

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

Meeting Called to Order – 7:01 P.M.

Members in attendance: David R. Consigli, Chairman; Mark Calzolaio; and alternate members Robert Capuzziello; and David Claro. Also in attendance Melissa Tomas, Clerk, and Jerry from Milford TV.

Not in attendance: John Mastroianni, Vice Chairman; David H. Pyne; John Dagnese; alternate member Christopher Burns.

Approval of Minutes

Motion made by Mark C. to approve the minutes of the June 8, 2023 meeting – Second by Robert C. – Roll Call Vote taken: Unanimous – Minutes approved.

General Business

Chairman David Consigli opened the July 13, 2023 hearing.

7:05 P.M. - Hearing of Estevao Costa – Special Permit

Members participating: David R. Consigli, Chairman; Mark Calzolaio; and alternate members Robert Capuzziello; and David Claro.

Recused Members: n/a

In Attendance: David Faist, P.E. of CMG Engineering Services and Estevao Costa

Documents provided: Petition for Special Permit dated 6/14/23; Assessors “Request for Abutters List” dated 5/16/23; Certified Abutter’s list dated 5/18/23; GIS Property Info 33-0-35A; Planning Board recommendation letter to ZBA dated 7/12/23; Town Planner letter to Planning Board dated 7/11/23; copy of CMG Engineering Services Plan “Proposed ‘ETS Equipment Rental’ Rental Facility” dated 3/17/2023; Notice of Hearing dated 6/23/23.

Chairman Consigli began the hearing. He read the Notice of Hearing; the application; Town Planner’s letter and the Planning Board recommendation. Chairman Consigli also read the memo submitted from CMG Engineering Services.

Mr. David Faist introduced himself and the applicant. He presented the application to the Board, explained the proposed use and any work. He spoke of the curb cuts, the lot itself, buildings and surrounding properties.

Mr. Estevao Costa explained to the members that this location is for smaller equipment; targeting homeowners (not commercial); is aware of the lot configuration; and informed the Board that the service for the equipment will remain fully in Hopedale, there would be no service in Milford.

Chairman Consigli expressed his concerns with the property. Spoke about heavy equipment and safety concerns at the location. He also said that this looks industrial and heavy equipment belongs in an

Industrial zone. Members also expressed their concerns and asked various questions. Robert C. spoke about trucks and trailers, and the ability to turn around in that area. He also spoke about traffic and congestion. Member Mark C. brought attention to the little square footage that is usable at the property, asking if that is enough space for what the applicant is looking to do. David Claro asked about legal issues, since a special permit has already been issued at this location. Robert C. added that he believes homeowners with trailers will be the issue pulling in and out of this location, turning and creating problems. Mark C. noted that the applicant is in an Industrial zone in Hopedale, and asked why is he trying to put the same operations in non-industrial in Milford?

Public participation:

Carol Hiller – 6 Prairie St. – resident of Milford for 60 years, expressed her concerns for the proposed use. She spoke about her property; windows/views; traffic; congestion; lighting issues; noise; buffer to residential area; groundwater; snow removal; and contamination of diesel fuel.

Anna Capobianco – 9 Prairie St. – also addressed the Board members and spoke about her concerns with the application. She spoke about hours of operation; points of egress; who is hauling the machines; and traffic. She does not see it fitting in this neighborhood.

Vote: Motion made by Mark C. to deny the application - Second by Robert C. – Roll Call Vote taken – 3 members in favor (David Consigli; Mark C.; Robert C.), 1 abstention (David Claro) – Application Denied.

7:34 P.M. - Hearing of Ernane DeSousa Silva – Variance

Members participating: David R. Consigli, Chairman; Mark Calzolaio; and alternate members Robert Capuzziello; and David Claro.

Recused Members: n/a

In Attendance: Attorney Mark Wickstrom and Ernane Silva

Documents provided: Petition for Variance dated 6/20/23; Assessors “Request for Abutters List” dated 5/30/23; Certified Abutter’s list dated 5/31/23; GIS Property Info 49-0-388; Planning Board recommendation letter to ZBA dated 7/12/23; Town Planner letter to Planning Board dated 7/11/23; copy of A.S. Elliott & Associates Plan “Variance Plane of Land 19 Highland Street, Milford, MA.” dated 3/16/2023; Notice of Hearing dated 6/23/23; Memorandum in Support of Variance from Attorney Mark P. Wickstrom.

Chairman Consigli began the hearing. He read the Notice of Hearing.

Motion made by David Claro to waive the reading of the application - Second by Mark C. – Roll Call Vote taken – Unanimous – reading waived.

Chairman Consigli then read Town Planners letter and the Planning Boards recommendation.

Attorney Wickstrom presented the application to the Board. He explained the proposed work, spoke of the lots and explained the request. He informed the Board that Lot 1 will comply but the variance is

needed for Lot 2 (dimensional variance for side setbacks). He explained that his applicant is looking to move into the new construction and the front home is rented to his cousins.

Chairman Consigli spoke of the existing home; stating it has a second unit in the basement and it is not a single family; the applicant responded that it has one unit and there are 5 people living in the home. Chairman Consigli expressed that this not a hardship.

After discussions Attorney Wickstrom requested to continue the application to the next ZBA meeting.

Public participation: none

Vote: Motion made by Robert C. to continue the application to the August meeting - Second by Mark C. – Roll Call Vote taken – Unanimous – Application continued to next meeting.

7:54 P.M. - Hearing of Ina Hoyle – Special Permit

Members participating: David R. Consigli, Chairman; Mark Calzolaio; and alternate members Robert Capuzziello; and David Claro.

Recused Members: n/a

In Attendance: Ina Hoyle and Ray Doiron

Documents provided: Petition for Special Permit dated 6/20/23; Assessors “Request for Abutters List” dated 6/20/23; Certified Abutter’s list dated 6/20/23; GIS Property Info 39-0-37; Planning Board recommendation letter to ZBA dated 7/12/23; Town Planner letter to Planning Board dated 7/11/23; copy of Land Planning, Inc. Plan “60 Highland Street Milford, MA” dated 6/16/23; copy of J. Tieuli Design Plan “Private Residence 60 Highland Street Milford, Massachusetts” dated 4/10/23; Affidavit of Ina Hoyle dated 6/21/23; Notice of Hearing dated 6/23/23.

Chairman Consigli began the hearing. He read the Notice of Hearing. He read the application, Town Planners letter and the Planning Boards recommendation, and then read the Affidavit submitted with the application.

Ina Hoyle began her presentation to the Board. She spoke of the application, the purpose of the work and the proposed work. She explained the addition is for her elderly parents to live with her as they do need daily assistance and help with medications.

There were no questions or comments from the Board members regarding the proposed work.

Public participation: none

Vote: Motion made by Robert C. to approve as submitted - Second by David Claro – Roll Call Vote taken – Unanimous – Application approved.

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

Meeting Adjourned – 8:02 P.M.

Respectfully Submitted,

APPROVED:

Melissa Tomas, Clerk

David R. Consigli, Chairman