

MEETING MINUTES FOR MARCH 14, 2013

Milton Planning Board

The twentieth meeting of the Milton Planning Board for fiscal year 2013 was on Thursday, March 14, 2013 at 6:30 p.m. in the John Cronin Conference Room.

In attendance were Planning Board members Alexander Whiteside-Chairman, Edward L. Duffy, Michael E. Kelly, Bernard J. Lynch, III, Planning Director William Clark and Administrative Clerk Jean M. Peterson. Member Emily Keys Innes was absent from the meeting.

1. ADMINISTRATIVE TASKS

The Board approved the Minutes of February 7, 2013 (as amended), February 14, 2013 and February 28, 2013.

2. CITIZENS SPEAK

There were no citizens present to address the Board.

3. OLD BUSINESS

- Master Plan update

Sue Brown of Brown Walker Planners made a presentation on Phase 1 of the Master Plan community visioning. She informed the Board that Phase 1 focused on guiding Milton in the future. She gave a brief overview of the two public forums which were held on January 26th and February 26th. She stated that Phase 2 will focus on existing conditions and identify key issues. The final report will be a shared community vision. More information on the Master Plan can be found on the website at: www.Miltonmasterplan.org.

- 17 Canton Ave., Amended Site Plan Approval; decision review; *(continued from 2/28)*

Chairman Whiteside announced postponement of this agenda item until the next meeting as the Board had not received the required information.

4. NEW BUSINESS

- ANR (Approval Not Required), off Ford Ranch Road, between #147 and #151 Hillside Street; Application submitted by Todd Hamilton.

Chairman Whiteside began by stating that an appraisal was done on his property which attests that he has no financial interest and hence that he can participate in the hearing. Therefore, he will preside over and vote on the matter.

Marion McEttrick, attorney for Todd Hamilton addressed the Board. She stated that her client has filed an ANR (approval not required) application to combine several Hillside Street lots, owned by John Fandrey, into one lot for the purpose of building a home. Chairman Whiteside and Attorney McEttrick debated as to whether the application is an ANR or a subdivision. Chairman Whiteside stated the required amount of frontage doesn't exist for one of the lots shown on the plan and therefore the plan shows a subdivision. Attorney McEttrick disagreed with Chairman Whiteside stating that the purpose of her client's application was to *combine* lots for the creation of a *single* lot. Chairman Whiteside stated that the Board cannot endorse an ANR plan unless all the lots shown on the plan have the required frontage or are designated "not buildable" and therefore the plan would need to be amended. Attorney Mark Bobrowski addressed the Board for the purpose of comparing another ANR case. He suggested re-labelling the plan as one possible solution to Chairman Whiteside's and Attorney McEttrick's disagreement and further suggested that he would file an appeal if the Board endorsed an ANR plan. Attorney Bobrowski takes issue with the property having frontage on one road (Ford Ranch) but access through the rear (Hillside Street driveway). Attorney McEttrick stated that her client wants to access the lot from the common driveway, which he has the right to use. She stated that legally, Lot A shown on the plan qualifies as an ANR lot. Chairman Whiteside asked Attorney McEttrick to re-label the plan. Attorney McEttrick agreed, pending discussion with her client and project engineer. Attorney Bobrowski suggested that he would appeal the Board's decision to *grant* an ANR endorsement while Attorney McEttrick suggested that she would appeal if the Board *denied* an ANR endorsement. The Board had a deadline of midnight that evening to reach a decision. Member Lynch expressed concern about the possibility of another lawsuit. Attorney McEttrick agreed to extend the decision deadline by one week, allowing the Board to consult with Town Counsel.

Comments:

Robert Jepson of 165 Hillside Street stated that the plans are not reflective of the nature of the area. He is concerned about water issues. He invited the Board to visit the site.

Mark Bobrowski, Attorney for the Corliss family, stated that the rear access by common driveway doesn't comply with the law.

David McCarthy of 15 Brush Hill Lane stated that in a similar situation which occurred in his neighborhood, the Board did not require his neighbor to access his property from Brush Hill Road.

- Housing Production Plan

Mr. Clark informed the Board that he created an RFP, per request of the Selectmen , for the purpose of developing a Housing Production Plan. He outlined the elements of a housing production plan and the possible impact that a 40B development could have on the town's resources – schools, police, fire, DPW.

5. **PUBLIC HEARING:**

Detached Condominiums off Blue Hill Avenue, submitted by Citizens Petition.

Paul Sullivan, the applicant, informed the Board that he is not pursuing the zoning article. He stated that he plans to file with the Board of Appeals.

6. **ADJOURNMENT:**

The meeting adjourned at 9:16 p.m.

Edward L. Duffy
Secretary

