

## Planning Board Minutes, Thursday, May 14, 2015

The twenty-fourth meeting of the Milton Planning Board for fiscal year 2015 was held on Thursday, May 14th, 2015 in the Carol Blute Conference Room in the Town Hall of Milton.

In attendance were Planning Board members Alexander Whiteside, Chair Emily Keys Innes, Cheryl Tougias, Michael Kelly, Bryan Furze, Planning Director William Clark, and Assistant Town Planner Timothy Czerwienski.

### 1. Administrative Items:

The next scheduled meetings of the Planning Board are May 28, June 11, and June 25.

### 2. Citizen's Speak:

No citizens chose to speak.

### 3. New Business: 2 Adams Street permit extension

Attorney Ned Corcoran informed the Board that his client, Northland Residential, was in talks to purchase the development rights of 2 Adams Street, a previously permitted site in Milton Village. The economic downturn in 2008 prevented the project from moving forward, but its special permit and building permit had been extended to May 24, 2015. Mr. Corcoran asked the Board to approve a 90-day extension from May 24 to give his client time to either finalize a formal extension of the existing special permit, or draft an entirely new special permit application.

#### Articles and Process for October 2015 Town Meeting

Chair Innes listed the new articles under consideration for October TM and the authors assigned to them. Alex Whiteside: noise and nuisance, condominium and great estates, and non-conforming dimensions for residential buildings; Bryan Furze: condos near mass transit in proximity to businesses and non-conforming businesses in residential districts; Cheryl Tougias: accessory dwelling units and inclusionary zoning.

Assistant Town Planner Czerwienski, the Animal Shelter Advisory Committee staff support person, reported that meetings were being held to discuss the site and design of the shelter. He is also working with the Affordable Housing Trust South Shore HOME Consortium and running the HOME rehab program for Milton. He had attended a workshop to gather information about the Massachusetts Historical Commission's Preservation Projects Fund grant, and was making final edits to the Master Plan.

### 4. Public Hearing: 333 Brush Hill Road

Chair Innes explained the new process for all Site Plan Approvals and Site Plan applications.

The applicant was not present for the 333 Brush Hill Rd. Site Plan Approval; Mr. Clark presented the technical review. A new (since April 23<sup>rd</sup>) set of documents outlining drainage management impacts had been provided to the Board which included new storm water calculations, management strategies, and tree impact studies. Mr. Clark suggested that in place of a Town Engineer assessment, a peer review should be used to speed up the process. All requirements on the Site Plan Approval checklist had been provided. Catch basins, elevations, permeable land, and driveway run-off issues were discussed with the plans. Noting that a peer review was required and questions about storm water management, curbs, quantity of fill, placement of driveways, and exact changes in grade were needed, Chair Innes determined that the narrative was incomplete. Member Whiteside made a motion to approve a 90-day extension which Member Kelly seconded. The Board voted to approve the extension.

Public Comment: After Chair Innes explained the rules of Public Comment, there were no speakers.

On a motion by Member Furze, seconded by Member Kelly, the Board voted to continue the public hearing to May 28<sup>th</sup> 7:30

**5. Thayer Nursery, Special Permit (continued from April 23<sup>rd</sup>), study of revised application**

Mr. Czerwienski presented a matrix to systematize, organize and simplify the Thayer Nursery Special Permit process, including timelines, abutter proposals, bylaws and zoning compliance.

Attorney Ned Corcoran and applicants Maggie and Joshua Oldfield presented the Board with the revised application. Beginning with the fence, Mr. Corcoran stated that chain link was inappropriate and proposed an eight-foot cedar fence with sound attenuation on a foot-tall berm along the Lapore property line; a 10-foot fence without sound attenuation along the Rowe/Johanning/Teevens line. Completion of drain analysis was still outstanding, and discussions are taking place about having engineers review the property to come up with a plan. Mr. Corcoran then noted that certain topographical information about a swale would need to be supplied.

The discussion continued with hours of operation and how to determine what and where nursery activities are being done. Member Whiteside questioned where, when, and for what trucks would be used; what routes into and out of the property they would use and what turning radius would be required. Mr. Corcoran responded that loading times have been provided and that most landscaping activity happens elsewhere. The discussion then turned to the storage of supplies, bulk materials, and backup alarms. Mr. Oldfield explained about how timing affects the health of the plants, and where, when, and for what duration the deliveries take place and said that a log is kept of deliveries. Parking on the street was then discussed.

Member Whiteside questioned how the use of trucks would impact the area. Zoning bylaws as they apply to parking requirements on specific streets, hours of operation and definitions of "good cause" as they relate to non-compliant trucks were discussed. Mr. Oldfield noted that local deliveries are more controllable; long distance deliverers should be granted more allowances. Member Furze responded that parameters for delivery times need to be established, as does the placement of off-loaded materials. Turn radiuses, location, frequency and hours of deliveries, as well as parking and circulation would also need inclusion on the plan. The applicants stated that the landscaping business would not increase the number of deliveries, as they are bound to the 2012 zoning numbers. A discussion of regulations and limitations of backup alarms and what control the nursery has over other people's trucks followed.

Chair Innes then raised the question of bulk agriculture materials and their storage, and Member Furze asked about the use of the area across the street at 217 and 237 Hillside Street. Mr. Oldfield responded that the area was not truck-friendly, had limited space, and was therefore used for composting. The nursery, he said, has a certificate, renewed annually, to create a specific type of organic compost. The Board requested that the application include a list of materials used in the compost. A long discussion ensued about how the land care yard at the main site could become more accessible, efficient and convenient to the maneuvering of trucks.

A description of the storage bins, their location, and how they manage dust and odor was ori . The response was eight feet tall, built of concrete. Sprinklers are used on the materials three times a week to control dust. Zoning requires the bins to be covered as part of the odor mitigation plan, and specifications on how often bins are filled are documented. Mr. Whiteside requested an odor mitigation plan and suggested that certain compost bins be moved further inside property.

Chair Innes suggested that the sound-buffering rubber matting material to be used on the beds of the firewood delivery trucks also be used on the floor where the wood is deposited.

Movement, parking, and management of the snow and ice removal equipment was raised, and its storage off-season. It was determined that the off-season storage area will need to be marked on the new plan.

#### Public Comment

Chair Innes read the rules for public comment.

Phil Johanning of 23 Parkwood Drive expressed his frustration about the longevity of the public hearing, stating that the application was "insufficient" and that different versions needed to be tracked. He stressed that the applicant adhere to revised bylaws and asked where to find proof documenting the applicant's permit qualifications. He asked what measures would be used to enforce the 2012 baseline, if the utility map would be updated, and if firewood could be moved off site. He read a letter from abutter Hugh Cole of 7 Parkwood Drive and claimed that the nursery's operations are agreeable with some neighbors and not with others.

Pam Lepore of 44 Forest Street stated that she was under the impression that the fence was further back from her property than noted and suggested that the space be extended. She described the area across from her property line as "industrial," asked what the 2012 baseline is based on and requested a six as opposed to 12 month review on noise.

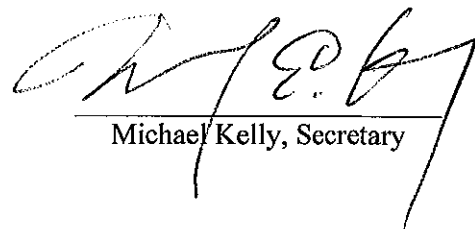
Ms. Innes clarified that the application placed before the Board was the March submittal and was on the Town's website.

John Rowe of 23 Parkwood Drive explained that abutters were in agreement that the industrial, high-impact wood distribution element of the business should be moved away from property lines. He questioned how a permit could be issued when, as defined in zoning bylaws, it was not in harmony with the residential character of the neighborhood. He suggested that the high impact aspects of the business-- wood delivery, land care, truck activities, etc. -- be moved across the street to 217 Hillside St., where neighbors support the permit.

Tina Teevens of 39 Parkwood Drive presented a sample of "Acoustiblock," a high-density, sound resistant fence material used successfully by the Weymouth Club to deter noise. She said she appreciates the thoroughness of the permit process. Bobcat noise was her main concern, and she suggested that permanent restrictions be applied, such as times of operation and sound barriers. She shared concerns about enforcement, stating that "no one wants to police their neighbors."

Chair Innes asked if there were further questions. There was no response. She mentioned that Mr. Czerwienski had created a list of outstanding items which would be addressed at upcoming meetings. Specifics of enforcement, timelines and storm water questions would need to be explored. Chair Innes moved to continue the conversation at 7:00 p.m. on May 28<sup>th</sup>, which was seconded by Mr. Furze. The motion was approved.

On a motion by Chair Innes, seconded by Member Furze, the meeting was adjourned at 10:15 p.m.



Michael Kelly, Secretary