

Planning Board Minutes, Thursday, December 30, 2014

The thirteenth meeting of the Milton Planning Board for fiscal year 2015 was held on Thursday, December 30, 2014 in the Carol Blute Conference Room in the Town Hall of Milton.

In attendance were Planning Board members Alexander Whiteside, Chairman, Edward L. Duffy, Emily Keys Innes, Michael Kelly, Bryan Furze, Planning Director William Clark, Assistant Town Planner Timothy Czerwienski and Administrative Clerk Emily Martin.

1. Administrative Items:

There were no minutes to be approved at this time.

The next scheduled meetings of the Planning Board are, Thursday, January 8, 2015, Thursday, January 22, 2015 and Thursday, February 12, 2015.

2. Citizen's Speak:

No residents chose to speak at this time.

3. Public Hearing:

At 6:45PM a Public Hearing commenced to discuss Site Plan Approval for the proposed restaurant at 556 Adams Street. Property owner Jean Falconi Schmidt, attorney Marion McEttrick, designer Steve Todisco and engineer Greg Morse spoke first to explain their plans for the project, and to present materials showing some of their proposed plans.

The property is currently an unused movie theatre that seated 660, but it has been vacant for over 30 years. The owners purchased both the theatre and the store fronts on either side of the entrance, as well as two houses on Church Street next to the businesses. The current occupants will continue their tenancy, and the owners have invested in repairs and improvements to the building façade and sidewalk.

The footprint of the building will not be changing, but the interior will be renovated to add doors and windows, the necessary restaurant equipment and seating for 140 patrons indoors, as well as a patio area that would accommodate 20 more. The houses purchased on Church Street would be demolished and made in to a 25 car parking lot, which would be in addition to the 38 spots currently leased to Abby Park at 4 Franklin Street. If this project is approved and completed the parking lease to Abby Park would be terminated, and all spots in both lots would be for the new restaurant. This allocation would give a 2.5:1 parking ratio, as opposed to the current required 4:1. There is a Zoning Board of Appeals hearing scheduled for this project at 7:15PM on Tuesday, January 13. At this time issuance of a Special Permit for the project and parking will be discussed.

Designer Steve Todisco spoke to the Board about the design he had planned for this space. He described the current state as "a big box with no windows" to which he plans to add some rectangular windows higher up towards the ceiling. He plans that the light fixtures would hang lower than the window sills, so natural light will be let in to the space, but ambient light would not be let out from the interior. He also presented a design showing a new entrance built into the Church Street side of the building, the outdoor patio seating. He suggested rebuilding a marquee over the Adams Street entrance to pay homage to the original theatre.

After Mr. Todisco spoke, Chairman Whiteside questioned how they planned to incentivize patrons to park in the Franklin Street lot, and said he wants the design of the Franklin Street lot to "funnel" people out to Adams Street to the restaurant front. Member Innes commented that the Traffic Commission should be involved to help deal with the question of delivery trucks and the traffic issues they create, and to determine who can use what parking spaces throughout the day. A 30 minute parking limit was suggested to offer protection to neighbors of the property from patrons parking outside of the designated lots. Chairman Whiteside also stated he would like to see elevations showing enforceable architectural specificity with dimensions. Member Duffy inquired into what the restaurant hours would be, as he is concerned the Franklin Street lot could be overbooked during lunch hours. Town Planner Clark stated Abby Park has a maximum capacity of 60 patrons at lunch due to parking restrictions.

Engineer Greg Morse took the floor to discuss the project plans. He stated the property is entirely in the business district with 10,680 square feet of theatre space. The parking lot on Church Street is designed with standard spaces and ADA compliant handicapped spaces. The dumpster has been relocated due to concerns of abutters, it will be located at the closest point to the kitchen and totally enclosed. Deliveries will be planned to take place in the Church Street lot, and they will be scheduled for early morning so as to be done before lunch starts. They plan to have a valet in the Church Street lot who will park customer's cars either in tandem on Church Street or in the lot on Franklin Street. The new lot on Church Street will have an increase of 1,050 square feet of impervious surface beyond what it currently is, for which they have created a new compliant drainage system. They are also planning an 8' evergreen screen for the back of the lot where it meets the abutting house on Church Street. Member Furze inquired about a grease trap, Mr. Todisco said it will be a subterranean trap. Member Innes stated she would recommend a wooden dumpster enclosure (instead of concrete), and Member Furze expanded that he would like to see a drain in the dumpster pad to prevent runoff into the parking lot of water used to clean the dumpster.

The discussion was then opened to residents who wish to speak about the proposal.

Richard Hynes of 1 Paradise Road approached the table with his brother John of 159 Pleasant Street to speak for their parents Richard and Catherine Hynes of 20 Church Street. They stated they had previously spoken to the Falconis about the planned placement of the dumpster, as it is a major concern that it would be located too close to their parents' property line. They want the dumpster to be in an enclosed structure in order to minimize the smells that may emanate from it. They also voiced their opinion that having a valet is a good idea, but providing that service in the parking lot on Church Street would increase traffic in the bordering neighborhoods. They would prefer that the valet service be controlled from the front of the restaurant on Adams Street and not in a residential area. Member Furze agreed that the neighborhood should work with the Town Traffic Commission to figure out the best method of dealing with these concerns.

Tony McDonnell of 4 Mechanic Street approached the table to voice his opinion that the proposal is "ludicrous," that the theatre is "a box that should be torn down" and that the business will not fit in the proposed space. He stated the traffic now has a horrendous impact on the residential neighborhood, and questioned what the addition of another restaurant would have. He believes that if this project is approved then Abby Park should not continue their business, as they would lose their current parking lease and need to find another suitable option. Mr. McDonnell also expressed his opinion that the MBTA bus running through East Milton square causes congestion and traffic, and that the bus stop should be moved farther out from the Square.

Nancy and Ed Dirocco of 9 Church Street approached the table to voice their concern about the lighting in the parking lot across the street from their house. They wondered if there is any regulation as to whether the lights need to stay illuminated all night, as they feel there will be too much light traveling to their windows from the lot. Member Innes said the Board can request those details from the applicant, as they were not included in the original packet. They also expressed their displeasure at the possibility of having a view of a plain brick wall once the project is completed.

Suzanne Brown of 566 Adams Street approached the table. She stated that in previous discussions with the Falconis the valet on Church Street was never mentioned, and she doesn't believe there will be enough parking spots. She expressed displeasure that a condition for Abby Park that it was to post parking availability online has not yet been posted. She also voiced concern that the occupancy for the building has not been stated, and that it will be higher than the seating capacity due to patrons who are waiting to be seated which will contribute to more cars in the parking lots. She said she is also worried about disturbances from the headlights of cars leaving the lot on Church Street because she feels they will have a negative effect on her rental property.

Paul Traverse of 26 Hurlcroft Road approached the table and identified himself as a local businessman and member of the Chamber of Commerce. He stated that Milton is changing, and this proposal would be a benefit to the town. He said that the Falconi family has pride in ownership of their current properties and businesses, and he believes they will do a good job if they follow through on this project.

Cindy Christensen of 59 Collamore Street approached the table and identified herself as a Precinct 7 Town Meeting Member. She said she is in favor of the restaurant being built as she sees the Falconis as thoughtful and honest developers who have been working with residents to address concerns. However, she had some concerns about the east side of town on which she wanted to be heard. She said that there is little enforcement of traffic violations in the square, and it isn't safe for schoolchildren on the east side of town to walk to school. She conceded that these issues are not the responsibility of the Falconis. However she wanted to make the town aware of her concerns and that she wants the residents of East Milton to have a fair share of town services and protections.

April Anderson-Lamoureux of 249 Brook Road approached the table to say she is in support of this project, and she had an additional 13 letters of support from other residents of the town. As a Town Meeting Member for Precinct 4 she acknowledged the concerns of the abutters. However she said she is more concerned about the economic stability of the town. She noted that she received her tax bill and it had increased for the eighth year in a row, and that this project allows an opportunity for revenue for the town. She stated she thinks the Falconis are a local family of business owners who are concerned about residents, as shown by their willingness to work on issues that have arisen from neighbors. She also thinks that a lot of the challenges that have been voiced are resolvable, and that this project could help alleviate some strain on taxpayers, as currently there isn't much opportunity for growth for local businesses.

Diane Ditullio Agostino of 147 Ridgewood Road approached the table, she identified herself as a former Selectman and a Town Meeting Member (for Precinct 9). She requested clarification in regards to what elements of the project fall under the Planning Board jurisdiction versus the Zoning Board of Appeals. Chairman Whiteside said that the language of the Zoning gives the ZBA authority over the parking (in regards to number of spaces, however the Planning Board has some authority over the actual layout of the lot). He also explained that the ZBA has the capability to issue Special Permits depending on the circumstances of the property, and that those

permits can be conditioned by the ZBA so the Board has some ability to shape the project. The Site Plan Approval is a component added to the Zoning that gives the PB authority to review any site plan submitted for a building reconstruction with over 800 square feet of renovations being done to the exterior. When a Site Plan is approved it is under the condition that the project will be completed as detailed when it was accepted.

At the end of the hearing Marion McEtrick confirmed that the Board was still seeking specification sheets for the lighting fixtures and guidelines on the overnight lighting of the parking lot. Chairman Whiteside said that if the headlights of cars as they enter and exit the Church Street parking lot are a problem he would like to see if there is any way to mitigate the impact on the neighbors. Suzanne Brown spoke up again to question whether there is an existing lot where lights similar to those proposed could be seen prior to installation for this project. She also expressed concern over issues that are currently happening in the parking lot of the houses currently at 10 & 14 Church Street, and was answered that the Falconi family plans to install security cameras on the property as they already have at the 4 Franklin Street lot. The Public Hearing was adjourned, to be continued at the Planning Board meeting on January 22 at 6:45PM.

4. **Old Business:**

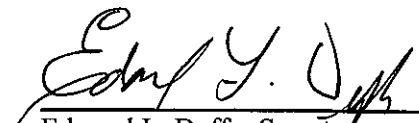
ANR, 1381-1383 Brush Hill Road

Owner Barbara Piper approached the table with her attorney Marion McEtrick to discuss the division of her lot into two lots. These lots were created with an agreement of a restriction on the lots for single family developments only. Three of the abutters have no issue with the application and agreed to contribute to the maintenance fund for Avenue A, which is the access road to these lots, as well as to the property of the Langevins of 1439 Brush Hill Road. This is consistent with an agreement from 1912 of the original lot designation, in which the owners entered into an agreement to pay into a fund to maintain the private way. This payment into the fund is a restriction that is recorded as part of this division. Upon motion duly made and seconded the Board voted unanimously to authorize Mr. Clark to endorse the plan as not requiring a subdivision approval.

Zoning Bylaws for May Town Meeting

There is an article proposed to update the zoning maps ensuring their accuracy. Town Planner Clark has determined in order for the information to be corrected it is best to not rush this issue to hearing at the May Town Meeting, and to postpone it until October instead. Chairman Whiteside agreed. There is also an article being put forth by the Board of Selectmen to change the use of the landfill access road from a landfill use to municipal service use. Town Planner Clark also made mention that there might be a proposal regarding the Swift Hat House.

5. **Adjourn:** 9:05


Edward L. Duffy, Secretary