

## Planning Board Minutes, Thursday, January 22, 2015

The fifteenth meeting of the Milton Planning Board for fiscal year 2015 was held on Thursday, January 22, 2015 in the Blute Conference Room at Milton Town Hall.

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

### 1. Administrative Items

The Planning Board postponed approval of the meeting minutes for December 10, December 30, 2014 and January 8, 2015.

The next scheduled meetings for the Planning Board are February 12, February 26, and March 12. All meetings are scheduled to start at 6:30 PM, and take place in the Blute Conference Room.

### 2. Citizens Speak:

No residents chose to speak at this time.

### 3. New Business:

#### • **27 Bracket Street ANR**

Mike O'Toole submitted an Application for Endorsement of Plan Believed Not to Require Subdivision Approval for his property at 27 Bracket Street. Mr. O'Toole acquired a piece of land from his neighbor so that a proposed addition and deck on his house would comply with setback requirements. Member Duffy made a motion to authorize Town Planner Clark to endorse the plan as not requiring subdivision approval. The motion passed unanimously. Chairman Whiteside instructed Mr. O'Toole to bring a Mylar copy of the plan to the Planning Department for endorsement.

#### • **Report of Town Planner**

Town Planner Clark relayed to the Board recent activities of the Planning Department, including:

- Working with the developer of the Governor Stoughton property. Interns in the Engineering Department are conducting an architectural review of existing structures on the property.
- Matters relating to the East Milton Theatre proposal and the Thayer Nursery special permit
- Issues regarding the Swift Hat House in Milton Village
- Issues regarding the Hendrie's demolition
- 40B issues, including the 1.5% affordable housing land use calculation.

Member Duffy asked Town Planner Clark to expand on the Central Avenue issues. Mr. Clark said that the Town and the Connelys have asked for a continuance in order to deal with issues involved in the demolition. A new stormwater management plan is being developed for the project.

Member Furze asked if there is any cost related to the 1.5% land use calculation. Mr. Clark responded that the only cost was his time and the time of Alan Bishop of the Engineering Department.

- **Affordable Housing Trust**

Chairman Whiteside said that the Board of Selectmen have submitted an article to Town Meeting to appropriate money for the Affordable Housing Trust, and have asked the Planning Board to co-sponsor. He acknowledged that the language of the proposed article was sparse, and the subject would need more specifics. Member Innes suggested that the Board take up the issue at the next meeting. Member Kelly said that he would like to see language specifying how the money will be used, and where it will come from. Chairman Whiteside suggested that the Board invite a member of the Board of Selectmen to a future meeting to discuss the proposed article.

#### **4. Public Hearing:**

At 6:45PM a Public Hearing to discuss Site Plan Approval for the proposed restaurant at 556 Adams Street continued. Marion McEtrick, attorney for the applicant, introduced Engineer Greg Morse who would discuss various changes to the plan based on input and questions from the Board and the public at the last public hearing.

Mr. Morse described the pollution control system the restaurant will install, which will filter exhaust fumes from the kitchen. He said that the Board has been provided with specification sheets for the exterior lights, and a photometric plan that shows 0 foot-candles of light intensity at abutting properties. Morse described the proposed dumpster and wooden enclosure, and said the applicant was prepared to contract for mid-morning trash pickups two times per week. Mr. Morse then spoke about additional evergreen screening and an extended stockade fence along the northern side of the property. Mr. Morse told the Board that the Board of Appeals had endorsed the number of parking spaces presented in the plan, and said that the proposed restaurant would print parking locations on its menus, post information on its website, and use sandwich boards to direct patrons to parking. Mr. Morse presented a turning template that he said shows that a typical sized garbage or delivery truck would have no problem entering or exiting the proposed Church Street parking lot, and said that the Milton Fire Department inspected the plan and saw no potential access problems.

Designer Steve Todisco presented exterior elevations of the proposed restaurant, focusing on the east side elevation which was a topic of discussion at the previous public hearing. Mr. Todisco said that brickwork will break up the transom windows, which he said will give them a more residential feel. He said that light from the restaurant should not spill out of the windows, since the interior lights are two feet below the level of the window sills. Additional changes to the east side of the building were six light sconces, awnings over the two doors, and shrubs along the wall.

Mr. Morse then addressed several concerns brought up in a letter to the Board from a neighbor to the proposed restaurant, Gerard Lafond of 74 Church Street. The first concern regarded drainage pipes to Church Street: Mr. Morse said that there will be no drainage to Church Street; all stormwater will be stored and discharged on-site. The second concern regarded sewer capacity on Church Street: Mr. Morse said there is a break in the sewer line at Church Street, and sewage from the proposed restaurant will flow to the Adams Street sewer. The third concern regarded a construction management plan: Mr. Morse said that such a plan was included in the original application for site plan approval, and that the applicant was open to hiring a detail and requesting a curb cut permit in order to address traffic during construction. Chairman Whiteside said Mr. Lafond was probably concerned about the demolition of two houses on Church Street. Mr. Morse said that those issues would be addressed when the applicant applies for a demolition permit from the Building Department.

Mr. Morse said that he felt the revisions to the site plan have addressed all of the Board's concerns. Chairman Whiteside said that Morse should run through the requirements of bylaw governing site plan approval. Mr. Morse addressed Section 8.D.3 paragraphs a-f and outlined how the applicant addressed each.

Member Duffy spoke about the previous evening's Traffic Commission meeting, which included a discussion of parking around Steel and Rye. Member Duffy said that neighbors still complain about parking near that restaurant. Milton Police Department Chief Richard Wells, chair of the Traffic Commission, said he disagreed with Member Duffy's remarks. He said that there have been few parking problems associated with Steel and Rye, or the other two restaurants that have recently opened in Milton.

At 7:20 PM, Chairman Whiteside temporarily suspended the 556 Adams Street Public Hearing to continue the Thayer Nursery Special Permit Public Hearing, which was postponed until February 12, 2015. The 556 Adams Street Public Hearing was then resumed.

Chief Wells said that there are two main traffic issues in the commercial districts: loading and valet parking. He said that the Traffic Commission is recommending two new loading zones in the Central Avenue district and East Milton Square, with the goal of taking delivery trucks off of side streets. The East Milton Square loading zone would be created by removing three parking spaces from in front of Starbucks on the corner of Adams and Franklin streets. That loading zone would be used as a valet parking zone in the evenings.

Member Duffy said he was concerned about cut-through traffic from the proposed restaurant affecting side streets in East Milton Square. Chief Wells said he did not anticipate that would be a problem. He said a turning lane on Granite Avenue has been positive. He described the current traffic signals in East Milton Square as "archaic," new signals, which are called for in the East Milton Traffic Study, would solve a lot of traffic problems. Member Duffy said that no traffic study has been done for this plan, and suggested that the Board should require one. Chairman Whiteside then invited questions for Chief Wells.

Member Furze asked how customers would get to the Church Street parking lot. Chief Wells said access details still need to be determined, but one option is to make Church Street a two-way street from the corner of Adams Street to the entrance of the parking lot.

Suzanne Brown of 566 Adams Street said that traffic on Church Street prevents her from getting out of her driveway. She said if her car is parked in front of her house on Church Street, trucks would not be able to get out of the Church Street lot. Chief Wells said that she would not be in a legal parking spot.

Tony McDonnell of 4 Mechanic Street asked about moving the bus stop on Adams Street. Chief Wells said that the MBTA is ultimately responsible for the placement of bus stops, but he would look at the East Milton Traffic Study to see if there was a recommendation to move that stop. Mr. McDonnell asked what authority any new One Way signs would have. Chief Wells said that he could not put an officer on every corner, but that the goal of any traffic changes in East Milton Square would be to keep cars on the main streets. Mr. McDonnell said that three new parking spaces had been put on Mechanic Street, which prevent his tenants from exiting his driveway. Chief Wells said he would look into the matter.

Member Duffy reiterated that "we need a traffic study" and that there was not a parking inventory of the neighborhood.

Ms. Brown asked if the light on the corner of Church and Adams streets was regulated by MassDOT. Chief Wells said that it is regulated by the Town. Ms. Brown then said that she often finds people on her lawn and leaning on her fence while waiting for the bus on the corner of Church and Adams.

Richard Hynes, representing his mother who is a resident of 20 Church Street, suggested that with a new crosswalk at Franklin and Adams streets, there could be valet spaces on both sides of Adams Street. Chief Wells said that valet parking attendant's running back and forth across the street could create an unsafe condition, but that he would do more research into how other municipalities treat valet parking. At this point, Chairman Whiteside thanked Chief Wells.

Chairman Whiteside asked Mr. Morse to address Member Duffy's concern about the lack of a traffic study. Mr. Morse said that the proposal, with parking on Church Street and Franklin Street as well as a potential new lot on Granite Avenue, has more than addressed any parking concerns. He acknowledged that East Milton Square has traffic problems. He said the proposed project has addressed them as best as it could. He said the new trips generated by the proposal are a small fraction of the total trips through the Square on any given day. Chairman Whiteside asked about the *East Milton Traffic Study*. Town Planner Clark said that redevelopment was assumed in that study. He said that East Milton Square is supposed to be pedestrian and bicycle friendly, and not a place for traffic to speed through. Member Innes said that the study looked at development projections, and asked if the projections that Howard/Stein-Hudson used were greater than the traffic increase from this project. Town Planner Clark said yes.

Ms. McEttrick said that the applicants have spent a lot of time addressing problems and changing plans. She said they know what the traffic problems are, and that the proposed restaurant will have no effect on morning rush hour. The greatest amount of new traffic will occur when traffic is otherwise ebbing in the Square. She said the applicants have made great efforts to buy and develop new parking and have contracted with a reputable valet parking operator to create a valet parking plan. Chairman Whiteside acknowledged that the Board of Appeals had made its parking determination. The East Milton Traffic Study has been done, but the Board needs to look at it; a new study is probably not necessary. Member Kelly said that the Board needs to know how many new trips will be generated by the proposal, and how that fits into the traffic study's projections. Member Innes said that Howard/Stein-Hudson, the consultant that conducted the study, has a traffic model for the Square. Member Furze said they could plug the new trips generated into the model, and issue a traffic memo to the applicant very easily.

Member Duffy asked Mr. Morse about the scale of the submitted plan. Mr. Morse said it was 1"=20 ft. Member Duffy said that plans in Milton should be on a 1"=40 ft. scale, so that plans from different parts of town can be placed side by side "so people can speak intelligently" about projects. Chairman Whiteside said that people have been speaking intelligently. Member Duffy disagreed.

Chief Wells reaffirmed that the East Milton Traffic Study looked ahead in terms of new development. Chairman Whiteside said that the updated plans from the applicant just came in the day before, and it was reasonable to give the public some time to review them. He then asked Town Planner to speak with Ms. Brown about her driveway issue. Dave Peppicelli, who said his family lives on the corner of Church and Adams streets, said that parking two cars in the spaces in front of his house prevents cars from backing up and blocking the driveway.

Mr. Hynes said that the applicants had promised a concrete dumpster enclosure, but were now proposing a wooden enclosure. Robert Falconi, the applicant, said that his engineers told him that a wooden enclosure was preferable to a concrete one. It would be easier to clean and maintain. He also

said he was contracting with a rodent control company. Mr. Hynes said that sounded acceptable, but would like to revisit the issue once the restaurant is operational.

Mr. MacDonald said that the applicant was proposing to tear down houses, build parking lots, and change the character of the neighborhood. "I'd ask the applicant to reconsider," he said. Chairman Whiteside responded that the proposal was on a lot in a commercial district, and a restaurant is an allowed use in the commercial district.

Brian Kelley, of 11 Hope Avenue, spoke in favor of the proposal. He said he and his wife enjoy walking to Abby Park. He expressed concern that Member Duffy had already made public comments in opposition of the project, and that he may be making things harder for the project because of his bias. Chairman Whiteside said that he did not think Member Duffy was being an obstructionist.

Cindy Christenson, of 59 Collamore Street, spoke in favor of the project. She said she was glad to see attention paid to East Milton. Ms. Christenson also announced the formation of the East Milton Neighborhood Association, which will meet for the first time on February 4 at 7 PM at the Milton Arts Center.

Barbara Boehler, of 81 Church Street, said she has been following the project and is very concerned. She said she believes there will not be enough parking. She said that unless valet parking is mandatory, it will not be used, and that no one follows the 30 minute parking restriction that is already in place. Ms. Boehler questioned why the liquor license for the proposed restaurant was approved before it received site plan approval.

Carol Joyce-Harrington, of 41 Franklin Street, said she was concerned about kitchen smells in the neighborhood, and wanted to make sure a high-tech ventilation system was in place. She said that 30 minute parking was not enforced. She said she feared tractor trailers on Franklin Street. Mr. Morse said the applicant had provided specs for their proposed pollution control system. He said it was a state-of-the-art system that the applicant was not required to install. Ms. McEtrick said the applicant has heard the complaints about potential smells, which is why they decided to install the system. Mr. Todisco said that he just did a restaurant project in the Back Bay which used the same system, and it was very effective.

Ms. Brown said that at the previous public hearing, the applicant was asked for an example of the type of lighting being proposed, and for a building occupancy figure. She also noted that stacked parking in the Church Street lot was still present on the plan, even though it was determined that that would not be a valet lot. Mr. Morse said that the project has enough parking without the stacked parking. Ms. Brown said there was a safety issue, since fire trucks would not be able to get into the lot. Mr. Morse said that the applicant received a letter from the Fire Department saying there would be no problems. Ms. Brown asked if they would be capping utilities during demolition of the Church Street houses. Mr. Morse said that the applicant would be applying for a demolition permit, and it was up to the utility companies whether to cap utilities. Ms. Brown asked how the applicant would deal with dust and rubble during demolition. Mr. Morse said rubble will be taken offsite by dumpster, and would be covered with tarps while on-site. Ms. Brown asked if there was asbestos in any of the buildings. Mr. Morse said he did not know, and that it was not relevant to site plan review. Chairman Whiteside said that the Building Department would oversee the demolition process. Ms. Brown asked if the grade of the parking lot was being raised. Mr. Morse said that the grade would be raised on certain portions of the lot. Ms. Brown said that the headlight measurements presented earlier were taken from street level. Mr. Morse said the diagram he presented was only schematic, and that measurements were taken from the parking lot.

Elizabeth Lane, of 85 Highland Street, said she has family in East Milton Square; her daughter lives in one of the houses to be demolished. She said it was interesting that there had been no discussion of the removal of three affordable rental units. She said that housing should be built in empty second-floor spaces throughout East Milton. Member Innes noted that this is a recommendation in the Master Plan.

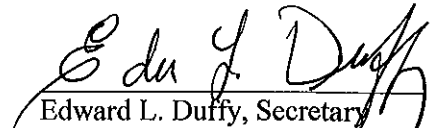
Chairman Whiteside invited Vance Welch, owner of Abby Park, to comment on his parking situation. Mr. Welch said that he has made arrangements for adequate parking, but Chairman Whiteside said he would still need to work with the Planning Department to amend his original site plan approval.

Diane DiTullio Agostino expressed concern about the different jurisdictions of Milton's various boards, and that it was hard on residents who have to attend multiple hearings on the same project. Ms. Agostino said she supported the project, and listed its benefits, including revitalizing vacant property, improving facades and sidewalks, and augmenting parking in the Square. She said she felt the applicant had chosen the least impactful possible use for the property. Ms. Agostino then spoke about findings and recommendations from the Master Plan, including recruiting new businesses to Milton's business districts, streamlining the permitting process, rezoning Mechanic and Bassett streets for commercial use, and purchasing property for more parking.

Mary Gaquin, of Pierce Street, said she supported the plan. She acknowledged that every project has issues, but she felt the applicant was spending time and money to address them.

The public hearing was adjourned, to be continued at 8 PM on February 12, 2015.

5. Adjourn: 9:17 PM

  
Edward L. Duffy, Secretary