



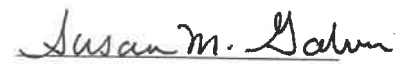
COMMONWEALTH OF MASSACHUSETTS
TOWN OF MILTON

DEPARTMENT OF PLANNING
AND COMMUNITY DEVELOPMENT
525 CANTON AVENUE
MILTON, MASSACHUSETTS 02186

TEL 617-898-4847

June 6, 2022

This is to certify that twenty days have elapsed since the filing of the approved Renewal of Special Permit for Landscaping Business Use and Site Plan Approval for **1240 and 1244 Randolph Avenue, Milton, Mass.**, by Bunny Thomas, Trustee, Thomas Realty Trust, Applicant. There are no outstanding appeals.


Susan M. Galvin
Town Clerk

Date Decision Filed: May 13, 2022

Application Type: Special Permit Renewal

Sincerely,



Tim Czerwienski
Director of Planning & Community Development

COMMONWEALTH OF MASSACHUSETTS
Town of Milton
Renewal of Special Permit for Landscaping Business Use
and Site Plan Approval
1240 and 1244 Randolph Avenue
Owner: Bunny Thomas, Trustee, Thomas Realty Trust
Applicants: Bunny Thomas, Trustee, Thomas Realty Trust and Andrew Thomas & Sons Inc.

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Background

A special permit for Landscaping Business Use under Section III.N and Site Plan Approval under Section VIII.D of the Zoning Bylaw was granted to Bunny Thomas, Trustee of Thomas Realty Trust and Andrew Thomas & Sons Inc. (collectively the “Applicants”) by the Planning Board on February 14, 2019. Hereinafter the term “Special Permit” shall mean the special permit granted by the Planning Board on February 14, 2019. The Special Permit was granted for a term of three years from the date of issuance, and the decision was recorded at the Norfolk County Registry of Deeds in Book 36659, Page 495 on March 12, 2019.

On February 10, 2022, the applicants filed an application (“the “Application”) to renew the Special Permit, along with various supporting documents, on the same terms as the Special Permit, except for a request to renew for a term of five years. All documents submitted for the 2019 Special Permit Application were incorporated by reference in the Special Permit Renewal Application, including the Site Plan.

A public hearing on the Application was held by the Planning Board on April 14, 2022. One abutting property owner spoke at the hearing to support the application and to praise the business and owners as an excellent neighbor. The hearing was closed on April 14th and the Planning Board deliberated and voted to approve the application, contingent upon submission of a recommendation from the Milton Building Commissioner that the business is in material compliance with the terms of the Special Permit, specifically, subject to a final satisfactory review by the Building Commissioner of landscaping vehicles and equipment parked on site and the issuance of a fuel tank permit from the Milton Fire Department.

Findings

The Planning Board hereby incorporates all findings contained in the Special Permit, as if fully stated herein, and makes the following additional findings.

The Building Commissioner conducted a site inspection on April 12, 2022 and has provided a written statement to the Planning Board that the Applicants are in substantial compliance with all material terms of their Special Permit and reports that there are no complaints about this business on file with the Building Department for the term of the Special Permit. Following the site visit the Building Commissioner requested additional documentation as to the landscaping trucks and vehicles parked on site and an up-to-date permit for their fuel storage on the premises and these requests have been satisfied.

The Applicants' substantial compliance with all material terms of the Special Permit meets the Special Permit's requirement of substantial compliance with all material terms of the Special Permit as a condition of renewal of the Special Permit.

Decision

Pursuant to Section III, Subsection N ("Subsection N") of Chapter 10 of the General Bylaws known as the Zoning Bylaws, after hearing, the Planning Board, duly constituted as the special permit granting authority, renews the Special Permit (the "Renewal") for the lots of land containing approximately 8.24 acres, known and numbered as 1240 and 1244 Randolph Avenue, Milton, Massachusetts (the "Property") in accordance with Section H of the Special Permit and Subsection N of the Zoning Bylaw for five (5) years, on the same terms and conditions as the Special Permit.

The Planning board hereby authorizes the Town Planner, Timothy Czerwienski, to sign the Decision on behalf of the Board and to file the Decision with the Milton town Clerk.

Site Plan Approval

The Site Plan approval granted by the Planning Board in the Special Permit shall remain in full force and effect.

Executed at Milton, Massachusetts this 12th day of May 2022, pursuant to a vote by the Milton Planning Board on April 13, 2022 with five votes in favor and 0 votes opposed.



Tim Czerwienski
Director of Planning and Community Development
Town of Milton, Massachusetts