

**Town of Milford – Zoning Board**  
**Milford Town Hall – Room 3**  
**Meeting Minutes – November 10, 2022**

**Meeting Called to Order – 7:05 P.M.**

Members in attendance: David R. Consigli, Chairman; David H. Pyne; John Dagnese; and alternate members David Claro; and Christopher Burns. Also, in attendance Nick from Milford TV.

Not in attendance: John Mastroianni, Vice Chairman; Mark Calzolaio; alternate member Robert Capuzziello; and Melissa Tomas, Clerk.

**Approval of Minutes**

Motion made by Christopher B. to approve the minutes of the October 13, 2022 meeting – Second by David P. – Roll Call Vote taken: Unanimous – Minutes approved.

**General Business**

Chairman David Consigli opened the November 10, 2022 hearing.

**7:07 P.M. - Hearing of Milford Groves Residential Holdings, LLC. – Special Permit & Variance**

**Members participating:** David R. Consigli, Chairman; David H. Pyne; John Dagnese; and alternate members David Claro; and Christopher Burns.

**Recused Members:** n/a

**In Attendance:** Attorney David Bertonazzi; Carlton Quinn, Engineer at Allen & Major LLC.; John O'Connor and Keith Corrivi of Dolben Company.

**Documents provided:** Petition for Variance dated 8/22/22; Petition for Special Permit dated 8/22/22; Assessors "Request for Abutters List" dated 8/16/22; Certified Abutter's list dated 8/16/22; GIS Property Info 35-36-1; Planning Board recommendation letter to ZBA dated 9/21/22; Town Planner letter to Planning Board dated 9/20/22; copy of Allen & Major Associates, Inc. Plan "Proposed Office Building The Groves At Milford Brook Village South Milford, MA." dated 3/5/22; copy of Allen & Major Associates, Inc. Plan "Proposed Office Building The Groves At Milford Brook Village South Milford, MA." dated 10/13/22; Notice of Hearing dated 9/28/22; Memo to Board members from Shrey Shah dated 10/13/22; Agreement to Extend Time dated 10/13/22; Notice of Hearing dated 10/21/22.

Chairman Consigli began the hearing. He read the Notice of Hearing, the application, the letter from Town Planner and the Planning Board recommendation. He then read the letter in opposition from Shrey Shah, Milford resident.

Attorney Bertonazzi began his presentation to the Board. He explained the application; described the proposed changes; and spoke of the off-street parking. Explained that the Special Permit is necessary to make the proposed changes/alterations to the building, and the Variance is necessary for the front yard setbacks. Attorney Bertonazzi then spoke about the intersection at Senate Road; he spoke of parking concerns on the street. Attorney Bertonazzi was asked about office hours and he replied that the management company/office would be open Monday through Friday 9:00 am to 5:30 pm., and

Saturdays 10:00 am. to 5:00 pm. This management office is only servicing this complex. Discussions took place to address parking concerns and to offer safer service to the residents of this complex.

Chairman Consigli began discussions with questions from the Board. He asked about a 15 ft. right of way at the corner of Colonial and Capital Road. He is concerned that the GIS is showing the mailboxes are on Town property. He would like this to be cleared up and resolved. Attorney Bertonazzi informed the Board that their team will look into it to resolve the matter. Other questions were asked by Board members. Member David Pyne asked where the entrance was located, and where the parking for the office was? Chairman Consigli followed up by asking if anyone has looked into increasing any parking? Member David Claro commented and spoke of all the green space and minimum elevation, allowing for more parking options. Chairman Consigli commented that they must increase parking, especially after adding a 3-bedroom unit. He said the complex needs more parking, not parking on the public way or street. Member John Dagnese asked why there isn't enough parking? He questions overcrowding at the units. He stated that he was made aware of more people living in the units than permitted. Perhaps more inspections need to be completed to follow up.

**Public participation:** None

**Vote:** Motion made by David Pyne to approve new structure as submitted strictly for management office - Second by Christopher B. – Roll Call Vote taken – 4 in favor, 1 opposed. (Member John D. in opposition).

**Vote:** Motion made by David Pyne to create/develop not less than 12 parking spaces before occupancy (paring spaces do not apply for employees) - Second by Christopher B. – Roll Call Vote taken – Unanimous.

#### **7:55 P.M. - Hearing of 5 Water St., LLC. – Special Permit**

**Members participating:** David H. Pyne; John Dagnese; and alternate members David Claro; and Christopher Burns.

**Recused Members:** David R. Consigli, Chairman

**In Attendance:** Attorney David Bertonazzi; Lisa Carneiro & Fred Carneiro.

**Documents provided:** Petition for Special Permit dated 10/6/22; Assessors "Request for Abutters List" dated 9/29/22; Certified Abutter's list dated 9/29/22; GIS Property Info 48-0-328; Planning Board recommendation letter to ZBA dated 10/20/22; Town Planner letter to Planning Board dated 10/18/22; copy of Guerriere & Halnon Plans "Plan of Land 5 Water Street in Milford, MA." dated 9/6//22; Notice of Hearing dated 10/21/22.

Chairman Consigli opened the hearing. Chairman Consigli recused himself from the hearing.

Motion made for Chairman Consigli to moderate the hearing by John D. – Second by Christopher B. – Roll Call Vote taken: Unanimous.

Chairman Consigli read the Notice of Hearing, the Town Planner's letter and the Planning Boards letter of recommendation.

Motion made to waive the reading of the application by David P. – Second by Christopher B. – Roll Call Vote taken: Unanimous.

Attorney Bertonazzi began his presentation to the Board. He introduced the applicants. He explained the application; his clients are looking to relocate the store from the old pharmacy location (Davoren's) to the building next door. The retail space would be 2,781 sq. ft.; and the storage and food prep area would be 2,719 sq. ft. Attorney Bertonazzi discussed the adequate off-street parking for the new location; there will be parking to the rear of the building (from Water St.); will assist with pedestrian safety and parking situations. The Special Permit will allow for retail in office residential.

Board member David Pyne asked if there is access to the store from the rear of the building? Attorney Bertonazzi informed the Board that there is access from the rear which will be for deliveries and employees only; customers will enter from the front of the building (closest to Water Street).

**Public participation:** None

**Vote:** Motion made by David P. to approve the applications as submitted - Second by Chris B. – Roll Call Vote taken - Unanimous – Application Approved.

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

**Meeting Adjourned – 8:03 P.M.**

Respectfully Submitted,

APPROVED:

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Melissa Tomas, Clerk

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David R. Consigli, Chairman