel the neighbors should have to look at the coop in the manner in which it is.

Public participation:

Lou Iadarola – asked if the chicken coop is able to be moved back- he wants to the homeowner to conform with setbacks.

Ari Gomes – 41 Madden Ave.- (his property abuts Mr. Gutierrez property) informed the board that he has no problems with the existing setup or chickens.

Vote: Motion made by David P. to approve the application subject to four (4) conditions specified in the Decision; for one year; (No Roosters) - Second by Mark C. – Roll Call Vote taken - Unanimous – Application approved with four (4) conditions.

8:00 P.M. - Hearing of John Erickson – Petition for Variance

Members participating: David R. Consigli, Chairman; John Mastroianni, Vice Chairman; Mark Calzolaio; John Dagnese; and David Pyne.

In Attendance: John Erickson.

Documents provided: Petition for Variance dated 3/9/22; Assessors “Request for Abutters List” dated 3/9/22; Certified Abutter’s list dated 3/9/22; Planning Board recommendation letter to ZBA dated 4/20/22; Town Planner letter to Planning Board dated 4/19/22; GIS Property Info 35-22-13A; Copy of Guerriere & Halnon, Inc. Plan “Variance Plan of Land 10 Rosenfeld Avenue” dated 3/9/22; Notice of Hearing dated 3/31/22.

Chairman Consigli opened the hearing. He began by reading the Notice of Hearing. He then read the application, Town Planners letter and the Planning Board recommendation.

John Erickson then presented his application to the Board. He explained the proposed garage – he would like to put the vehicles from the driveway away indoors. He spoke with his neighbors, and it is not a problem. His proposed garage would allow for him to have additional household storage and more space for the family.

Board members began their questions/comments. Member Mark C. asked where the garage would be located- other members showed him on the plans to help clear up any confusion; he also asked if neighbors had a problem with the proposed garage – John re-explained that he spoke with the direct abutters and neither had any concerns; Mark also asked about the dormer on the plans/garage – John explained that the dormer would face his property to help with privacy reasons; and the final discussion was regarding the side door on the plans – John explained it would be an active door (a functional door) which would allow for easy access to the storage in the garage and which would also make the garage more tasteful/decorative to enhance the look.

Public participation: None

Vote: Motion made by David P. to approve the application as submitted - Second by John M. – Roll Call Vote taken - Unanimous – Application approved.

8:09 P.M. - Hearing of Rodrigo Cruciol – Petition for Special Permit

Members participating: David R. Consigli, Chairman; John Mastroianni, Vice Chairman; Mark Calzolaio; John Dagnese; and David Pyne.

In Attendance: Rodrigo Cruciol; and Sovereign Design Associate.

Documents provided: Petition for Special Permit dated 3/9/22; Assessors “Request for Abutters List” dated 3/9/22; Certified Abutter’s list dated 3/9/22; Planning Board recommendation letter to ZBA dated 4/20/22; Town Planner letter to Planning Board dated 4/19/22; GIS Property Info 26-42-90; Copy of Sovereign Design Associates, LLC Plans “Plan of Land 39 Alfred Road” dated 12/15/21; Notice of Hearing dated 3/31/22.

Chairman Consigli opened the hearing. He read the Notice of Hearing, the application, Town Planner’s letter and Planning Board recommendation. He spoke of the By-Laws and regulations regarding supplemental apartments.

Sovereign Design Associate (Rodrigo’s friend who was responsible for the plans) presented to the Board members the application and described the plans. The supplemental apartment is for the in-laws to help

care for the children. It is to be renewed after one year. If the in-laws move out- the apartment cannot be a rental unit and cooking devices would need to be removed.

Board members did not have any questions or concerns.

Public participation: None

Vote: Motion made by John M. to approve the application as submitted - Second by Mark C. – Roll Call Vote taken - Unanimous – Application approved.

8:18 P.M. - Hearing of Vineyard Point Ventures – Petition for Variance

Members participating: John Mastroianni, Vice Chairman; John Dagnese; David Pyne; and Christopher Burns.

Recused Members: David R. Consigli, Chairman; Mark Calzolaio; and Robert Capuzziello.

In Attendance: Attorney Ernest Pettinari and Keith Usher.

Documents provided: Petition for Variance dated 3/24/22; Assessors “Request for Abutters List” dated 3/21/22; Certified Abutter’s list dated 3/22/22; Planning Board recommendation letter to ZBA dated 4/20/22; Town Planner letter to Planning Board dated 4/19/22; GIS Property Info 33-0-76; Copy of Land Planning, Inc. Plans “Variance Plan Located at Short Street” dated 3/23/22; Notice of Hearing dated 3/31/22.

Chairman Consigli opened the hearing. Chairman Consigli, Mark C., and Robert C. recused themselves from this hearing due to a conflict.

Motion was made by John M. for Chairman Consigli to moderate the hearing but not vote on the matter - Second by Chris B. – Roll Call Vote taken - Unanimous – Dave to read the application and begin the hearing.

Chairman Consigli then read the Notice of Hearing; Town Planners letter and Planning Board recommendation.

Motion was made by David P. to suspend the reading of the application - Second by John M. – Roll Call Vote taken - Unanimous – Reading of the application was suspended.

Attorney Ernest Pettinari began his presentation to the Board. He explained that this application is on Short Street which is in RB District. His client Mr. Usher would like to construct a modest home on Lot 75. He told the board that Lot 75 is the only lot that has never had a single family on it. He explained that Short Street has all lots which are undersized. He spoke about plans from 1906, changes in zoning requirements, and Town Meeting actions. He also spoke about the history of Lot 75 and Lot 76, the division of other lots on the street, and that his client believes this will be a betterment to the neighborhood.

Board members did not have any questions.

Public participation:

Jimmy Hues - (neighbor who lives directly across the street)- spoke of the traffic congestion on the street, Short Street is a dead-end street, not able to back out of his own driveway, property across the street is being rented out and there are too many vehicles. Asked to read/hear letters of support from the abutters.

Kristin Gardner- 17 Short Street- one of the longest residents on the street. She presented assessors maps to show the Board the lot sizes on the street, also took pictures to present to the Board to show what the street looks like on a daily basis.

(Chairman read into record the letters of support from abutters. One letter was received from Mr. Scafuto from #19 Short Street and another letter from Nicole C.)

Joan Consoletti (owns last house on Short Street) spoke of several concerns such as; off street parking, traffic, safety, emergency vehicles, and requested that the Board take these matters into consideration.

Steve Cunningham – 25 Short Street - told the Board that 22 Short Street owned by the applicant, has 9 vehicles parked at the property, and you cannot get through to the end of the street. Believes this is a safety issue for not only the Fire Department but all other emergency responders.

Vote: Motion made by David P. to approve the application as submitted - Second by Chris B. – Roll Call Vote taken - Unanimous – Application approved with four (4) conditions to be specified in the Decision.

Adjournment: Motion by John M. to adjourn the meeting – Second by Mark C. – Roll Call Vote taken: Unanimous – Meeting adjourned.

Meeting Adjourned – 9:05 P.M.

Respectfully Submitted,

APPROVED:

Melissa Tomas, Clerk

David R. Consigli, Chairman