

## MEETING MINUTES FOR AUGUST 23, 2012

### Milton Planning Board

The fourth meeting of the Planning Board for fiscal year 2013 was on Thursday, August 23, 2012 at 6:30 p.m. in the Carol Blute Conference Room, Milton Town Office Building.

In attendance were Planning Board Members Alexander Whiteside-Chairman, Edward L. Duffy, Emily Keys Innes, Michael E. Kelly, Bernard J. Lynch, III, Planning Director William Clark and Administrative Assistant Jean Peterson.

#### 1. ADMINISTRATIVE TASKS

The Board postponed approval of the August 9<sup>th</sup> Minutes.

The Board confirmed future meeting dates of September 13<sup>th</sup> and 27<sup>th</sup>, 2012 in the Carol Blute Conference Room.

#### 2. CITIZENS SPEAK

Margaret Donovan of 41 Central Avenue expressed concern that the Planning Board and Board of Selectmen had scheduled their meetings at the same time. The 131 Eliot Street development was an agenda item for both the Planning Board and Board of Selectmen. She was disappointed that interested residents were unable to attend both meetings due to the scheduling conflict.

Member Whiteside stated that the Planning Board schedules meetings on the second and fourth Thursday of the month and the Board of Selectmen generally schedule meetings on the first and third Thursday of the month in order to avoid such conflicts.

#### 3. TOWN PLANNER'S REPORT

Mr. Clark updated the Board relative to his work on:

- Updating Zoning Bylaws
- Reviewing zoning issues for present and future proposals
- Ulin Rink issues for Selectmen
- Updating antennae for wireless telecommunications projects
- Sign projects
- Mass Works Grants

4. **PUBLIC HEARINGS**

**Gun Hill Street ANR**

Tom Corcoran, Developer and Jim DeCelle, Engineer presented their proposal for a 4-lot buildable subdivision at 135 Gun Hill Street. Mr. DeCelle informed the Board that requirements have been met. Member Whiteside stated that he would like more time to review the plan. The hearing was continued to September 13, 2012.

**Miller Avenue ANR**

Edward Corcoran, Attorney for the Craig family, explained to the Board that the Craig family owns a series of lots on Miller Avenue wherein certain lots are owned by different family members. Minor adjustments of lot lines are proposed. Mr. Corcoran requested that the Board grant ANR approval and authorize endorsement to reflect this division plan. Member Whiteside made a motion to authorize the Town Planner to endorse the ANR plan. The motion was unanimously approved.

**131 Eliot Street, Hendrie's Project**

Mr. Steven Connelly, Developer for the project, informed the Board that he feels that he has submitted all necessary documents for his development and that he has done everything he can to satisfy the Board. He requested a vote from the Board so that he can move forward. Member Whiteside offered Mr. Connelly several reasons as to why the current plan is not approvable. He stated that the plan does not offer significant public amenities, the height and setback are not in zoning compliance and the plans do not establish that the ground floor is a "basement". Member Innes informed Mr. Connelly that she was expecting to see a plan at this meeting showing that the requirements, necessary for the awarding of an FAR bonus, had been met. She asked him if he had a plan going forward in the event that the permit was not granted. Mr. Connelly stated that he did not. The Board explained to him that the Board could not approve a building not in compliance with zoning. Member Innes made a motion to deny the FAR bonus based on the absence of adequate replacement-in-kind natural features and lack of adequate significant public amenities. She expressed her disappointment with having to vote against the bonus but explained that the zoning requirements had not been met. Board members Duffy, Innes and Whiteside voted to deny the FAR bonus and Member Lynch voted against denial. The bonus was thereby denied. Mr. Connelly then requested that the Board vote on his application. Member Whiteside cited zoning noncompliances in parking, setbacks, height, number of stories and size of the building as reasons for denying the application. Member Whiteside expressed to Mr. Connelly that the Board had been specific and reasonable throughout the process. Member Kelly stated that the denial criteria should be specific. Member Innes made a motion to

deny the application because the application did not meet the zoning with respect to height, setbacks, number of stories and the size of the building.

Members Duffy, Innes and Whiteside voted to deny the application. Member Lynch voted against denial. The application was denied. A written denial will be presented for signature at the next meeting.

#### **Open Space Development off Hillside Street**

Member Whiteside recused himself from the hearing as a member of the Board but reserved the right to speak as a member of the public. Member Duffy assumed the role of Chairman. Attorney Marion McEttrick introduced an "amended plan" which excludes the 2-acre lot separating the Corliss and McDonough lots from the open space development site. This plan might allow those neighbors the opportunity to purchase said lot and protect the area surrounding their properties. She reviewed some main points discussed at previous hearings and responded to questions raised by Member Kelly. She informed the Board that an attractive feature to the proposal is that it limits future development on the site. With regard to accessing the development from Ford Ranch Road, she stated that the DEP is unlikely to allow wetlands to be disturbed when there is already a driveway access to the development.

#### ***Public Comments:***

Alexander Whiteside of 93 Hillside Street spoke in opposition to the development. He read a prepared statement to the Board citing his reasons.

Mark Bobrowski, attorney for the Corliss family stated that access to the development through the driveway is grounds for denial. He stated that access to the development from Ford Ranch Road is a safer solution for the Town and neighbors and urged the developer and the Board to explore that option further.

Attorney McEttrick emphasized that this 3-lot development, as presented, is an attractive option with many benefits. She disagreed with some of Mr. Whiteside's points. She reminded the Board that the inconveniences of a construction project should not be a reason to deny an application. The hearing was continued to September 13, 2012 at 8:45 p.m.

**36-50 Eliot Street Milton Hill Project**

Attorney Edward Corcoran requested a continuance to September 13, 2012 at 7:45 p.m. to allow for a final review of stormwater and drainage.

**5. OLD BUSINESS**

*Master Plan Visioning*

The Board chose Brown Walker Planners of Newburyport for Master Plan Visioning services and announced the five residents chosen to serve on the Master Plan Committee. The five residents are: Dick Burke, John Cronin, David DeFilippo, Ellen DeNooyer and Enrique Silva. The Board also announced that Paul Traverse will serve on the Master Plan Committee as the representative from the Milton Chamber of Commerce. Tom Hurley will serve as the representative from the Board of Selectmen, Glenn Pavlicek as the representative from the School Committee and Cheryl Tougias as the representative from the Warrant Committee.

*86 Wolcott, 2-house subdivision*

Paul Sullivan gave an update on a 2-house subdivision at 86 Wolcott Road. At the previous meeting, it was suggested he extend a private lane with 12 foot-wide pavement. The plans show a right-of-way narrowed to 25 feet. Further discussion was continued to September 13, 2012.

**6. ADJOURNMENT**

The meeting was adjourned at 10:00 p.m.

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Edward L. Duffy  
Secretary

