

**Town of Milford – Zoning Board**  
**Milford Town Hall – Room 3**  
**Meeting Minutes – August 18, 2022**

**Meeting Called to Order – 7:03 P.M.**

Members in attendance: David R. Consigli, Chairman; John Mastroianni, Vice Chairman; David H. Pyne; John Dagnese; Mark Calzolaio; and alternate member Christopher Burns. Also, in attendance; Melissa Tomas, Clerk; and Nick from Milford TV.

Not in attendance: David Claro; and Robert Capuzziello.

**Approval of Minutes**

Motion made by David P. to approve the minutes of the August 11, 2022 meeting – Second by John M. – Roll Call Vote taken: Unanimous – Minutes approved.

**General Business**

Chairman David Consigli opened the August 18, 2022 hearing.

**7:06 P.M. - Hearing of Avalon Kanso Milford**

**Members participating:** David R. Consigli, Chairman; John Dagnese; Mark Calzolaio; and Christopher Burns.

Not in attendance: David Claro and Robert Capuzziello.

**Recused Members:** John Mastroianni, Vice Chairman; and David H. Pyne.

**In Attendance:** Francis Yuen, Developer at Avalon; Attorney Michael Wallace; Phil Henry, Project Engineer; and Ed Bradford, Architect.

**Documents provided:** Avalon Kanso Milford – Birch Street Milford, MA Plans; Project Cover; Drawing List; Project Info Plans by the Architectural Team, Inc. dated 6/15/2022; Notice of Hearing dated 7/28/22.

Chairman Consigli began the hearing. He read the Notice of Hearing, and invited the applicants to begin.

Francis Yuen, Developer with Avalon began the presentation and introduced the members of his team. Mr. Yuen gave a brief overview of the proposal. He spoke about the building changes; elevation changes, adjustment to footprints, no change to number of units or bedrooms); spoke of the site plan changes: landscape, changing the outdoor pool to a BBQ area; and changing from Mass Housing to DHCD. All plans have been approved by Fire Chief; and changes have been ok'd by the Select Board.

Board members then asked their questions and spoke of any possible concerns. Member Mark C. asked for the reasoning of removing the pool and changing it to a BBQ area? Also asked about snow removal at the BBQ area during the winter months. He was told the BBQ area would have tables, BBQ space,

green space and a picnic area. Member John D. asked why the change to the roof? Mr. Yuen informed him it was a slight change in the pitch.

**Public participation:** None

**Vote:** Motion made by John D. to approve the insubstantial changes - Second by Mark C. – Roll Call Vote taken - Unanimous – Approved.

**7:14 P.M. - Hearing of Alexander Ortega - Variance**

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

**Not in attendance:** David Claro and Robert Capuzziello.

**Recused Members:** None

**In Attendance:** Donna Dube

**Documents provided:** Petition for Variance dated 7/14/22; Assessors “Request for Abutters List” dated 4/6/22; Certified Abutter’s list dated 6/8/22; GIS Property Info 34-24-1; Planning Board recommendation letter to ZBA dated 8/17/22; Town Planner letter to Planning Board dated 8/16/22; copy of Guerriere & Halnon, Inc., Plans “Plan of Land 91 Purchase Street” dated 7/12/22; Copy of DesLauriers & Associates, Inc., Mortgage Inspection Plan dated 8/22/2017; Notice of Hearing dated 7/28/22.

Chairman Consigli began the hearing. He read the Notice of Hearing, the application, the Town Planner’s letter and the Planning Board letter of recommendation. He then reviewed the plans submitted and continued the hearing. Chairman Consigli asked Ms. Dube to address any comments to the board members.

Donna Dube spoke to the Board regarding the application submitted. She addressed their concerns; spoke about safety, Mr. Ortega’s health issues, noise, traffic, privacy, and gave an example of trespassers entering and crossing through the property. She informed the Board that they are looking to install an 8’ fence from Home Depot to help alleviate these issues and concerns.

Chairman Consigli then asked the Board members if there were any questions or concerns. Member David P. requested that the fence installed far back enough to avoid damage from snow plowing, the further away from the road the better it will be. He requested that the fence be as close to the tree line as possible.

**Public participation:** None

**Vote:** Motion made by David P. to approve the application as submitted, with the fence being installed as close/along the tree line as possible - Second by John M. – Roll Call Vote taken - Unanimous – Application Approved.

### **7:31 P.M. - Hearing of Benjamin Campbell - Variance**

**Members participating:** David R. Consigli, Chairman; John Mastroianni, Vice Chairman; David H. Pyne; John Dagnese; and alternate member Christopher Burns.

**Not in attendance:** David Claro and Robert Capuzziello.

**Recused Members:** Mark Calzolaio (recused himself at 7:33 pm. and sat in the back of the room)

**In Attendance:** Benjamin Campbell

**Documents provided:** Petition for Variance dated 7/18/22; Assessors “Request for Abutters List” dated 4/29/22; Certified Abutter’s list dated 6/8/22; GIS Property Info 8-0-43; Planning Board recommendation letter to ZBA dated 8/17/22; Town Planner letter to Planning Board dated 8/16/22; copy of Colonial Engineering, Inc., Plans “Benjamin & Sonya Campbell, 3 McGill Lane, Milford” dated 6/8/22; Notice of Hearing dated 7/28/22; Planning Board letter to ZBA regarding Aquifer Protection via the RD Zoning District dated 8/17/22; Letter of support from Rafael Santos dated 8/13/22; Letter of support from Brad and Theresa Kaye dated 8/13/22; Letter of support from Kim & Mark Panorese dated 8/17/22; Letter of support from Sania & Kenneth Mutegyeki dated 8/13/22; Letter of support from Kara and Barry Maguire dated 8/17/22.

Chairman Consigli began the hearing. He read the Notice of Hearing, the application, the Town Planners letter and the Planning Board letter of recommendation. He also read and made note of the memo received from the Chairman of the Planning Board regarding aquifer protection. Chairman Consigli reviewed the plans submitted and continued the hearing.

Benjamin Campbell began his presentation to the Board. He informed the Board he is looking to subdivide his lot. He is not in the water shed area. No perk test has been completed on side lot, as he is awaiting to be assigned a lot number for the side lot. No line of site issues, its currently an overgrown area. He presented the Board with copies of five (5) letters of support from abutters.

Chairman Consigli read the letters of support into the record.

### **Public participation:**

Martha Dunbar was present and asked what size house was to be built. Mr. Campbell responded and said a 4-bedroom house, approximately 2500 sq. ft.

**Vote:** Motion made by David P. to approve as submitted and 6 trees with a 2” minimum caliber be planted - Second by Christopher B. – Roll Call Vote taken - Unanimous – Application Approved.

**Adjournment:** Motion by Christopher Burns to adjourn the meeting – Second by John D. – Roll Call Vote taken: Unanimous – Meeting adjourned.

**Meeting Adjourned – 7:50 P.M.**

Respectfully Submitted,

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Melissa Tomas, Clerk

APPROVED:

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David R. Consigli, Chairman