

Town of Milford – Zoning Board
Milford Town Hall – Room 3
Meeting Minutes – November 9, 2023

Meeting Called to Order – 7:06 P.M.

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

Not in attendance: Alternate members Robert Capuzziello and Christopher Burns.

Approval of Minutes

Motion made by John M. to approve the minutes of the October 12, 2023 meeting – Second by John D.
– Roll Call Vote taken: Unanimous – Minutes approved.

General Business

Chairman David Consigli opened the November 9, 2023 hearing.

Chairman Consigli read the letter/request from The Gutierrez Company regarding the Comprehensive Permit Extension for The Residences at Stone Ridge – Phase II. Israel Lopez was present to discuss the request and answer any questions Board members may have.

Discussions began among the Board members. Questions were asked as to the reasons for the extension request. Member David Pyne questioned why a three (3) year extension? He is only supportive of a one-year extension. Other questions were being asked as to the process of the extension and what effect it would have if other developers were to apply for development. Chairman Consigli called Special Counsel Moody to help clarify the questions and discussions.

Attorney Moody informed the members that the Housing Committee would automatically support a three (3) year extension and the applicant does have the right to appeal the decision of the Board. Attorney Moody advised the Board to approve a three (3) year extension.

Member Mark C. asked Mr. Lopez what is the reason for the extension? Mr. Lopez listed several factors such as water; market, etc.

Vote: Motion made by David P. to approve a 2-year extension - Second by John D. – Roll Call Vote taken – only 2 members in favor (David P. and John D.)

Vote: Motion made by Chairman Consigli to approve a 3-year extension - Second by Mark C. – Roll Call Vote taken – 3 members in favor (Chairman Consigli; John M.; and Mark C. (2 opposed; David P. and John D.)

Vote: Motion made by John M. to approve a 30-month extension - Second by Mark C. – Roll Call Vote taken – Unanimous – Extension Approved for 30 months.

7:27 P.M. - Hearing of Alvaro Carrasco – Special Permit

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

Recused Members: n/a

In Attendance: Ruben Lema Sr., and Ruben Lema Jr.

Documents provided: Petition for Variance dated 8/28/23; Assessors “Request for Abutters List” dated 8/24/23; Certified Abutter’s list dated 8/25/23; GIS Property Info 48-0-145; Planning Board recommendation letter to ZBA dated 9/21/23; Town Planner letter to Planning Board dated 9/19/23; copy of A.S. Elliott & Associates Plan “Certified Plot Plan 18 South Main Street, Milford, MA.” dated 8/20/2023; copy of Martin Designs Inc. Plans “Lema Enterprise LLC., 18 South Main St., Milford, MA” dated 4/26/2023; Notice of Hearing dated 9/25/23; Notice of Hearing dated 10/19/23; A copy of Martin Designs Plans “Lema Enterprise LLC., 18 South Main Street, Milford, MA.” Dated 10/24/23. Chairman Consigli began the hearing. He read the Notice of Hearing and explained that the matter was continued from the October ZBA hearing. He discussed the new plans submitted and provided copies to the Board members.

Ruben Lema Jr., and Ruben Sr. were both present and available for any questions. Ruben Jr. explained to the Board that they revised the plans in accordance with feedback from the prior meeting and have submitted them for approval.

Board members asked questions. Member Cazolaio asked what was the size of the deck; Mr. Lema responded 4x4. Other members reviewed the plans and all were in accordance with the new plans. There were no further questions from the board members.

Public participation: None

Vote: Motion made by John D. to approve as submitted - Second by John M. – Roll Call Vote taken – Unanimous – Application Approved.

7:30 P.M. - Hearing of Veronica Camara – Variance

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

Recused Members: n/a

In Attendance: Attorney Bertonazzi and Veronica Camara.

Documents provided: Petition for Variance dated 9/11/23; Assessors “Request for Abutters List” dated 9/8/23; Certified Abutter’s list dated 9/11/23; GIS Property Info 33-0-78; Planning Board recommendation letter to ZBA dated 9/21/23; Town Planner letter to Planning Board dated 9/19/23; copy of D&L Design Group Plan “7 Florence Street – Variance Plan of Land in Milford, MA.” dated 7/20/2023; Notice of Hearing dated 9/25/23; Request for Continuance from Attorney Bertonazzi dated 10/12/23; Notice of Hearing dated 10/19/23.

Chairman Consigli began the hearing. He read the Notice of Hearing; the application; Town Planner letter and the Planning Board recommendation.

Attorney Bertonazzi presented the application to the Board. He spoke of the new dimensions; the variance requirements; lot sizes; the surrounding lots; and the history of the lots and properties. He closed with the intentions of his clients, looking to build the new home for their family and with hopes to rent out the current home.

Members made comments and asked questions. Member David Claro commented that the application was reasonable, as others have also successfully done the same. Chairman Consigli spoke of similar lots and proposals brought forward to this Board and understands the application, and noted that there were no abutters present. Member Mark C. questioned the size of the proposed house and the time frame to build the new home? Ms. Camara responded that their intentions are to build a three (3) bedroom split. The Board had discussions of the sheds and the configuration of the sheds.

Public participation: None

Vote: Motion made by John M. to approve the application as submitted; as a three (3) bedroom house with three (3) 4" caliper trees to be planted - Second by Mark C. – Roll Call Vote taken – Unanimous – Application Approved.

7:52 P.M. - Hearing of Isabella Braga – Special Permit

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

Recused Members: n/a

In Attendance: Isabella Braga, Mr. Braga and John Federico from Guerriere & Halnon.

Documents provided: Petition for Special Permit dated 10/12/23; Assessors "Request for Abutters List" dated 7/24/23; Certified Abutter's list dated 7/24/23; GIS Property Info 12-79-13; copy of Guerriere & Halnon, Inc. Plan "Special Permit of Land 24 Camp Street Milford, Massachusetts" dated 10/6/23; Notice of Hearing dated 10/19/23.

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

John Federico of Guerriere & Halnon began his presentation to the Board. He described the reason for the application and spoke of the proposed changes.

Board members began their discussions and questions. Chairman Consigli asked what is going above the garage area? Isabella informed the members that will only be a closet and office. Member Mark C. asked if she is updating the bathroom? Ms. Braga replied "no." Chairman Consigli asked about the driveway on the left side of the house; will it be eliminated? Ms. Braga replied "eventually" and Mr. Consigli commented on the cut trees that were dropped/dumped on the property and have been left there. Member David Claro asked how are they supporting the back of the addition because of the slope/grade change? He spoke of the recommendation of a structural engineer.

Public participation:

Lucia Coplan - 3 Ester Drive – spoke of her concerns to the board members. She asked about the height of the garage; spoke of the side lot concerns; and concerns regarding the trees.

Vote: Motion made by John M. to approve the application with conditions: foundation to be pinned at the corners; subject to Planning Board approval; no interior construction on the 2nd floor above the garages w/o a plan to the Building Commissioner and no added bedroom and no plumbing (office and walk-in closet only); removal of old driveway upon occupancy of the garage; all permits need to be closed out prior to this one being issued; four (4) 4” caliber trees to be planted; and remove easterly driveway - Second by David P. – Roll Call Vote taken – Unanimous – Application Approved.

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

Meeting Adjourned – 8:20 P.M.

Respectfully Submitted,

APPROVED:

Melissa Tomas, Clerk

David R. Consigli, Chairman