Meeting of the Planning Board  
Tuesday, November 24th, 2020

The 8th meeting of the Milton Planning Board for FY2021 was called to order at 7:03 p.m. via the Zoom virtual meeting software.

Present: Planning Board members April Anderson (Chair), Denise Swenson (Secretary), Cheryl Tougias, Kathleen O’Donnell and Richard Boehler; Town Planner Tim Czerwienski, Assistant Town Planner Allyson Quinn, Sr. Administrative Clerk Julia Getman.

1. Administrative Items: Chair Anderson relayed the terms of the Open Meeting Law under the Governor’s order suspending certain provisions of the Open Meeting Law relating to the novel Coronavirus outbreak emergency. She noted that the meeting was being recorded and televised and provided directions on how to remotely join. Upcoming meetings were confirmed for December 10th and January 14th. On a motion by Ms. Swenson, seconded by Ms. O’Donnell, the November 12th, 2020 meeting minutes were approved by rollcall, 5/0/0.

2. Staff Update: Mr. Czerwienski said that a bicyclist had been recently killed on Blue Hills Parkway and stressed the urgency for street safety. He said the Metropolitan Area Planning Commission (MAPC) would be working with the Traffic Mitigation Committee to produce a study of bicycle and pedestrian safety in 2021. He mentioned that he had submitted recommendations to the Select Board (BOS) for members of an open space and recreation area plan committee. Ms. Quinn said she had been assisting the Zoning Board of Appeals (ZBA) on three 40B application hearings planned for December 15th, 16th and 17th and that grant applications had been submitted to the Massachusetts Housing Partnership for technical assistance funding.

3. Citizen’s Speak:

Ellen Anselone of 22 Morton Rd., and architect, discussed plans for a 40-unit mixed-use development at the corner of Granite Ave. and Mechanic St. She said she had met twice with members of the community and had discussed the plans with the Chamber of Commerce. She requested an informational meeting with the Board to discuss next steps. It was suggested that she speak with the East Milton Neighborhood Association, consider the discussions of the East Milton Working Group, provide updated plans to Planning staff, and return to the Board on December 10th.

4. New Business: 245 Highland St./ Marine Way Grading Discussion

Mr. Czerwienski discussed amendments to the building permit applications for 25 and 30 Marine Rd., a private road in a cluster development at 245 Highland St., to include grading adjustments. Kristin Frisbee of Cambridge Core Construction said that there was a high water table at the site that affected drainage systems surrounding the two homes under construction, necessitating additional grading. Ms. Tougias expressed concern about the health of the trees and their root systems with large amounts of fill being disposed of, construction of retaining walls and earth leveling planned for the site. Engineer Jim Burke said that clay had been discovered three feet beneath the soil which would cause basement flooding but that the first two houses, now completed, had experienced no drainage problems. He said he was willing to save as many trees as possible but wished to hold the uncompleted homes “to the same standard” as the first two. The Board reviewed the landscaping plan and discussed alternative grading solutions to protect trees. The size and positioning of the homes were considered. Ms. Tougias requested that an updated grading plan outlining trees to be saved and those to be removed be provided. Planning Board oversight for construction activities, as outlined in the special permit, was discussed. Mr. Burke expressed frustration at the delay in the process and believed it was a disservice to the new homeowners.
5. Old Business: 2021 Zoning Articles

Earth Materials Removal and Deposit of Fill

Ms. Swenson reported that she and Mr. Czerwienski had met with Building Commissioner Joseph Prondak to discuss the article. She said he approved of the language regarding trees, revised at the previous meeting, but had further engineering and ease of use questions for the new Town Engineer, who would be starting their position on Dec. 1st. On a motion by Ms. Swenson, seconded by Mr. Boehler, the Board voted by rolcall to advance the language to the BOS for inclusion in the warrant, 5/0/0.

Condominium Conversion

The Board discussed a spreadsheet displaying eligible parcels that would qualify for condo conversion under the new bylaw. Ms. Swenson requested that Areas of Critical Environmental Concern (ACEC) be protected from condo development and discussed adjustments to land calculations involving wetlands. The protection of historic structures, 40B development, site-specific development and dispersal of affordable units were considered. Ms. Swenson believed that a 40B development would cause less damage to an ACEC ecosystem than condo development under the proposed guidelines and did not believe the language was ready for submission to the warrant. State protections by the Massachusetts Environmental Protection Act (MEPA) for development in ACEC areas were discussed. The Board agreed to change the term “building” to “single family dwellings” in the language and Mr. Czerwienski said a GIS map of eligible properties would be generated by the engineering department. On a motion by Ms. Tougias, seconded by Ms. O’Donnell, the Board voted by rolcall to submit the article to the BOS, 3/1/1 with Mr. Boehler abstaining.

Accessory Unit Dwellings (AUDs)

Ms. O’Donnell discussed changes to the existing bylaw for temporary apartments that had been suggested by the Building Commissioner. Rules requiring separate egress and deconstruction of the units if in violation of the permit were eliminated from the text. The Board discussed eligible occupants, specifically care takers, and altered the language to describe them as “an employee of the owner or occupant of the principal dwelling provided that such employment is of the type customarily incident to the use of said dwelling.” Permit renewals and time spans were considered as well as the role of the Zoning Board of Appeals (ZBA). Safety concerns regarding illegally built units and the financial burden imposed on residents seeking to build AUDs were discussed. Repurposing existing accessory dwellings and rules for building new, detached units were discussed. It was agreed that parking restrictions should follow those of residential C districts, with one off-street parking space per unit in addition to the principal unit parking allowance. It was suggested that the Chair of the ZBA review the language before it is presented to Town Meeting. Ms. O’Donnell made a motion to send the article to the BOS to be submitted to the warrant. Ms. Tougiass made a friendly amendment to strike section 3 subsection A paragraph 9 of the existing language as well as a portion of section 3 subsection B paragraph 1 F on the advice of Mr. Prondak. She then seconded the motion which was approved by rolcall, 5/0/0.

6. 2022 Planning Board Budget

Ms. Tougiass mentioned that the Master Plan Implementation Committee had agreed on a $30,000 budget. Ms. Swenson requested that funding be included for an affordable housing land count and asked that traffic count studies be suspended until the COVID-19 pandemic ends. On a motion from Ms. Swenson, seconded by Ms. Tougiass, the $50,000 Planning Board budget was approved for 2022 by rolcall 5/0/0.

7. Discussion of the Housing Production Plan (HPP)
Initiatives laid out by the HPP that had been undertaken by the Planning Board were discussed, including new zoning for mixed use development in Milton Village, proposed AUD and Condo Conversion bylaws, inclusionary housing initiatives and planning for 40R development in East Milton.

8. On a motion by Ms. O’Donnell, seconded by Mr. Boehler, the meeting was adjourned at 10:25 pm.

Denise Swenson, Secretary