

Town of Milford – Zoning Board
Milford Town Hall – Upper Town Hall
Meeting Minutes – August 11, 2022

Meeting Called to Order – 7:16 P.M.

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

Not in attendance: John Dagnese; David Claro; and Christopher Burns.

Approval of Minutes

Motion made by John M. to approve the minutes of the June 9, 2022 meeting – Second by Mark C. – Roll Call Vote taken: Unanimous – Minutes approved.

General Business

Chairman David Consigli opened the August 11, 2022 continued hearing.

7:20 P.M. - Hearing of Rte. 85 Realty Corp. – Special Permit

Members participating: David R. Consigli, Chairman; John Mastroianni, Vice Chairman; David H. Pyne; Mark Calzolaio; Robert Capuzziello.

Recused Members:

In Attendance: Atty. Knapik; John Nenart, Engineer; and Tariq Fayyad.

Documents provided: Petition for Variance dated 5/16/22; Assessors “Request for Abutters List” dated 5/5/22; Certified Abutter’s list dated 5/5/22; GIS Property Info 43-062B; Planning Board recommendation letter to ZBA dated 6/8/22; Town Planner letter to Planning Board dated 6/7/22; copy of Bohler Engineering Plans “Rte. 85 Realty Corp.” dated 5/16/22; Notice of Hearing dated 5/23/22; Letters from Abutters and Signatures Collected dated 6/8/22; copy of contact sign-up sheet from abutters dated 8/11/22.

Chairman Consigli began the hearing. He read the Notice of Hearing, the application, Town Planners letter, and the Planning Board recommendation. Asked everyone present to direct all comments and questions through the Chairman.

Attorney Knapik began his presentation to the Board. He informed the Board that the applicants are re-designing the project and he then asked the board for a continuance of the hearing so that the owner/developer would like to hear the concerns and questions from the Board as well as the residents.

Chairman Consigli spoke to all about the CB zone. He also informed everyone that a group contacted him about a year ago, looking to put a hotel in this space.

Attorney Moody addressed the Board- he reminded the Board that the question presented to the Board this evening is whether or not to grant the request for continuance.

John Nenart, Engineer for the applicant informed the residents that the gas station/convenience store is going to have a country look; it will be a very different look and type of store. He also informed the board that the gas station will have electric charging stations.

Tariq Fayyad informed the Board that he had reached out to the abutters; and unfortunately, he cannot force abutters to meet with him.

Board member Mark C. spoke about his concerns and asked the applicants a few questions; he is concerned about traffic; price of gas at the gas station; concern with Amazon van filling up at the gas station; and he would like the applicant to meet and speak with the abutters to see if they will work something out. Member Robert C. was not happy that there has not been communication between the applicant and abutters since the last meeting.

Tariq Fayyad answered a few concerns and questions from abutters. He informed everyone that the hours of operation would be 6 am to 10 pm; 7 days a week; no night deliveries; and they would be happy to relocate charging stations.

Tariq informed all that he would be happy to set up a community meeting to discuss and address all residents' concerns. He is happy to address safety; barricades; and other concerns. He is willing to prepare new site plans to accommodate all the requests.

Chairman Consigli worked with both parties and the continuation with the ZBA was agreed upon for October 13, 2022. John Nenart will post an ad in the Milford Daily News in order to notify the abutters of the community meeting. A sign-up sheet is also on the front desk for any abutter/resident who would like to be notified via mail, telephone or email; to place their contact information and the applicant will send the appropriate notice to the abutters. (A copy of the sign-up sheet was documented for the ZBA)

Public participation:

Scott McKenzie – resident of Medway Street and abutter to the proposed project site began the public participation. He informed the Board that there has been no community meeting since the last hearing. He spoke with the applicant however there has been no follow-up and no communication by the applicant to the abutters. Scott then spoke of zoning uses for this property; informed the Board that 100% of abutters are opposed to the project; and that residents would like a more acceptable use at this property.

Attorney Jim Roberti presented to the Board his and his clients concerns regarding the proposed project. His client Judy has been a resident in the area for over 20 years and wanted to express her concerns which were: hours of operation; lighting; vacuum machines; approval from conservation commission; any order of conditions; traffic/traffic study; eliminating the car wash; ground water concerns; exposure to emissions; and any site plan review conditions with the Planning Board.

Jennifer Scott – 5 Venice St. – expressed her frustration of not being able to make a left turn safely. She also expressed concerns regarding proximity to wet lands; leaky gas tanks and ideas of how to protect the wet lands.

A resident of Naples Court informed the Board they can not get out of Naples Court, traffic is too difficult in the area already.

Joe Ciaramicoli – of 61 Medway Rd. – informed the Board that he spoke to the applicant at the last hearing/meeting, gave him all his info to contact him, and never heard from the applicant or his team. No communication was made.

The daughter of the resident at 56 Medway Road expressed her concerns of traffic; deliveries to the area (deliveries all hours of the night to Cornerstone); safety and traffic.

Mrs. McKenzie also included her concerns which were: truck deliveries to Big Y all night; hours of operation; safety concerns for the neighborhood; and charging stations.

Jean McKenzie (represents Birch Hill Condos – which consist of 60 units) is very concerned about traffic. Birch Street is very narrow and there is a lot of speeding.

Pasquale voiced his concerns which included: Jake brakes; speeding; no limits posted; and safety.

Troy Roberts – of 6 Naples Ct. told the Board that he enjoyed the Alamo, looking for something neighbors can enjoy. He is also concerned about traffic and safety.

Jen (Memory Care Director) at Cornerstone wants community sense.

Scott McKenzie concluded with reminding the Board that the applicant was not able to revise the plans in 2 months, how can they come back in front of the Board next month? He wants set dates to comply with on both sides.

Vote: Motion made by Mark C. to continue the hearing until 10/13/2022 - Second by John M. – Roll Call Vote taken - Unanimous – Application continued until October 13, 2022.

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

Meeting Adjourned – 8:38 P.M.

Respectfully Submitted,

APPROVED:

Melissa Tomas, Clerk

David R. Consigli, Chairman