

1 MILFORD PLANNING BOARD MINUTES ~ **DRAFT**
2 DECEMBER 20, 2022 Board of Selectmen Meeting Room, 6:30 PM
3

4 **Members Present:**

5 Doug Knott, Chairman
6 Janet Langdell, Vice Chairman
7 Tim Finan, Selectmen's Rep
8 Pete Basiliere, Member (Via Zoom)
9 Elaine Cohen, Member
10 Paul Amato, Member
11 Susan Robinson, Member
12 Susan Smith, Alternate
13

Staff:

Terrey Dolan, Town Planner
Darlene Bouffard, Recording Secretary
Andrew Kouropoulos, Videographer
Lincoln Daley, Comm Dev Director
Camille Pattison, NRPC Assistant

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16 **1. Call to order:** Chairman Knott called the meeting to order at 6:30 p.m. indicating that tonight is
17 for the public hearing of one Planning Board application continued from 11/15/22. Planning Board
18 members and staff were introduced by D. Knott who also indicated that Susan Smith is an Alternate
19 member to the Planning Board and will not vote tonight unless a member chooses to recuse
20 themselves, but she is able to participate in the discussions.
21

22 **2. Public Hearings:**
23

24 **a. Case SP2022-09 371 Elm Street, LLC, for the property located at Tax Map 16, Lot 1, 371 Elm**
25 **Street.** Public Hearing for a Minor Site Plan for a change of use from motel to a multi-family apartment
26 building and relate site improvements on the subject property located in the Integrated Commercial
27 Industrial zoned property. Waiver of Development Regulations, Section 6.05.4 Table of Off-Street
28 Parking to allow 1 parking space per unit where 2 spaces are required. Waiver of Development
29 Regulations, Section 6.08.5.A and B and Section 6.08.6 from requiring landscape buffers on/along the
30 periphery of the property. Waiver of Development Regulations, Section 6.08.6 from requiring
31 landscaping along the frontage of the existing building. (*Continued from 11/15/22*)
32

33 The application was accepted for review on a motion made by J. Langdell. E. Cohen seconded. J.
34 Langdell in favor; E. Cohen in favor; P. Basiliere in favor; P. Amato in favor; T. Finan in favor; S.
35 Robinson in favor; D. Knott in favor. Motion passed unanimously.
36

37 The application has no potential regional impact, on motion made by J. Langdell. P. Amato seconded.
38 P. Amato in favor; J. Langdell in favor; P. Basiliere in favor; T. Finan in favor; E. Cohen in favor;
39 S. Robinson in favor; D. Knott in favor. Motion passed unanimously.
40

41 Abutters were read into the record by D. Bouffard. Ben Legere, applicant (371 Elm Street, LLC),
42 explained tonight they are asking for a minor Site Plan review from the existing non-conforming use
43 for a Motel with 12 units. The applicant has been before the ZBA and been granted two variances for
44 Use and Density. The occupancy will not change from the current occupancy. Right now, Ben
45 Legere explained they have to admit persons into the Motel without any background checks. Last
46 year, the applicant worked on renovating the property to bring it up to code. The applicant now wants
47 to increase the green space based on the ZBA recommendation and add a kitchenette in each unit.
48 The motel residents previously were using the units as though there was a kitchenette. The owner
49 needs to be able to run background checks on the renters of these rooms, otherwise, it becomes very
50 difficult to ask them to leave.
51

52 The dumpster is currently located in the rear of the property, in accordance with the subdivision done
53 years ago. The ZBA was looking to reduce the parking instead of increasing it. Currently there is a
54 drainage ditch going around the property. The ZBA would like vegetation out front to be expanded
55 and the access driveway will be lowered to keep the drainage inside the lot, the traffic pattern is
56 currently non-existent. A traffic pattern should be created by adding an island with curbing and a

57 tree. The main reason for this is to change the use of the property from Motel use to Multi-family.
58 The 12 units will become studio apartments. P. Amato asked if the units will be limited to one
59 vehicle? Ben Legere said yes, they are studio apartments with one parking space.
60

61 Janet Langdell asked about the note on the plan for work force housing and how that translates to this
62 plan? B. Legere responded he is unsure but he believes they are referencing the income requirements.
63 L. Daley added that he will check the regulations on this; he believes it is three or more people. J.
64 Langdell said that is a significant difference; if it is a single individual versus three or more. S.
65 Robinson asked if two units could be used for one family? L. Daley answered it is for one unit only.
66 The minimum rent is based on that. J. Langdell may want to clear up that language. D. Knott asked
67 if the house is part of this Site Plan? Ben Legere responded no, the house was subdivided off years
68 ago, but we do have an easement on the driveway.
69

70 P. Basiliere indicated the dumpster looks like it is reached from the abutting property. B. Legere is
71 thinking of a roll away dumpster. P. Basiliere said the plan shows the dumpster pad behind the
72 building. B. Legere said right now that is the area it is stored. P. Basiliere said the dumpster is right
73 up against one of the units? B. Legere said there is no window on that unit. There is one window in
74 the rear of each unit, except that one. P. Basiliere responded the dumpster is right against the
75 building, which might be a fire hazard. B. Legere said they are trying to use the dumpster the same
76 way and that is what is on the existing Site Plan. L. Daley indicated the building and Site Plan will be
77 reviewed by Milford Fire Department, they will have input.
78

79 S. Robinson asked if the corn field referenced is Ryefield Farms corn? B. Legere said the corn is
80 actually on the motel property, it seems that it is pushed a little closer to the motel each season. It is
81 not buildable land and it has a nice view out back. P. Amato asked L. Daley to see the street view on
82 the computer. J. Langdell asked about the portion of motel parking in the front. B. Legere said
83 access to the dumpster is on the right side. P. Amato asked if two parking spaces will be removed?
84 B. Legere said there will be two spaces near the side and then grass will be added. The traffic flow
85 will be one-way and there will be a shade tree added in the front grassed area to add some vegetation.
86 The tree will be planted further back on the lot to avoid the electrical lines. P. Amato commented that
87 the two parking spaces being added might block the sight distance to exit the lot. L. Daley said those
88 spaces will be moved east for better sight distance. D. Knott asked how the cars in those two spaces
89 will even back out? L. Daley noted that in Milford you can pave right up to the property line. B.
90 Legere said it is actually the State Right of Way (ROW), he can tweak it a little more. L. Daley said
91 the way the plan is drawn makes it look like it will be difficult to back out, but if it can be drawn out
92 with the actual size of the spaces on the plan that will accommodate the 8' wide parking spaces used
93 in shopping plazas, the Board would see there is plenty of room.
94

95 Janet Langdell believes there is sufficient space, this is just a rendering issue. B. Legere said the
96 distance between the spaces is enough, with 9' spaces it is fine and with 8' spaces it will still be fine
97 and allow people to open the doors of the vehicle. L. Daley indicated this is an opportunity to remove
98 one of the spaces and put it north of the grassy area. B. Legere used to design parking lots for
99 shopping plazas and with the 8' spaces there is enough room. The concern of P. Amato is this is
100 considered multi-family and the regulations require two parking spaces per unit, which is why the
101 applicant is requesting a waiver from that to only allow one car per unit. J. Langdell asked why does
102 the staff report call out 13 parking spaces, since there are only 12 on the plan? B. Legere said that
103 was from the original site plan. P. Basiliere asked if there is only one exit? B. Legere stated they
104 have renovated the building and are adding an exit. P. Basiliere said this is for 12 studio apartments,
105 we have had other multi-family buildings that have become condos, this lack of parking will have 12
106 owners (possibly in the future) without sufficient parking; it is not only one person living in a studio,
107 there could be people visiting or guests, there needs to be two parking spaces per unit.
108

109 Right now, B. Legere said this is a grandfathered use, there are a lot of towns that have these types of
110 places. This is a use we are just trying to make better. By State law, B. Legere said the owner cannot
111 do background checks for a motel and then it becomes difficult to get rid of the tenants. Ideally, yes
112 two parking spaces would be better. P. Basiliere does not believe the use being proposed is

113 grandfathered, the motel use was grandfathered. L. Daley said with only one parking space per unit,
114 it becomes an enforcement issue, who will enforce that? B. Legere said in Salisbury, there is a
115 similar type facility and the property manager enforces the parking. He understands the parking is
116 tighter, but he could get one more space for guests, we have gone through this before and we were
117 granted it as a pre-existing condition. L. Daley can work with the applicant to identify more parking
118 (possibly 15-17 spaces) but it would not be built until it is necessary due to it being required. B.
119 Legere explained if the town is okay with sacrificing the grass, he could take the grass out for more
120 parking spaces. P. Amato said parking could be designed in the back. B. Legere said there is a
121 drainage ditch in the back. P. Amato asked if they have an approved plan to operate as a motel? L.
122 Daley said they do. P. Amato has never seen a motel that prohibits just one tenant and one parking
123 space; this property does not work for multi-family with this amount of parking. J. Langdell said the
124 owner could consider buying the house next door and re-merge the two lots to get the parking. B.
125 Legere said the units have been vacant for 14 months, the investors want to make money, we have
126 been renovating for all this time to get it all set for this use. The best money is in a motel use; we are
127 not increasing the density, it is a matter of either a motel or something else.
128

129 L. Daley indicated the applicant can restrict the cars on the property, that way they can use one
130 parking space per unit, L. Daley said he can work with the applicant on that. Damien Amato, partner
131 said 371 Elm Street LLC owns the motel, Americo is the previous owner of the motel. Jose owns the
132 house next door. P. Amato said we are dealing with investors and absent landlords, there needs to be
133 someone in charge. There is nobody on site to manage the property. B. Legere said all their
134 properties have security cameras installed and have a manager. We are looking at in-town
135 management; we can put in leases with rules and have a little more control over tenants. S. Smith
136 said typically with one parking space there is off-street parking available, but here there is none. The
137 area where there might be grass should be parking. B. Legere responded that people will pay a higher
138 premium if they know the cannot live anywhere else. A motel like this is a cash cow, but there are a
139 lot of people that have no credit and no place to live. If this is updated to multi-family housing, there
140 will be additional safety requirements in place. D. Amato said this discussion is getting off track, it
141 seems like parking is the big issue. The density is not being increased, one option is to have no
142 waivers and it remains as a motel or another option is to work on the waivers and add parking; that
143 could be done and then it could be a multi-family use.
144

145 P. Amato asked if the lease will state one car per unit and one person per unit? J. Langdell asked if
146 the ZBA approved adding this green space? L. Daley answered no, green space was just encouraged.
147 He pointed out the property line and showed there might be opportunity for additional parking spaces.
148 B. Legere could at least put in a strip of grass to keep the traffic flow and if we get 8' wide parking
149 spaces, that would allow for more spaces. P. Amato suggested the applicant come back to the
150 Planning Board after working out the parking with L. Daley to at least add more parking spaces and
151 not request a 50% waiver. Each waiver must be noticed; the existing size of the parking spaces is
152 required, but the 8' wide space could be included in the plan for the January 17 meeting. P. Basiliere
153 said if the ownership changes at some point in the future, the Planning Board needs to be able to
154 change the use. L. Daley said these could be changed to condominium ownership but that will need
155 to come back to the Planning Board and the parking could be revisited at that point. The parking
156 requirements are based on averages; in many cases the parking is excessive in order to get the
157 maximum. Because this would be multi-family, P. Basiliere said we need to be aware of that. J.
158 Langdell asked if a note could be put on the plan specifically about parking, then it is on the plan and
159 in the lease agreement.
160

161 L. Daley understands the concerns of P. Basiliere, the applicant is going to put it in the lease and on
162 the plan and L. Daley will work with the applicant on that. B. Legere said they will work on getting
163 at least 15-16 spaces. D. Amato said they will try to add as much as they can, but will that be
164 satisfactory? P. Amato said when an applicant asks for a 50% waiver, that is half of what the
165 ordinance requires. B. Legere said they will do their best on the parking. J. Langdell asked if there
166 have been any situations in town where the parking strayed from the requirement? L. Daley would
167 have to check on that. T. Finan moved to table the application to January 17, 2023. P. Amato

168 seconded. A roll call vote was taken: T. Finan yes; P. Amato yes; P. Basiliere yes; J. Langdell yes; S.
169 Robinson yes; E. Cohen yes; D. Knott yes. The motion passed unanimously.
170

171 **3. Work Session:**

- 172 a. **Master Plan Engagement Survey Results.** Camille Pattison presented the Master Plan
173 survey results and will send the raw data to L. Daley in order to sort in other ways.
174 b. **Master Plan Subcommittee.** An invitation will be made for volunteers for this committee,
175 and there have been emails collected through the survey; more discussion on this at the
176 next work session in January 2023. The scope of work for the committee needs to be
177 identified and the subcommittee should include business owners that may not live in
178 Milford. This subcommittee comes under the Planning Board; L. Daley feels the
179 subcommittee should meet once per month as this effort will span 18-20 months.
180

181 J. Langdell noted the Master Plan does not require Board of Selectmen approval, but needs
182 their acceptance, it is reviewed by the BOS, approved by the Planning Board and accepted
183 by the BOS. It is hoped the Master Plan will become part of the process for the future. J.
184 Langdell would like to engage the BOS in the process. P. Basiliere asked if the Planning
185 Board should include non-town or school related groups, such as the MCAA organization,
186 schools and faith communities. L. Daley will make some referrals for this subcommittee
187 for the Planning Board to review. J. Langdell thinks this will be helpful to explain to people
188 and get them involved. L. Daley would also like the subcommittee to share the report with
189 the Planning Board occasionally to get their view as things move along.
190

191 Camille Pattison indicated the contract for the Master Plan effort goes for a few more
192 months in order to hold Charrettes and Focus Groups in early February or March 2023.
193 Those will provide a basis for the Master Plan.
194

195 **4. Other Business:**

196 **Planning Board 2023 Meeting Schedule.** The 2023 schedule for Planning Board meetings was
197 drawn up for approval with two meetings per month on the First and Third Tuesdays in the Board
198 of Selectmen Room at 6:30 p.m. One meeting falls on July 4 and it was agreed to put a work
199 session on July 11 instead in case the work session is needed. All agreed to release.
200

201 **5. Meeting Minutes:**

202 October 18, November 1, and November 14, 2022 Meeting Minutes:

203 T. Finan moved to approve the 3 sets of minutes of October 18, November 1 and November
204 14, 2022 as presented. P. Amato seconded. A roll call vote was taken: T. Finan yes; P. Amato
205 yes; P. Basiliere yes; J. Langdell yes; S. Robinson yes; E. Cohen yes; D. Knott yes. The motion
206 passed unanimously.
207

208 **6. Upcoming Meetings:**

209 1/3/23 – Planning Board Work Session

210 1/17/23- Planning Board Meeting

211 It was felt the Non-Public Meeting briefly talked about earlier this week should be held at the January 3,
212 2023 Work Session. After tonight’s meeting, T. Finan contacted L. Daley noting that the discussion should
213 not be held by the Planning Board in a non-public session, that it should be handled by the Board of
214 Selectmen.
215

- 216 **7. Adjournment.** The meeting was adjourned at 8:21 p.m. on a motion made by P. Amato and seconded by
217 J. Langdell. A roll call vote was taken: T. Finan yes; P. Amato yes; P. Basiliere yes; J. Langdell yes; S.
218 Robinson yes; E. Cohen yes; D. Knott yes. The motion passed unanimously.
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Date: _____

Signature of the Chairperson/Vice-Chairperson: _____

The Planning Board minutes of 12-20-22 were approved _____

DRAFT