

MEETING MINUTES FOR SEPTEMBER 27, 2012

MILTON PLANNING BOARD

The seventh meeting of the Planning Board for fiscal year 2013 was on Thursday, September 27, 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 M. Peterson.

1. ADMINISTRATIVE TASKS

The Board approved the Minutes of September 13, 2012 and postponed approval of the Minutes of September 18, 2012.

2. CITIZENS SPEAK

Margaret Donovan of 41 Central Avenue raised the question as to whether a vote had been taken to end the Public Hearing on 131 Eliot Street. She also asked who would be in charge of notifying abutters relative to the demolition at 131 Eliot Street.

Mr. Clark informed Ms. Donovan that the Board of Selectmen, Board of Health and Building Department would be handling issues relative to the demolition at 131 Eliot Street.

3. TOWN PLANNERS REPORT

Mr. Clark updated the Board relative to:

- * The wind turbine case – a recent Superior Court decision ruled in the Town's favor on certain wetlands issues.
- * RFPs for demolition of the Town's portion of 131 Eliot Street.
- * Discussions between Town Counsel and the Warrant Committee relative to spot zoning Issues.
- * The 40B conference of which he attended on September 28th.
- * The opening of the new "Steel and Rye" Restaurant located at the Fallon Building.
- * Several telecommunications Design Review Permits.

4. **OTHER BUSINESS**

Mr. Whiteside informed the Board that the Selectmen have decided to adopt regulations from the Attorney General which would allow "Remote Participation in Meetings". He explained that if a member of the Board requests to be excused from a meeting for a particular reason such as sickness or travel, the Chairman of that particular Board decides if the member may participate in the meeting *remotely*. He stated that a decision on this proposal will be made at the next meeting.

5. **OLD BUSINESS**

131 Eliot Street

The Board voted to reaffirm that the Public Hearing on 131 Eliot Street is closed. The Board then voted 3 to 1 to deny the special permit, as written, stating that the proposed building is too big, there is inadequate parking, the third story is not adequately set back, the (proposed) building *may* have too many stories and the (proposed) building *may* be too tall. Member Lynch voted against denying the special permit and asked how his dissenting vote would be reflected. Member Innes informed Mr. Lynch that his voted would be reflected in the Minutes. The denial letter was signed at the meeting and filed with the Town Clerk on September 28, 2012.

86 Wolcott Road 2- lot subdivision

Paul Sullivan, Applicant for 86 Wolcott Road 2-lot subdivision, informed the Board that the two zoning requirement issues which were raised at the last meeting have been addressed. Mr. Clark stated that the public hearing relative to this subdivision is scheduled for October 25, 2012.

Master Plan Visioning

The first meeting of the Master Plan Committee is scheduled for October 16, 2012.

Landscape/Residential Article for Town Meeting

Edward Corcoran, Attorney for Thomas Coulter, explained that his client's property, located at 919 Blue Hill Avenue is the subject of this proposed bylaw. Mr. Coulter submitted a Citizens' Petition for his business to remain at its present location under the exception that Coulter Landscaping qualifies for spot zoning. At the previous meeting, Chairman Whiteside requested that Town Counsel determine if spot zoning is justifiable in this situation. Town Counsel determined that it is justifiable. Mr. Clark informed the Board that the Warrant Committee is in support of the Article. Chairman Whiteside thereby recommended approval of the Article to

Town Meeting. He stated that he and Attorney Corcoran plan to make minor revisions to the language of the Article. The Board agreed that allowing Coulter Landscaping to remain at its present location is important as the business provides a public purpose, is not detrimental to the neighborhood and will preserve employment. The Board voted all in favor of a favorable recommendation.

Assisted Living Article

The Zoning Subcommittee of the Warrant Committee, Cheryl Tougias –Chair, Stan Genega and Joyce Nkwah presented their recommendations relative to the language of the Assisted Living Article. Their concern is that some of the language in the Article is too restrictive. The requirements of an interior courtyard and a “port cochere” rather than “covered drop-off space” were of particular concern and they offered suggestions for amending the language. The Board informed the zoning subcommittee that they will accept recommendations relative to the language in the Assisted Living Residential Development article. Member Innes made a motion to make changes to #s 3, 5, 12c and 12j of the ALRD. The Board voted all in favor of a favorable recommendation.

6. PUBLIC HEARING

333 Hillside Street, Bosworth property, 81Y subdivision

Engineer James Burke informed the Board that Mr. Bosworth, owner of the property agreed to the Board’s requests from the previous meeting. He stated that they would like approval from the Board so that they can move forward with their project. Attorney Robert Sheffield informed the Board that he represents Martin Deane, an abutter to the property. He stated that the plan was adequately done but that one sentence needs to be revised relative to the “grant of easement”. Chairman Whiteside made a motion to approve the subdivision plan subject to interested parties agreeing to the language of the “grant of easement”, at which time he will authorize Mr. Clark to file with the Town Clerk. The Board voted all in favor.

7. ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

Edward L. Duffy

