

Town of Milford – Zoning Board
Milford Town Hall – Room 3
Meeting Minutes – April 13, 2023

Meeting Called to Order – 7:03 P.M.

Members in attendance: David R. Consigli, Chairman; John Mastroianni, Vice Chairman; David H. Pyne; Mark Calzolaio; and alternate members Christopher Burns and David Claro. Also, in attendance Jerry from Milford TV.

Not in attendance: John Dagnese; alternate member Robert Capuzziello; and Melissa Tomas, Clerk.

Approval of Minutes

Motion made by John M. to approve the minutes of the February 9, 2023 meeting – Second by Chris B. – Roll Call Vote taken: 4 members in favor; 1 abstention (Mark C.) – Minutes approved.

General Business

Chairman David Consigli opened the April 13, 2023 hearing.

7:05 P.M. - Hearing of Brian St. George. – Variance

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

Recused Members: n/a

In Attendance: Attorney Ernest Pettinari and Brian St. George.

Documents provided: Petition for Variance dated 3/20/23; Assessors “Request for Abutters List” dated 3/13/23; Certified Abutter’s list dated 3/14/23; GIS Property Info 35-0-30A; Planning Board recommendation letter to ZBA dated 4/5/23; Town Planner letter to Planning Board dated 4/4/23; copy of D & L Design Group Plan “148 Congress Street- Variance Plan of Land in Milford, MA.” dated 3/2/2023; Notice of Hearing dated 3/23/23; Letter of Support from Ronald Gray dated 4/5/23; Memorandum in Support of Application for Variance dated 4/13/23.

Chairman Consigli began the hearing.

Motion was made by David Pyne to waive the reading of the application – Second by John M. – Roll Call vote was taken: unanimous – reading was waived.

Chairman Consigli then read the Town Planner’s letter; and the Planning Board’s letter of recommendation.

Attorney Pettinari began his presentation to the board. He explained the application and explained the current layout. He continued by describing the scope of the proposed project and explaining the existing neighborhood. Attorney Pettinari explained the applicants hardship to the board, explaining the applicant would like to sell the new lot. By subdividing the existing lot, the applicant would end up with two (2) 10,000 sq. ft. lots. After analyzing the neighborhood, Attorney Pettinari believes the variance is

consistent with existing properties/neighborhood now. He concluded his presentation with a letter of support from an abutter and presented it to the board to place on record.

Chairman Consigli began discussions with the Board asking if there were any questions. Chairman Consigli began by explaining to Attorney Pettinari and the applicant what a hardship is. He does not feel this is a hardship that becomes the responsibility of the Board nor of the Town.

Member Mark C. asked questions regarding the plans with the properties, whether looking to sell or rent. He asked who lives in the red house now? What are the plans with the red house? When asked if he will sell, Mr. St. George replied yes. When asked if he would be selling the lot, Mr. St. George replied yes. Mr. St. George also explained that he would need to get through this process first and he will then make his final decisions to determine what he will do with the property and the new lot.

Member David Pyne interjected during the discussions; said he did not feel it was the Boards' responsibility to interrogate the applicant. A brief disagreement took place, and member Mark C. explained that he is looking to get an idea of the applicants' intentions. Chairman Consigli ended the exchange and continued with the hearing.

Member David Claro expressed his hesitation with the application, explaining that this application would be resulting in two (2) non-conforming lots/properties.

Attorney Pettinari once again explained that the existing lot is oversized, and each lot resulting from this subdivision would be two (2) 10,000 sq. ft. lots; which would only be non-conforming as to area. Attorney Pettinari also noted that the Petitioner is willing and understanding that the Board can impose requirements or restrictions that they see fit.

Member David Claro asked if this application had been reviewed or brought to Conservation? Attorney Pettinari responded that would be the next step if the application was approved this evening.

Attorney Pettinari reiterated in closing that the requested variance is not outrageously unique. This is the last corner lot remaining. He informed the Board that he went out 900 ft. and the properties have approximately 10,000 sq. ft. lots. Rebuttal from the abutters began and they explained that is not where the development is proposed. Both Maryanne Mastroianni and Marsha Hutchinson continued and reminded the Board that the proposed project is at the corner of Congress and Agnes Road, where the lots are much larger, and wanted to make it clear that Attorney Pettinari is implying the lots are smaller there, when in fact they are not.

Public participation:

Maryanne Mastroianni of 4 Agnes Road was present and introduced herself to the Board. She is a Milford resident and purchased her property over 40 years ago. She explained to the Board that the subject property has always been a problem. Most houses in the development are very old but all are consistent and have approximately ½ an acre.

Marsha Hutchinson of 146 Congress Street was also present and explained that she recently became a widow in July of 2021; she has also struggled with her own hardships; especially after going down to a single income. She explained that she did not try to subdivide her property and inconvenience the neighborhood. She spoke of existing issues in the neighborhood and more specifically at the proposed site; such as drainage and flooding concerns.

Vote: Motion made by David P. to approve as submitted – there was no second – Application was not approved.

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

Meeting Adjourned – 7:34 P.M.

Respectfully Submitted,

APPROVED:

Melissa Tomas, Clerk

David R. Consigli, Chairman