



**Select Board**

**Meeting Packet**

**September 26, 2023**

## Change Request

**To:** Jeff Shaw  
Context Architecture  
65 Franklin Street  
5th Floor  
Boston, MA 02110  
Ph: 617-423-1400

**Number:** 043  
**Date:** 8/14/2023  
**Job:** 22-004 Milton Fire Headquarters  
**Phone:**

**Description:** (RFP# 20) Additional Demolition & New MEP Systems at 2nd & 3rd Floor of Former HQ Building:

We are pleased to offer the following specifications and pricing to make the following changes:

CR# 043 - Additional Demolition & New MEP Systems at 2nd & 3rd Floor of Former HQ Building:

Losordo Electric: Furnish & Install new interior lighting systems on 2nd & 3rd Floor, two receptacles, power feeds to (4) unit heaters, (2) - 2" conduit risers from basement to attic for future power panel & data. Added Fire alarm devices and loop on 2nd & 3rd Floors. Cut, cap, & make safe existing electrical systems to be demo by others.

JR Vinagro: Complete interior building demolition and disposal on the 2nd & 3rd Floor of the former HQ building, inclusive of existing MEP systems such as the existing fin tube radiator system, plumbing, & electrical systems as shown on plans.

Lapan: Cut, cap, & make safe existing plumbing systems to be demo by others.

Veterans: Furnish & Install new hot water piping with insulation from existing boilers up to 2nd & 3rd Floor to include (4) unit heaters with controls switches.

Yankee: Revised Sprinkler Layout on 2nd floor and one head deletion on the 3rd floor attic area. No cost Change.

Based on the subcontractor time frame, we are figuring a 30 work day time extension which included extended general conditions. This is with the assumption that the light fixtures arrive in time for phase 4. These change order work items will impact the following critical path activities; Demo, Drywall, and Finish Floors. An updated schedule will be submitted at a later date.

\* If any material, such as the light fixtures do not arrive during the phase 4 time frames; then we reserve our right to extended general conditions based on a second mobilization to install the lighting after phase 4 completion.

The total direct cost to perform this work is .....

			\$245,057.34
Cleanup & Dumpsters			\$0.00
OH&P for Work of GC:	15.00%		\$10,995.00
OH&P of Work of Subs:	5.00%		\$8,587.87
Bonds:	1.70%		\$4,498.88
<b>Total:</b>			<b>\$269,139.09</b>

This Change Order Request includes only the direct costs as described on proposals contained herein. It is an express condition of this Change Order Request that G&R Construction, Inc. reserves all rights it may have including:

- Rights to an extension of time to complete this additional work
- Rights to any additional costs or time extension arising from the actions or inactions of the Owner, Architect, or Construction Manager that impact the timely approval of this additional work
- Rights to any additional costs required to perform this work but not included in this Change Order Request

Unless noted elsewhere this proposal is valid for 14 days from the date of origin.

Submitted by:

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

**Change Request 043 Price Breakdown  
Continuation Sheet**

**Description:** (RFP# 20) Additional Demolition & New MEP Systems at 2nd & 3rd Floor of Former HQ Building:

Description	Labor	Material	Equipment	Subcontract	Other	Price
Electrical - Losordo PCO# 2202-016				\$52,799.09		\$52,799.09
Demolition - JR Vinagro Quote Dated 08.11.23				\$66,000.00		\$66,000.00
Plumbing - Lapan PCO# 08				\$5,231.00		\$5,231.00
H.V.A.C. - Veterans PCO# 04				\$47,727.25		\$47,727.25
Fire protection systems - Yankee NCC dated 8.02.23						
Gerneral Conditions - G&R Quote Dated 08.14.23		\$73,300.00				\$73,300.00
						<b>Subtotal: \$245,057.34</b>

## Milton Fire - HQ Headquarters



## Project Budget Status Report

Period Ending: 8/31/23

Classification Name	Code	BUDGET	TRANSFERS	REV'D BUDGET	COMMITTED	SPENT	RECOMMENDED	SPENT	LEFT TO SPEND	AVAILABLE
		VERTEX Budget 04/19/22 HQ	Budget Transfers	after Budget Transfers	Contracts, PO's, or Otherwise Spent	Prior to This Period	This Period	Total Paid Project to Date	on Current Contracts, PO's	to Commit or Spend
		J	K	L = J + K	M	N	O	P	Q = M - P	R = L-MAX(M,P)
<b>Project Management</b>										
OPM - Feasibilitiy/Schematic	10.10	170,000	-	170,000	170,000	170,000	-	170,000	-	-
OPM - Design Development	10.20	161,905	-	161,905	161,905	37,905	-	37,905	124,000	-
OPM - Construction Documents	10.30	171,398	-	171,398	171,398	137,118	-	137,118	34,280	-
OPM - Bidding	10.40	52,009	-	52,009	52,009	52,009	-	52,009	-	-
OPM - Construction Administration	10.50	883,000	-	883,000	883,000	579,095	40,000	619,095	263,905	-
OPM - Closeout	10.60	71,751	-	71,751	71,751	-	-	-	71,751	-
OPM - Cost Estimates	11.20	11,550	-	11,550	11,550	11,550	-	11,550	-	-
OPM - Other Reimbursable	11.90	1,000	-	1,000	-	-	-	-	-	1,000
		1,522,613	-	1,522,613	1,521,613	987,677	40,000	1,027,677	493,936	1,000
<b>Architect &amp; Engineers Basic Services</b>										
A&E - Schematic Design	30.10	325,000	-	325,000	325,000	325,000	-	325,000	-	-
A&E - Design Development	30.20	660,000	-	660,000	660,000	660,000	-	660,000	-	-
A&E - Construction Documents	30.30	934,000	-	934,000	934,000	842,000	-	842,000	92,000	-
A&E - Bidding	30.50	62,000	-	62,000	62,000	62,000	-	62,000	-	-
A&E - Construction Administration	30.60	660,000	-	660,000	660,000	464,500	32,500	497,000	163,000	-
A&E - Construct. Admin - HQ Fit Out Only	30.65	70,000	-	70,000	70,000	-	-	-	70,000	-
A&E - Closeout	30.70	60,000	-	60,000	60,000	-	-	-	60,000	-
		2,771,000	-	2,771,000	2,771,000	2,353,500	32,500	2,386,000	385,000	-
<b>Architect &amp; Engineers - Specialty Services</b>										
A&E - E.Milton Add Svcs	31.00	285,500	28,800	314,300	314,300	307,050	7,250	314,300	-	-
A&E - Separation of Construction Documents	31.10	33,000	-	33,000	33,000	33,000	-	33,000	-	-
A&E - Permitting	31.20	15,000	-	15,000	15,000	15,000	-	15,000	-	-
A&E - 2ND FL DES-RFQ-CA	31.90	-	45,850	45,850	45,850	24,250	968	25,218	20,633	-
A&E - Geotechnical & Geo-Environmental	32.10	30,000	13,500	43,500	43,500	39,000	-	39,000	4,500	-
A&E - Other Reimbursables	32.90	-	-	-	-	-	-	-	-	-
		363,500	88,150	451,650	451,650	418,300	8,218	426,518	25,133	-

# Milton Fire - HQ Headquarters

## Project Budget Status Report

Period Ending: **8/31/23**

Classification Name	Code	BUDGET	TRANSFERS	REV'D BUDGET	COMMITTED	SPENT	RECOMMENDED	SPENT	LEFT TO SPEND	AVAILABLE
		VERTEX Budget 04/19/22 HQ	Budget Transfers	after Budget Transfers	Contracts, PO's, or Otherwise Spent	Prior to This Period	This Period	Total Paid Project to Date	on Current Contracts, PO's	to Commit or Spend
		J	K	L = J + K	M	N	O	P	Q = M - P	R = L-MAX(M,P)
<b>Administration</b>										
Legal Fees	<b>20.10</b>	10,000	-	10,000	-	-	-	-	-	10,000
MEP Commissioning - Design	<b>21.10</b>	20,000	-	20,000	6,600	6,600	-	6,600	-	13,400
MEP Commissioning - Construction	<b>21.30</b>	40,000	-	40,000	37,400	11,080	-	11,080	26,320	2,600
Owner's Insurance (Builder's Risk)	<b>22.10</b>	-	-	-	-	-	-	-	-	-
Haz-Mat (Design/Construction)	<b>22.50</b>	15,420	1,542	16,962	16,962	1,650	-	1,650	15,312	-
Other Admin Costs (Print; LEED App; Property title)	<b>22.60</b>	5,000	(1,542)	3,458	-	-	-	-	-	3,458
Temp. Operations and Facilities	<b>22.70</b>	100,000	-	100,000	-	-	-	-	-	100,000
Moving	<b>22.80</b>	20,000	-	20,000	-	-	-	-	-	20,000
Utility Company Fees	<b>22.90</b>	65,000	-	65,000	41,234	20,474	-	20,474	20,760	23,766
Construction Testing	<b>23.10</b>	40,000	-	40,000	39,600	27,439	-	27,439	12,162	400
Misc. Project Costs	<b>23.90</b>	5,000	-	5,000	200	200	-	200	-	4,800
		<b>320,420</b>	-	<b>320,420</b>	<b>141,996</b>	<b>67,443</b>	-	<b>67,443</b>	<b>74,553</b>	<b>178,424</b>
<b>Construction</b>										
Base Construction incl. Alternates	<b>40.20</b>	17,041,000	303,044	17,344,044	17,344,044	9,196,763	1,756,055	10,952,818	6,391,226	-
St. Agathas Dvwy Construction	<b>40.30</b>	-	123,903	123,903	123,903	60,061	62,014	122,075	1,828	-
		<b>17,041,000</b>	<b>426,947</b>	<b>17,467,947</b>	<b>17,467,947</b>	<b>9,256,824</b>	<b>1,818,069</b>	<b>11,074,893</b>	<b>6,393,054</b>	<b>-</b>
<b>Furnishing and Equipment and Technology</b>										
Furnishings; Fixtures	<b>50.10</b>	364,500	-	364,500	210,534	-	-	-	210,534	153,966
Communications, Radios, Specialty Systems	<b>50.30</b>	368,000	48,247	416,247	416,247	31,586	-	31,586	384,661	0
Computers and Technology	<b>50.40</b>	30,000	2,923	32,923	32,923	8,857	-	8,857	24,065	0
Security	<b>50.50</b>	95,000	-	95,000	-	-	-	-	-	95,000
		<b>857,500</b>	<b>51,170</b>	<b>908,670</b>	<b>659,704</b>	<b>40,443</b>	-	<b>40,443</b>	<b>619,260</b>	<b>248,966</b>
<b>Project Total Excluding Contingencies</b>		<b>22,876,033</b>	<b>566,267</b>	<b>23,442,300</b>	<b>23,013,910</b>	<b>13,124,187</b>	<b>1,898,786</b>	<b>15,022,974</b>	<b>7,990,936</b>	<b>428,390</b>
<b>Contingencies</b>										
Construction Contingency	<b>80.00</b>	852,050	(303,044)	549,006	-	-	-	-	-	549,006
Owners Project Contingency	<b>90.00</b>	340,820	(263,223)	77,597	-	-	-	-	-	77,597
		<b>1,192,870</b>	<b>(566,267)</b>	<b>626,603</b>	-	-	-	-	-	<b>626,603</b>
<b>Project Total - Design and Construction Phases</b>		<b>24,068,903</b>	-	<b>24,068,903</b>	<b>23,013,910</b>	<b>13,124,187</b>	<b>1,898,786</b>	<b>15,022,974</b>	<b>7,990,936</b>	<b>1,054,993</b>

## Hometown Heroes

## Lightpole Banner

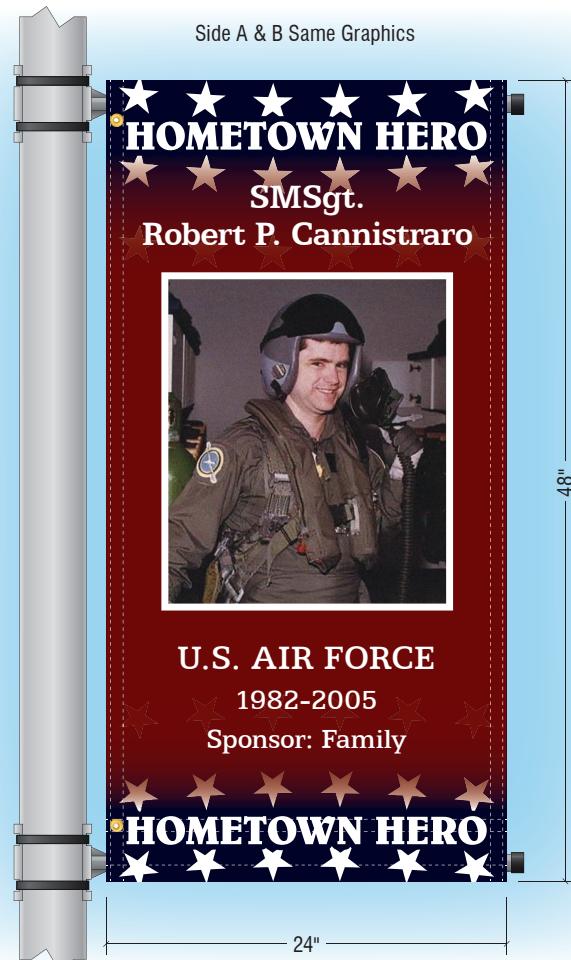
**Quantity:** 1 Double-Sided Fold Over  
**Size:** 24"W x 48"H (49" with Fold Over)  
**Material:** Matte Vinyl Banner  
**Graphics:** Digitally Printed (Latex/UV)  
**Finishing:** Hems with 2" Top & Bottom Pole Pockets;  
 2 Grommets on Side Closest to Pole as Shown  
**Installation:** Client to Install

## Parts/Accessories

(1 Set)  
 Each kit includes (2) aluminum brackets  
 (2) White Fiberglass arms  
 (2) End caps (2) Tie wraps  
 (2) Pins & Rings  
 (8) 40" stainless steel bands

## Keepsake Banners

**Quantity:** 1 Single-Sided Fold Over  
**Size:** 12"W x 24"H  
**Material:** Matte Vinyl Banner  
**Graphics:** Digitally Printed  
**Finishing:** No hems, 2 grommets at top  
**Installation:** Prepare for client pick up



170 Liberty Street  
 Brockton, MA 02301  
 508-580-0094

SALES REPRESENTATIVE  
 Wiley Knight

INTERNAL PROJECT MANAGER  
 Marie Mercier

FIELD MANAGER  
 Shaun White

ACCOUNT COORDINATOR  
 Laurie Kalivas

DESIGNER  
 NK

SCALE 1:10

SHEET  
**01 of 01**

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## Nicholas Milano

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**From:** Tim Czerwinski  
**Sent:** Thursday, September 21, 2023 9:45 AM  
**To:** Nicholas Milano  
**Subject:** Blue Hill Avenue Transportation Action Plan letter  
**Attachments:** 2023.09.26\_BlueHillAveSupportLetter.docx

Nick,

Attached is a draft letter supporting the Blue Hill Avenue Transportation Action Plan. Linked below is the latest publicly available design iteration.

Generally speaking, the Blue Hill Avenue Transportation Action Plan contemplates center-running bus lanes from Mattapan Square to Grove Hall (similar to the center-running lanes that have been implemented on Columbus Ave in Roxbury and Jamaica Plain). The Blue Hill Avenue bus routes have among the highest ridership in the MBTA system, and these lanes will make operations safer and more efficient by getting buses out of general traffic.

The plan also includes parking-protected bike lanes, sidewalk improvements, ADA accessibility improvements, and more street trees. Particular attention has been paid to Mattapan Square, with improved pedestrian crossings at the bridge and an improved traffic pattern.

As I mention in the draft letter, the area of Milton directly across from Mattapan Square is our most densely populated neighborhood, with high proportions of transit users, low-and-moderate-income households, and people of color. Any improvement to Mattapan Square and Blue Hill Avenue will benefit these residents, as well as others who use Blue Hill Avenue for commuting and daily errands. All of the information about the project in general is also linked below. I'm happy to answer any questions.

<https://www.boston.gov/sites/default/files/file/2023/06/BHA%20TAP%20Alternative%20Design%20Approaches%20-English.pdf>

<https://www.boston.gov/departments/transportation/blue-hill-avenue>

Tim Czerwinski, AICP  
Director of Planning & Community Development  
Town of Milton | 525 Canton Avenue | Milton, Mass. 02186 | 617-898-4847

September 26, 2023

Mayor Michelle Wu  
1 City Hall Square, Suite 500  
Boston, Mass. 02201

Dear Mayor Wu,

We are writing to express our support for the Blue Hill Avenue Transportation Action Plan, particularly the design concepts that include center-running bus lanes, protected bike lanes, pedestrian safety improvements, and street trees to improve urban heat island effect.

The improvements proposed by the Blue Hill Avenue Transportation Action Plan stand to provide tremendous benefits to Milton residents who depend on transit originating in Mattapan Square and Blue Hill Avenue as a vehicular route into Boston. The neighborhoods directly across the river from Mattapan Square are the most densely populated in Milton, and are home to a significant number of renters, low- and moderate-income households, and people of color. Improving bus operations and making Mattapan Square and Blue Hill Avenue a better environment for pedestrians and cyclists will make their journeys to and from the city easier, safer, and more pleasant.

We recognize that Blue Hill Avenue is a critical connection between Milton and Boston. Our own transportation planning, outlined in Milton's 2022 Bicycle and Pedestrian Master Plan, calls for better and safer connections between Brook Road and Blue Hills Parkway in Milton and Blue Hill Avenue in Boston. We are supportive of efforts by the City of Boston and the Department of Conservation and Recreation to extend the Neponset Greenway across Blue Hill Avenue along Edgewater Drive, and to potentially construct a new crossing to Milton at Osceola Street on state land.

The Blue Hill Avenue Transportation Action Plan is a unique opportunity to transform this critical regional transportation corridor, making it an asset that better serves all users. We encourage you to approve and implement this truly transformative project.

Sincerely,

## **DECEMBER 2023 SPECIAL TOWN MEETING WARRANT**

Commonwealth of Massachusetts, SS.  
County of Norfolk

To any of the constables of the Town of Milton in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Milton, qualified to vote in Town affairs, to meet at the Milton High School Auditorium on Gile Road in said Milton on Monday, the fourth day of December next at 7:30 o'clock in the evening, then and there to act upon the following Articles to wit:

**Articles 1-6**

And you are directed to warn said inhabitants qualified as aforesaid to meet at the times and places and for the purposes herein mentioned by posting attested copies of the Warrant in each of the Post Offices of said Town fourteen days at least before the fourth day of December. Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk, on or before said fourth day of December 2023.

Given under our hands at Milton this 24<sup>th</sup> day of October, two thousand twenty-three.

Michael F. Zullas  
Erin G. Bradley  
Roxanne Musto  
Richard G. Wells, Jr.  
Benjamin Zoll

**MILTON SELECT BOARD**

A True Copy: Attest

William J. Neville  
CONSTABLE OF MILTON

**INDEX**  
**WARRANT ARTICLES AND RECOMMENDATIONS**

<b>ARTICLE NO</b>	<b>Title</b>	<b>Page</b>
1	Zoning Bylaw Amendment for Compliance with M.G.L. c. 40A §3A Multi-family zoning as-of-right in MBTA Communities	_____
2	Transfer of Land to the Conservation Commission	_____
3	Amend the Fiscal Year 2024 Budget	_____
4	Bylaw to Require Recoding and Posting of Meetings of Elected Public Bodies	_____
5	Zoning Bylaw Amendment for Requiring Mixed Use in the Milton Village Subdistrict	_____
6	Local Historic District Bylaw	_____
		_____

**In compliance with the American with Disabilities Act, this Warrant can be made available in alternative formats. The December 4, 2023 Special Town Meeting, if requested, will be offered by assisted listening devices or an interpreter certified in sign language. Requests for alternative formats should be made as far in advance as possible.**

**Should you need assistance, please notify the SELECT BOARD at 617-898-4843 or 617-696-5199 TTY.**

**Smoking and other tobacco use is prohibited in school facilities and outside on the school grounds by MGL Chapter 71, Section 37H, “An Act Establishing the Education Act of 1993.” This law applies to any individual at any time.**

**Strong fragrances cause significant adverse reactions in some people, such as migraine headaches. Products with strong fragrances include personal care products such as perfume, cologne, fragranced hair products, after shave lotion, scented hand lotion, etc. Attendees at Town Meeting are requested to avoid wearing products with strong fragrances. As an accommodation to persons with such adverse reactions, and to allow safe and free access to the auditorium, the lobby and restroom, attendees at Town Meeting who are wearing products with strong fragrances, or who think they may be wearing products with strong fragrances, are requested to sit away from the sections nearest to the lobby entrance.**

## Nicholas Milano

---

**From:** Tim Czerwinski  
**Sent:** Friday, September 22, 2023 1:44 PM  
**To:** Nicholas Milano  
**Cc:** Josh Eckart-Lee  
**Subject:** Updated zoning language  
**Attachments:** 2023.09.20\_MCMODZoningLanguageV2clean\_MBTACommunities.docx; 2023.09.20\_MCMODZoningLanguageV2\_MBTACommunities.docx

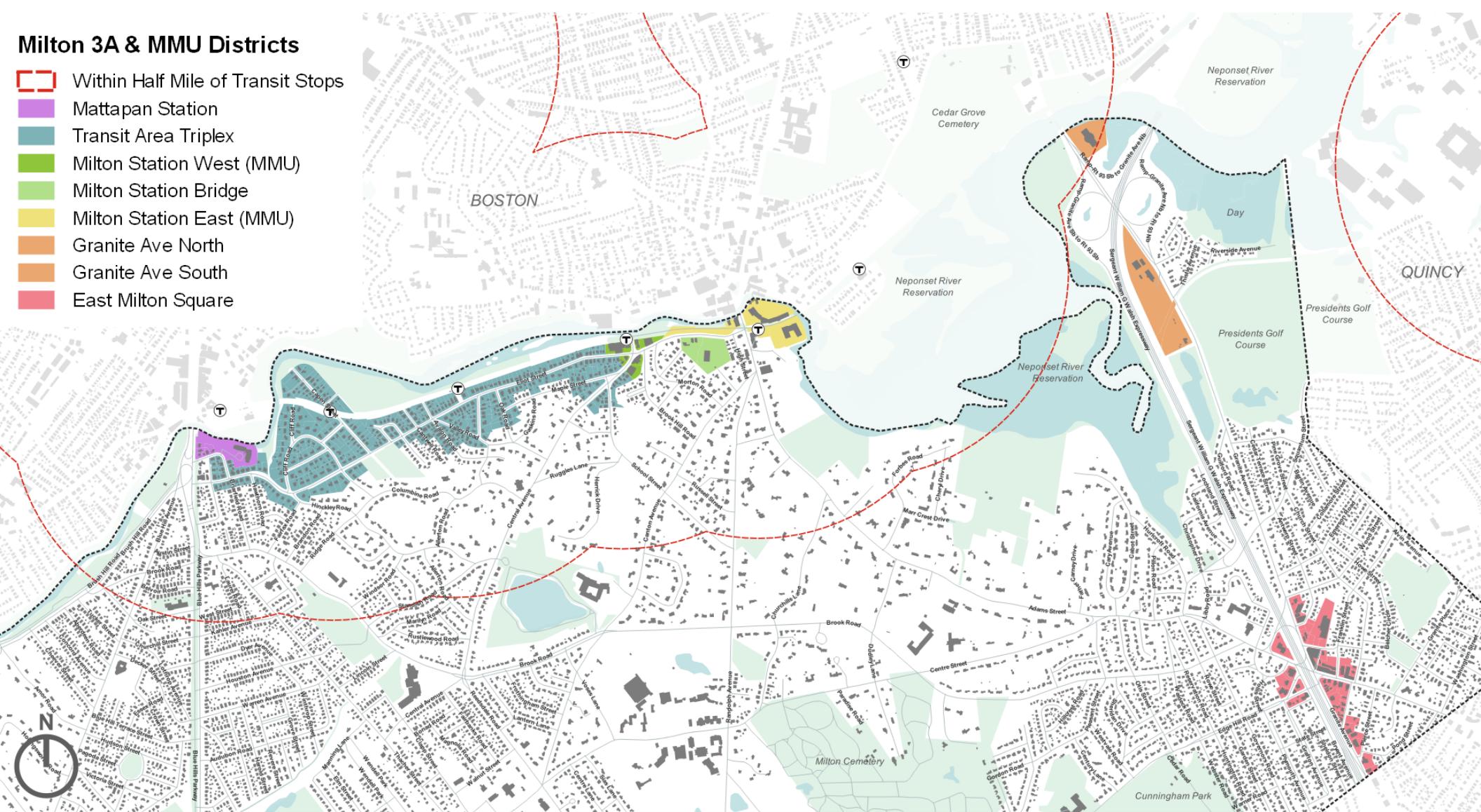
Nick,

Attached are a clean and redline copy of updated zoning. There's a lot of red ink, but it simply reflects updated dimensional parameters resulting from Planning Board feedback on proposed subdistricts. Utile will be sending along an updated map, which I'll send to you as soon as I get it.

Tim Czerwinski, AICP  
Director of Planning & Community Development  
Town of Milton | 525 Canton Avenue | Milton, Mass. 02186 | 617-898-4847

## Milton 3A & MMU Districts

- Within Half Mile of Transit Stops
- Mattapan Station
- Transit Area Triplex
- Milton Station West (MMU)
- Milton Station Bridge
- Milton Station East (MMU)
- Granite Ave North
- Granite Ave South
- East Milton Square



## Section [SectionTK]: MBTA Communities Multi-family Overlay District

### A. Purpose

The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

1. Meet local housing needs along the full range of incomes, promoting social and economic diversity and the stability of individuals and families living in Milton.
2. Ensure that new multi-family housing creation is harmonious with the existing community.
3. Provide a wide range of housing alternatives to meet Milton's diverse housing needs.
4. Promote smart growth development by siting multi-family housing adjacent to transit or in areas where existing commercial and civic amenities and infrastructure already exist.
5. Increase the municipal tax base through private investment in new residential development.

### B. Establishment and Applicability

This MCMOD is an overlay district having a land area of approximately TKTK acres in size that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map.

1. **Applicability of MCMOD.** An applicant may develop multi-family housing located within a MCMOD in accordance with the provisions of this Section [SectionTK].
2. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right or by special permit in the MCMOD. Uses that are not identified in Section [SectionTK] are governed by the requirements of the underlying zoning district(s).
3. **Sub-districts.** The MCMOD contains the following sub-districts, all of which are shown on the MCMOD Boundary Map: Transit Area Triplex-Subdistrict, Milton/Central Station Subdistrict, Mattapan Station Subdistrict, Blue Hills-Parkway Corridor Subdistrict, Granite Avenue Subdistrict, and East Milton Square Subdistrict.

**Commented [TC1]:** Adjust this with new subdistrict names

### C. Definitions.

For purposes of this Section [SectionTK], the following definitions shall apply.

1. **Affordable unit.** A multi-family housing unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.
2. **Affordable housing.** Housing that contains Affordable Units as defined by this Section [SectionTK].
3. **Applicant.** A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.
4. **Area Median Income (AMI).** The median family income for the metropolitan statistical region that includes the Town of Milton, as defined by the U.S. Department of Housing and Urban Development (HUD).
5. **As of right.** Development that may proceed under the Zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.
6. **Building coverage.** The maximum area of the lot that can be attributed to the footprint of the buildings (principal and accessory) on that lot. Building Coverage does not include surface parking.
7. **Compliance Guidelines.** *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.
8. **DHCD.** The Massachusetts Department of Housing and Community Development, or any successor agency.
9. **Development standards.** Provisions of **Section [SectionTK] G. General Development Standards** made applicable to projects within the MCMOD.
10. **EOHLC.** The Massachusetts Executive Office of Housing and Livable Communities, DHCD's successor agency.
11. **MBTA.** Massachusetts Bay Transportation Authority.
12. **Mixed-use development.** Development containing a mix of residential uses and non-residential uses, including, commercial, institutional, industrial, or other uses.
13. **Multi-family housing.** A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.
14. **Multi-family zoning district.** A zoning district, either a base district or an overlay district, in which multi-family housing is allowed as of right.

15. **Open space.** For the purposes of this subsection, open space shall mean a portion of a lot or of adjacent lots in common ownership exclusive of any building or buildings and/or their associated driveways and parking areas and shall include parks, lawns, gardens, landscaped areas, terraces, patios, areas left in their natural condition, athletic fields, open air athletic courts, playgrounds, open air swimming pools, and any open vegetated areas. Driveways and parking areas permanent or temporary, shall not be counted as open space. Contiguous undeveloped land within a parcel boundary.
16. **Parking, structured.** A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.
17. **Parking, surface.** One or more parking spaces without a built structure above the space. A solar panel designed to be installed above a surface parking space does not count as a built structure for the purposes of this definition.
18. **Residential dwelling unit.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
19. **Section 3A.** Section 3A of the Zoning Act.
20. **Site plan review authority.** The Planning Board is the site plan review authority.
21. **Subdistrict.** An area within the MCMOD that is geographically smaller than the MCMOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.
22. **Subsidized Housing Inventory (SHI).** A list of qualified Affordable Housing Units maintained by EOHLIC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.
23. **Transit station.** An MBTA subway station, commuter rail station, or ferry terminal.
  - a. **Commuter rail station.** Any MBTA commuter rail station with year-round, rather than intermittent, seasonal, or event-based, service.
  - b. **Ferry terminal.** The location where passengers embark and disembark from regular, year-round MBTA ferry service.
  - c. **Subway station.** Any of the stops along the MBTA Red Line, Green Line, Orange Line, or Blue Line.

D. **Transit Area ~~Triplex~~-Subdistrict**

1. **Purpose**

The purpose of the Transit Area ~~Triplex~~-Subdistrict is to provide opportunities for lower density, high quality multi-family housing that helps preserve the existing physical context of the one- and two-unit neighborhoods directly adjacent to the Mattapan Trolley line.

2. **Applicability**

An applicant may develop buildings multifamily housing with up to three units of housing located within the Transit Area ~~Triplex~~-Subdistrict, located largely within a 1,000 foot distance on certain parcels within a half mile of Mattapan, Capen Street, Valley Road, Central Avenue, and Milton stations, in accordance with the provisions of this subsection.

3. **Uses Permitted As of Right.** The following uses are permitted as of right within the Transit Area ~~Triplex~~-Subdistrict.

- a. Multi-family housing of up to three (3) units per lot on parcels 7,500 square feet or more.
- a-b. Multi-family housing of up to four (4) units per lot in two two-unit buildings on parcels 10,000 square feet or more.

4. **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section D.3.

- a. Parking, including surface parking and parking within a structure such as a garage or other building on the same lot as the principal use.

5. **Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the Transit Area ~~Triplex~~ Subdistrict are as follows:

Standard	
Lot Size	
Minimum (SF)	<u>5,500</u> <u>7,500 (3 units)</u> <u>10,000 (4 units)</u>
Height	
Stories (Maximum)	<u>32.5</u>
Feet (Maximum)	<u>TK35</u>
Minimum Open Space	<u>TK40%</u>
Maximum Units per Lot	<u>3 on lots 7,500 sf or more</u> <u>4 on lots 10,000 sf or more</u>

Standard	TK
Maximum Building Coverage	

Standard	
Minimum Frontage (ft)	50
Front Yard Setback (ft.)	15
Side Yard Setback <u>Corner Minimum side setback</u> (ft)	<u>105</u>
<u>Interior Minimum sum of both side setbacks</u> (ft)	<u>1020</u>
Rear Yard Setback (ft.)	<u>3020</u>

6. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.
7. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in **Section [SectionTK] D.5 Table of Dimensional Standards** to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
8. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit

9. **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit

**E. Milton/Central Station Subdistrict**

**1. Purpose**

The purpose of the Milton/Central Station Subdistrict is to allow for high quality mid-rise multi-family and mixed-use development while preserving the historic character of the Milton Village and Central Avenue business districts.

**2. Applicability**

An applicant may develop multi-family or mixed-use buildings up to 3.56 stories on larger parcels in portions of the eastern portion of the Milton Village business district, and up to 4.5 stories in the western portion of the Milton Village and Central Avenue business districts, in accordance with the provisions of this subsection.

**3. Uses Permitted As of Right.** The following uses are permitted as of right within the Milton/Central Station Subdistrict.

- Multi-family housing.
- Mixed-use development.** As of right uses in a mixed-use development are as follows:

Ground Floor
Community space.
Educational uses.
Personal services.
Retail.
Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail.
Restaurant, café, and other eating establishments without a drive-through.
Office, professional office, medical and dental offices, and co-working space

Artists' studios, maker space, and small-scale food production [no more than 5,000 SF], and retail associated with each use.
<b>Any Floor</b>
Residential (required component).

4. **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section E.3.
  - a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.
5. **Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the Milton/Central Station Subdistrict are as follows:

Standard	
Lot Size	
Minimum (SF)	<u>none</u>
<u>Height (East)</u>	
Stories (Maximum)	<u>3.56</u>
Feet (Maximum)	<u>475</u>
<u>Height (West)</u>	
Stories (Maximum)	<u>4.5</u>
Feet (Maximum)	<u>60</u>
Minimum Open Space	<u>40%</u>
Maximum Units per Acre	<u>3040</u>

Standard	
Maximum Building Coverage	<u>40%</u>

Standard	
Minimum Frontage (ft)	none
Front Yard Setback <sup>(7)</sup>	
(ft.)	<u>15</u>
Side Yard Setback	
<u>Minimum side setback (ft) Corner</u>	<u>105</u>

(ft.)	
<u>Minimum sum of both side setbacks (ft.)</u>	<u>1020</u>
Rear Yard Setback	
(ft.)	<u>2030</u>

6. **Multi-Building Lots.** In the Milton/Central Station Subdistrict, lots may have more than one principal building.
7. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.
8. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in **Section [SectionTK] E.5 Table of Dimensional Standards** to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
9. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	1 space per 1,500 SF of commercial space

10. **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	1 space per 500 SF of commercial space

11. **Bicycle storage.** For a multi-family development of 10 units or more, or a mixed- use development of 10,000 square feet or more, covered, secure bicycle parking spaces shall be integrated into the structure of the building(s).
12. **Shared Parking within a Mixed-Use Development.** Parking requirements for a mix

of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies.

**F. Mattapan Station Subdistrict**

**1. Purpose**

The purpose of the Mattapan Station Subdistrict is to provide high quality mid-rise multi-family housing on large sites in a transit-oriented district.

**2. Applicability**

An applicant may develop multi-family housing up to 3-56 stories on larger parcels along the Neponset River near Mattapan Square.

**3. Uses Permitted As of Right.** The following uses are permitted as of right within the Mattapan Station Subdistrict.

- a. Multi-family housing.
- b. **Mixed-use development.** As of right uses in a mixed-use development are as follows:

Ground Floor
Community space.
Educational uses.
Personal services.
Retail.
Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail.
Restaurant, café, and other eating establishments without a drive-through.
Office, professional office, medical and dental offices, and co-working space
Artists' studios, maker space, and small-scale food production [no more than 5,000 SF], and retail associated with each use.
Any Floor
Residential (required component).

**4. Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section F.3.

- a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

5. **Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the Mattapan Station Subdistrict are as follows:

Standard	
Lot Size	
Minimum (SF)	none
Height	
Stories (Maximum)	3.56
Feet (Maximum)	TK75
Minimum Open Space	TK40%
Maximum Units per Acre	3040

Standard	
Maximum Building Coverage	TK

Standard	
Minimum Frontage (ft)	50none
Front Yard Setback (ft.)	3015
Side Yard Setback <u>Minimum side setback (ft) Corner (ft)</u>	205
<u>Minimum sum of both side setbacks (ft) Interior (ft)</u>	20
Rear Yard Setback (ft.)	1530

6. **Multi-Building Lots.** In the Mattapan Station Subdistrict, lots may have more than one principal building.

7. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.

8. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in Section

**[SectionTK] F.5 Table of Dimensional Standards** to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

9. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/Commercial	1 space per 1,500 SF of commercial space

10. **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/Commercial	1 space per 500 SF of commercial space

11. **Bicycle storage.** For a multi-family development of ten (10) units or more, or a mixed- use development of 10,000 square feet or more, covered, secure bicycle parking spaces shall be integrated into the structure of the building(s).

12. **Shared Parking within a Mixed-Use Development.** Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies.

#### **Blue Hills Parkway Corridor Subdistrict**

##### **Purpose**

The purpose of the Blue Hills Parkway Corridor Subdistrict is to provide high-quality multi-family and mixed-use development on parcels of varying sizes in a transit-oriented district.

##### **Applicability**

An applicant may develop multi-family housing up to 2.5 stories on certain parcels with access to Blue Hills Parkway that are within a half-mile of Mattapan Station.

— **Uses Permitted As of Right.** The following uses are permitted as of right within the Blue Hills Parkway Corridor Subdistrict:

— Multi-family housing.

— **Mixed use development.** As of right uses on parcels larger than 0.33 acres in a mixed-use development are as follows:

Ground Floor
Community space.
Educational uses.
Personal services.
Retail.
Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail.
Restaurant, café, and other eating establishments without a drive through.
Office, professional office, medical and dental offices, and co-working space
Artists' studios, maker space, and small-scale food production [no more than 5,000 SF], and retail associated with each use.
Any Floor
Residential (required component).

— **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section F.3.

— Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

— **Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the Mattapan Station Subdistrict are as follows:

Standard	
Lot Size	
Minimum (SF)	none
Height	
Stories (Maximum)	2.5
Feet (Maximum)	35

<u>Minimum Open Space</u>	<u>40%</u>
<u>Maximum Units per Acre</u>	<u>30</u>

<u>Standard</u>	
<u>Minimum Frontage (ft)</u>	<u>50</u>
<u>Front Yard Setback</u>	
<u>(ft.)</u>	<u>20</u>
<u>Side Yard Setback</u>	
<u>Minimum side setback (ft)</u>	<u>5</u>
<u>Minimum sum of both side-setbacks (ft)</u>	<u>20</u>
<u>Rear Yard Setback</u>	
<u>(ft.)</u>	<u>20</u>

**Multi Building Lots.** In the Mattapan Station Subdistrict, lots may have more than one principal building.

**Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.

**Exceptions: Renewable Energy Installations.** The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in Section [Section TK] G.5 Table of Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

**Number of parking spaces.** The following minimum numbers of off street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

<u>Use</u>	<u>Minimum Spaces</u>
<u>Multi-family</u>	<u>1 space per Residential Dwelling Unit</u>
<u>Mixed-Use (Non-residential)/Commercial</u>	<u>1 space per 1,500 SF of commercial space</u>

**Number of bicycle parking spaces.** The following minimum numbers of covered

bicycle storage spaces shall be provided by use:

<u>Use</u>	<u>Minimum Spaces</u>
<u>Multi-family</u>	<u>1 space per Residential Dwelling Unit</u>
<u>Mixed-Use (Non-residential)/ Commercial</u>	<u>1 space per 500 SF of commercial space</u>

**Bicycle storage.** For a multi-family development of ten (10) units or more, or a mixed-use development of 10,000 square feet or more, covered, secure bicycle parking spaces shall be integrated into the structure of the building(s).

12. **Shared Parking within a Mixed-Use Development.** Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies.

## G. Granite Avenue Subdistrict

### 1. Purpose

The purpose of the Granite Avenue Subdistrict is to provide high quality, higher density multifamily or mixed-use development on large commercial or underutilized parcels with good access to transit, shared use paths, and Interstate 93.

### 2. Applicability

An applicant may develop a multifamily or mixed-use project up to five-6 stories on large parcels in the northern part of the district near the northern border of Milton along Granite Avenue adjacent along to the Neponset River and up, Gulliver's Creek, and Interstate 93 to 4 stories on large parcels in the southern part of the district between Granite Avenue and Interstate 93.

### 3. Uses Permitted As of Right. The following uses are permitted as of right within the Granite Avenue Subdistrict.

- a. Multi-family housing.
- b. **Mixed-use development.** As of right uses in a mixed-use development are as follows:

<b>Ground Floor</b>
Community space.
Educational uses.
Personal services.
Retail.

Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail.
Restaurant, café, and other eating establishments without a drive-through.
Office, professional office, medical and dental offices, and co-working space
Artists' studios, maker space, and small-scale food production [no more than 5,000 SF], and retail associated with each use.
<b>Any Floor</b>
Residential (required component).

4. **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section G.3.
  - a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.
5. **Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the Granite Avenue Subdistrict are as follows:

Standard	
Lot Size	
Minimum (SF)	none
<u>Height (north)</u>	
Stories (Maximum)	<u>56</u>
Feet (Maximum)	<u>TK75</u>
<u>Height (south)</u>	
<u>Stories (Maximum)</u>	<u>4</u>
<u>Feet (Maximum)</u>	<u>50</u>
Minimum Open Space	<u>TK40%</u>
Maximum Units per Acre	<u>3540</u>

Standard	
<u>Maximum Building Coverage</u>	<u>TK</u>

Standard	
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Minimum Frontage (ft)	<del>150</del> none
Front Yard Setback	
(ft.)	20
Side Yard Setback	
<u>Minimum side setback (ft)Corner (ft)</u>	10
<u>Minimum sum of both side setbacks (ft)Interior (ft)</u>	<del>10</del> 20
Rear Yard Setback	
(ft.)	30

6. **Multi-Building Lots.** In the Granite Avenue Subdistrict, lots may have more than one principal building.
7. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.
8. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in **Section [SectionTK] ~~GHG~~.5 Table of Dimensional Standards** to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
9. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	1 space per 1,500 SF of commercial space

10. **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	1 space per 500 SF of commercial space

11. **Bicycle storage.** For a multi-family development of ten (10) units or more, or a mixed- use development of 10,000 square feet or more, covered, secure bicycle parking spaces shall be integrated into the structure of the building(s).
12. **Shared Parking within a Mixed-Use Development.** Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies.

## H. East Milton Square Subdistrict

### 1. Purpose

The purpose of the East Milton Square Subdistrict is to provide high quality multifamily and mixed-use development that bolsters the Town's largest business district and maintains East Milton Square's historic village downtown character.

### 2. Applicability

An applicant may develop a multifamily or mixed-use project up to 2.5 stories on parcels largely corresponding with the existing East Milton Square business district, as well as certain adjacent parcels in residential zones.

### 3. Uses Permitted As of Right.

The following uses are permitted as of right within the East Milton Square Subdistrict.

- a. Multi-family housing.
- b. **Mixed-use development.** As of right uses in a mixed-use development are as follows:

Ground Floor
Community space.
Educational uses.
Personal services.
Retail.
Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail.
Restaurant, café, and other eating establishments without a drive-through.
Office, professional office, medical and dental offices, and co-working space
Artists' studios, maker space, and small-scale food production [no more than 5,000 SF], and retail associated with each use.
Any Floor
Residential (required component).

### 4. Accessory Uses.

The following uses are considered accessory as of right to any of the permitted uses in Section H.3.

- a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

5. **Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the East Milton Square Subdistrict are as follows:

Standard	
Lot Size	
Minimum (SF)	none
Height	
Stories (Maximum)	2.5
Feet (Maximum)	TK42
Minimum Open Space	TK40%
Maximum Units per Acre	2530

Standard	
Maximum Building Coverage	TK

Standard	
Minimum Frontage (ft)	none none
Front Yard Setback (ft.)	none 15
Side Yard Setback <u>Minimum side setback (ft) Corner (ft)</u>	none 5
<u>Minimum sum of both side setbacks (ft) Interior (ft)</u>	0 (if the wall adjoining such side be either a party wall or a wall with its outer face coincident with the lot side line) or 620
Rear Yard Setback (ft.)	2030

6. **Multi-Building Lots.** In the East Milton Square Subdistrict, lots may have more than one principal building.

7. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.

8. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in **Section [SectionTK]** **H.5 Table of Dimensional Standards** to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

9. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/Commercial	1 space per 1,500 SF of commercial space

10. **Number of bicycle parking spaces.** The following **minimum** numbers of covered bicycle storage spaces shall be provided by use:

Use	Minimum Spaces
Multi-family	1 space per Residential Dwelling Unit
Mixed-Use (Non-residential)/Commercial	1 space per 500 SF of commercial space

11. **Bicycle storage.** For a multi-family development of ten (ten) units or more, or a mixed- use development of 10,000 square feet or more, covered, secure bicycle parking spaces shall be integrated into the structure of the building(s).

12. **Shared Parking within a Mixed-Use Development.** Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies.

## I. General Development Standards

1. Development standards in the MCMOD are applicable to all multi-family development with more than ten (10) units or mixed-use development of more than 10,000 SF within the MCMOD. These standards are components of the Site Plan Review process in **Section [SectionTK] I. Site Plan Review**.
2. **Site Design.**
  - a. **Connections.** Sidewalks shall provide a direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.

- b. **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
- c. **Open Space.** Acceptable activities within the minimum required Open Space include natural areas (including wetlands and surface waters), wildlife and native plant habitat, landscape plantings, agricultural activities, low-impact design stormwater management, non-motorized trails, and other low-impact activities. Open Space shall not contain habitable structures.
- d. **Screening for Parking.** Surface parking adjacent to a public sidewalk shall be screened by a landscaped buffer of sufficient width to allow the healthy establishment of trees, shrubs, and perennials, but no less than [6 (six)] feet. The buffer may include a fence or wall of no more than three feet in height unless there is a significant grade change between the parking and the sidewalk.
- e. **Parking Materials.** The parking surface may be concrete, asphalt, decomposed granite, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.
- f. **Plantings.** Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.
- g. **Lighting.** Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skyglow.
- h. **Mechanicals.** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
- i. **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.
- j. **Stormwater management.** Strategies that demonstrate compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Milton MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements.

3. **Buildings: General.**

- a. **Position relative to principal street.** The primary building shall have its principal façade and entrance facing the principal street. See also Section G.7. Buildings: Corner Lots.
- b. **Entries.** Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.

4. **Buildings: Multiple buildings on a lot.**

- a. For a mixed-use development, uses may be mixed within the buildings or in separate buildings.
- b. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- c. A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.
- d. The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.
- e. The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.

5. **Buildings: Mixed-use development.**

- a. In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.
- b. Paved pedestrian access from the residential component shall be provided to residential parking and amenities and to the public sidewalk, as applicable.
- c. Materials for non-residential uses shall be stored inside or under cover and shall not be accessible to residents of the development.
- d. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.

6. **Buildings: Shared Outdoor Space.** Multi-family housing and mixed-use development shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace. All outdoor space shall count towards the project's minimum Open Space requirement.
7. **Buildings: Corner Lots.** A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.
  - a. Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
  - b. All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
  - c. Fire exits serving more than one story shall not be located on either of the street-facing façades.
8. **Buildings: Infill Lots.** If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of each subdistrict's dimensional standards. Otherwise, infill buildings may match the setback line of either adjacent building, or an average of the setback of the two buildings to provide consistency along the street.
9. **Buildings: Principal Façade and Parking.** Parking shall be subordinate in design and location to the principal building façade.
  - a. **Surface parking.** Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
  - b. **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
  - c. **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings or mixed-use development shall be subordinate in design and placement to the multi-family or mixed-use building(s) on the lot.
10. **Waivers.** Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive the requirements of this **Section [SectionTK] G. General Development Standards**, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.

**J. Affordability Requirements.**

**1. Purpose.**

- a. Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;
- b. Provide for a full range of housing choices for households of all incomes, ages, and sizes;
- c. Increase the production of affordable housing units to meet existing and anticipated housing needs; and
- d. Work to overcome economic segregation allowing Milton to continue to be a community of opportunity in which low and moderate-income households have the opportunity to advance economically.

**2. Applicability.** This requirement is applicable to all residential and mixed-use developments with ten (10) or more dwelling units, whether new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion. No project may be divided or phased to avoid the requirements of this section.

**3. Affordability requirements.**

- a. **Subsidized Housing Inventory.** All units affordable to households earning 80% or less of AMI created in the MCMOD under this section must be eligible for listing on EOHL's Subsidized Housing Inventory.
4. **Provision of Affordable Housing.** In Applicable Projects, not fewer than ten percent (10%) of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded down to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the AMI.
5. **Development Standards.** Affordable Units shall be:
  - a. Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
  - b. Dispersed throughout the development;
  - c. Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
  - d. Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
  - e. Distributed proportionately among unit sizes; and
  - f. Distributed proportionately across each phase of a phased development.
  - g. Occupancy permits may be issued for market-rate units prior to the end of

construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

6. **Administration.** The Zoning Enforcement Officer shall be responsible for administering and enforcing the requirements in this section.

**K. Site Plan Review**

1. **Applicability.** Site Plan Review is required for a project that proposes ten (10) dwelling units or more. An application for Site Plan Review shall be reviewed by the Permitting Authority for consistency with the purpose and intent of Sections [SectionTK] D through [SectionTK] H.
2. **Submission Requirements.** As part of any application for Site Plan Review for a project within the MCMOD submitted under Sections [SectionTK] D through [SectionTK] H (or, for projects not requiring Site Plan Review, prior to submission of any application for a building permit), the Applicant must submit the following documents to the Town:
  - a. Application and fee for Site Plan Review.
  - b. Site plans that show the position of the building on the site, points of vehicular access to and from the site and vehicular circulation on the site, stormwater management, utilities, and landscape treatments, including any screening of adjacent properties, and other information commonly required by Municipality for Site Plan Review.
  - c. Elevations of the building(s) showing the architectural design of the building.
  - d. All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All landscape plans shall be prepared by a certified landscape architect registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of Massachusetts. All plans shall be signed and stamped, and drawings prepared at a scale of one inch equals forty feet (1"=40') or larger, or at a scale as approved in advance by the Permitting Authority.
  - e. Narrative of compliance with the applicable design standards of this Section[SectionTK].
3. **Timeline.** Site Plan Review should be commenced no later than 30 days of the submission of a complete application and should be completed expeditiously. The site plan review authority may, when appropriate, seek the input of other municipal boards or officials. In general, site plan review should be completed no more than 6 months after the submission of the application.
4. **Site Plan Approval.** Site Plan approval for uses listed in the Permitted Uses subsection of Sections [SectionTK] D through H shall be granted upon determination by the Site Plan Review Authority that the following conditions have been satisfied.

The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied.

- a. the Applicant has submitted the required fees and information as set forth in Municipality's requirements for a Building Permit and Site Plan Review; and
- b. the project as described in the application meets the development standards set forth in Section [SectionTK] G. General Development Standards.

5. **Project Phasing.** An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Section [SectionTK] J. Affordability Requirements.

**L. Severability.**

If any provision of this Section [SectionTK] is found to be invalid by a court of competent jurisdiction, the remainder of Section [SectionTK] shall not be affected but shall remain in full force. The invalidity of any provision of this Section [SectionTK] shall not affect the validity of the remainder of Milton's Zoning.

**Article**    To see if the Town will vote to transfer to the care, custody, management and control of the Conservation Commission, and to be subject to the provisions of Article 97, the following parcels of land:

- (1) Approximately 1.82 acres of land, shown on the Town of Milton Assessor's Map as Map G Block 57 Lot 3
- (2) Approximately 0.41 acres of land, shown on the Town of Milton Assessor's Map as Map G Block 56 Lot 7
- (3) Approximately 2.95 acres of land, shown on the Town of Milton Assessor's Map as Map G Block 56 Lot 8
- (4) Approximately 20.06 acres of land, shown on the Town of Milton Assessor's Map as Map G Block 56 Lot 9
- (5) Approximately 1.81 acres of land, shown on the Town of Milton Assessor's Map as Map G Block 56 Lot 10; and

to authorize the Select Board to obtain all necessary Governmental approvals necessary to accomplish the purpose of this article;

Submitted by the Select Board

**Recommended that the Town**   

*COMMENT:*

**ARTICLE █** To see by what sums of money the Town will vote to amend the appropriations voted at the 2023 Annual Town Meeting for the twelve-month period beginning July 1, 2023; and to determine how said appropriations shall be raised, whether by transfer from available funds or otherwise; and to act on anything related thereto.

Submitted by the Select Board

**RECOMMENDED that the Town vote to amend the following appropriation voted by the 2023 Annual Town Meeting by the article referenced in the table below for the twelve-month period beginning July 1, 2023:**

Department	2023 ATM Article	Current FY2024 Appropriation	FY2024 Adjustment	Revised FY2024 Appropriation
Reserve Fund	40	\$250,000	\$350,000	\$600,000

Total Amendment \$350,000

**and that to meet said appropriation the sum of \$350,000 be raised from the tax levy.**

*COMMENT: \_\_\_\_\_.*

**Article** To see if the Town will vote to amend the Town of Milton bylaws by inserting the following new section:

**Chapter 12, Article VIII Recordings**

**Section 12-33 Applicability**

The public meetings of all elected public bodies shall be audio and/or video recorded.

The following elected public bodies are subject to this bylaw: Board of Assessors, Board of Health, Board of Park Commissioners, Library Board of Trustees, Planning Board, School Committee, Trustees of the Cemetery, and the Select Board.

**Section 12-34 Exceptions**

Public meetings that are not required to be recorded are:

- Meetings of subcommittees of the elected public bodies in section 12-33
- Site visits and meetings not located in a facility owned by the Town of Milton
- Executive sessions
- Emergency meetings, held in accordance with M.G.L. c. 30A §20, are exempt from this bylaw, but elected public bodies shall make every effort to record emergency meetings.

In the event of technology failure or power disruption, a public body subject to this bylaw shall make every effort to record its meeting, but the public body shall not be required to cancel or adjourn its meeting.

**Section 12-35 Posting of Recordings**

All recordings shall be made publicly available within two weeks of the meeting date. For the purposes of this section, publicly available shall be defined as: available on the Town of Milton website, the Milton Access TV website, or through an audio/video website, such as, but not limited to YouTube.

Submitted by the Select Board

**Recommended that the Town**   

*COMMENT:*

**Article**    To see if the Town will vote to amend the Town of Milton bylaws by inserting the following new section:

Chapter 12, Article VIII Recordings

Section 12-33 Applicability

The public meetings of all elected public bodies shall be audio and/or video recorded.

The following elected public bodies are subject to this bylaw: Board of Assessors, Board of Health, Board of Park Commissioners, Library Board of Trustees, Planning Board, School Committee, Trustees of the Cemetery, and the Select Board.

Section 12-34 Exceptions

Notwithstanding any other provisions of this Bylaw, the following types of Public meetings ~~that~~ are not subject to Section 12-33, and therefore are not required to be audio and/or video recorded are as follows:

- Meetings of subcommittees of the elected public bodies identified in ~~S~~ection 12-33;
- Site visits and meetings conducted on property that in a facility that not located in a facility the Town of Milton does not own or lease; ed by the Town of Milton;
- Executive sessions; and
- Emergency meetings, held in accordance with M.G.L. c. 30A §20, ~~are exempt from this bylaw, provided that but the~~ elected public bodies shall make every reasonable, good faith efforts to record emergency meetings.

In the event of technology failure or power disruption, ~~a~~the elected public body ~~subject to this bylaw~~ shall make reasonable, good faith reasonable efforts to audio and/or video record its meeting, but if despite such reasonable, good faith efforts the public body is unable to make such a recording, the selected public body shall not be required to cancel or adjourn its meeting.

Section 12-35 Posting of Recordings

All recordings shall be made publicly available within two weeks of the meeting date. For the purposes of this section, “publicly available” shall be defined as: available on the Town of Milton’s website, the Milton Access TVMPEG Access, Inc. website, or through a third-party audio/video website to which the Town is authorized to add content, including, such as, but not limited to the Town’s YouTube page, MPEG Access, Inc.’s YouTube, or other social media website pages.

Submitted by the Select Board

**Recommended that the Town**   

*COMMENT:*

Article XX To see if the Town will vote to require Mixed Use development in the Milton/Central Station Subdistrict.

## 1. Purpose

The purpose of the Milton/Central Station Subdistrict is to allow for high quality mid-rise ~~multi family and~~ mixed-use development while preserving the historic character of the Milton Village and Central Avenue business districts.

## 2. Applicability

An applicant may develop mixed-use buildings up to 6 stories on larger parcels in the area labeled East on the MCMOD Boundary Map, and up to 4.5 stories in the area labeled West on the MCMOD Boundary Map, in accordance with the provisions of this subsection. An applicant may develop multi family or mixed-use buildings up to 3.5 stories on larger parcels in portions of the Milton Village and Central Avenue business districts, in accordance with the provisions of this subsection.

**4.3. Uses Permitted As of Right.** The following uses are permitted as of right within the Milton/Central Station Subdistrict.

- a. Multi-family housing.
- b. **Mixed-use development.** As of right uses in a mixed-use development are as follows:

<b>Ground Floor (required use)</b>
Community space.
Educational uses.
Personal services.
Retail.
Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail.
Restaurant, café, and other eating establishments without a drive-through.
Office, professional office, medical and dental offices, and co-working space
Artists' studios, maker space, and small-scale food production [no more than 5,000 SF], and retail associated with each use.
<b>Any Floor</b>

Residential (required component).

j. Non-residential use shall not exceed a maximum of 33 percent of the total area of a building or lot.

9. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

<u>Use</u>	<u>Minimum Spaces</u>
Multi-family	<u>1 space per Residential Dwelling Unit</u>
<u>Mixed-Use (Non-residential)/Commercial</u>	<u>No minimum</u>

## Establishment of a Local Historic District Commission

**ARTICLE XX:** To see if the Town will vote to establish a Local Historic District Commission for the purpose of aiding in the preservation and protection of the distinctive history, characteristics, and architecture of buildings and places significant in the history of the Town of Milton, the maintenance and improvement of their settings and the encouragement of new building designs compatible with the existing architecture [,as outlined in the

Aug 21, 2023 report of the Local Historic District Study Committee to the Massachusetts Historical Commission and the Milton Select Board;

to authorize the Select Board to appoint seven members to serve on the commission for a period of three years, one member nominated by the Milton Historical Commission, one member nominated by the local AIA chapter (American Institute of Architects), one member nominated by the Greater Boston Association of Realtors, one member shall be an “at large” resident of Milton living outside local historic district boundaries;

The Town of Milton hereby establishes a Local Historic District, to be administered by an Historic District Commission as provided for under Massachusetts General Laws Chapter 40C, as amended.

### 1. PURPOSE

The purpose of this bylaw is to aid in the preservation and protection of the distinctive history, characteristics, and architecture of buildings and places significant in the history of the Town of Milton, the maintenance and improvement of their settings and the encouragement of new building designs compatible with the existing architecture.

### 2. DEFINITIONS

The terms defined in this section shall be capitalized throughout this Bylaw. Where a defined term has not been capitalized, it is intended that the meaning of the term be the same as the meaning ascribed to it in this section unless another meaning is clearly intended by its context. As used in this Bylaw the following terms shall have the following meaning:

ALTERATION, TO ALTER – The act or the fact of rebuilding, reconstruction, restoration, replication, removal, demolition, and other similar activities.

BUILDING – A combination of materials forming a shelter for persons, animals or property.

CERTIFICATE – A Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship as set forth in this Bylaw.

COMMISSION – The Historic District Commission as established in this Bylaw.

CONSTRUCTION, TO CONSTRUCT – The act or the fact of building, erecting, installing, enlarging, moving and other similar activities.

DISPLAY AREA – The total surface area of a SIGN, including all lettering, wording, designs, symbols, background and frame, but not including any support structure or bracing incidental to the SIGN. The DISPLAY AREA of an individual letter SIGN or irregular shaped SIGN shall be the area of the smallest rectangle into which the letters or shape will fit. Where SIGN faces are placed back to back and face in opposite directions, the DISPLAY AREA shall be defined as the area of one face of the SIGN.

DISTRICT – The Local Historic District as established in this Bylaw consisting of one or more DISTRICT areas.

EXTERIOR ARCHITECTURAL FEATURE – Such portion of the exterior of a BUILDING or STRUCTURE as is open to view from a public way or ways, including but not limited to architectural style and general arrangement and setting thereof, the kind and texture of exterior building materials, and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

PERSON AGGRIEVED – The applicant; an owner of adjoining property; an owner of property within the same DISTRICT area; an owner of property within 100 feet of said DISTRICT area; and any charitable corporation in which one of its purposes is the preservation of historic places, structures, BUILDINGS or districts.

SIGNS – Any symbol, design or device used to identify or advertise any place of business, product, activity or person.

STRUCTURE – A combination of materials other than a BUILDING, including but not limited to a SIGN, fence, wall, historic stone wall, terrace, walk or driveway.

TEMPORARY STRUCTURE or BUILDING – A BUILDING not to be in existence for a period of more than two years. A STRUCTURE not to be in existence for a period of more than one year. The COMMISSION may further limit the time periods set forth herein as it deems appropriate.

### 3. DISTRICT

The DISTRICT shall consist of one or more DISTRICT areas as established through this Bylaw and as listed in Section 13 (Appendices) as may be amended from time to time through this Bylaw.

### 4. COMMISSION

4.1 The DISTRICT shall be overseen by a COMMISSION consisting of seven (7) members who are residents of the town, to be appointed by the Board of Selectmen, two members initially to be appointed for one year, two for two years, and two for three years, and each successive appointment to be made for three years.

4.2 The COMMISSION shall include, one member from two nominees solicited from the Milton Historical Commission, one member from two nominees solicited from the chapter of the American Institute of Architects covering Milton; one member from two nominees of the Greater Boston Association of Realtors covering Milton; one property owner from within each of the DISTRICT areas; and one at-large town resident living outside any of the DISTRICT areas. If within thirty days after submission of a written request for nominees to any of the organizations herein named insufficient nominations have been made, the Board of Selectmen may proceed to make appointments as it desires.

4.3 The Select Board may appoint up to four alternate members to the COMMISSION in a like manner. Each alternate member shall have the right to act and vote in the place of one regular member should such regular member be absent from a meeting or be unwilling or unable to act or vote. Said alternate members shall initially be appointed for terms of two or three years, and for three year terms thereafter.

4.4 Each member and alternate member shall continue to serve in office after the expiration date of his or her term until a successor is duly appointed.

4.5 Vacancies shall be filled in the same manner as the original appointment for an unexpired term.

4.6 Meetings of the COMMISSION shall be held at the call of the Chairman, at the request of two members and in such other manner as the COMMISSION shall determine in its Rules and Regulations.

4.7 Four members of the COMMISSION shall constitute a quorum.

4.8 All members shall serve without compensation.

## 5. COMMISSION POWERS AND DUTIES

5.1 The COMMISSION shall exercise its powers in administering and regulating the CONSTRUCTION and ALTERATION of any STRUCTURES or BUILDINGS within the DISTRICT as set forth under the procedures and criteria established in this Bylaw. In exercising its powers and duties hereunder, the COMMISSION shall pay due regard to the distinctive characteristics of each BUILDING, STRUCTURE and DISTRICT area.

5.2 The COMMISSION may adopt, and from time to time amend, reasonable Rules and Regulations not inconsistent with the provisions of this Bylaw or M.G.L. Chapter 40C, setting forth such forms and procedures as it deems desirable and necessary for the regulation of its affairs and the conduct of its business, including requirements for the contents and form of applications for CERTIFICATES, fees, hearing procedures and other matters. The COMMISSION shall file a copy of any such Rules and Regulations with the office of the Town Clerk.

5.3 The COMMISSION, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in Town Hall and in a newspaper of general circulation, may adopt and from time to time amend guidelines which set forth the designs for certain EXTERIOR ARCHITECTURAL FEATURES which are, in general, suitable for the issuance of a CERTIFICATE. No such design guidelines shall limit the right of an applicant for a CERTIFICATE to present other designs to the COMMISSION for approval.

5.4 The COMMISSION shall at the beginning of each fiscal year hold an organizational meeting and elect a Chairman, a Vice Chairman and Secretary, and file notice of such election with the office of the Town Clerk.

5.5 The COMMISSION shall keep a permanent record of its resolutions, transactions, decisions and determinations and of the vote of each member participating therein.

5.6 The COMMISSION shall undertake educational efforts to explain to the public and property owners the merits and functions of a DISTRICT.

## 6. ALTERATIONS AND CONSTRUCTION PROHIBITED WITHOUT A CERTIFICATE

6.1 Except as this Bylaw provides, no BUILDING or STRUCTURE or part thereof within a DISTRICT shall be CONSTRUCTED or ALTERED in any way that affects the EXTERIOR ARCHITECTURAL FEATURES as visible from a public way, unless the COMMISSION shall first have issued a CERTIFICATE with respect to such CONSTRUCTION or ALTERATION.

6.2 No building permit for CONSTRUCTION of a BUILDING or STRUCTURE or for ALTERATION of an EXTERIOR ARCHITECTURAL FEATURE within a DISTRICT and no demolition permit for demolition or removal of a BUILDING or STRUCTURE within a DISTRICT shall be issued by the Town or any department thereof until a CERTIFICATE as required under this Bylaw has been issued by the COMMISSION.

## 7. PROCEDURES FOR REVIEW OF APPLICATIONS

7.1 Any person who desires to obtain a CERTIFICATE from the COMMISSION shall file with the COMMISSION an application for a CERTIFICATE of Appropriateness, of Non-Applicability or of Hardship, as the case may be. The application shall be accompanied by such plans, elevations,

specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the COMMISSION to enable it to make a determination on the application.

7.2 The COMMISSION shall determine within fourteen (14) business days of the filing of an application for a CERTIFICATE whether said application involves any EXTERIOR ARCHITECTURAL FEATURES which are within the jurisdiction of the COMMISSION.

7.3 If the COMMISSION determines that an application for a CERTIFICATE does not involve any EXTERIOR ARCHITECTURAL FEATURES, or involves an EXTERIOR ARCHITECTURAL FEATURE which is not subject to review by the COMMISSION under the provisions of this Bylaw, the COMMISSION shall forthwith issue a CERTIFICATE of Non-Applicability.

7.4 If the COMMISSION determines that such application involves any EXTERIOR ARCHITECTURAL FEATURE subject to review under this Bylaw, it shall hold a public hearing on the application, except as may otherwise be provided in this Bylaw. The COMMISSION shall hold such a public hearing within forty-five (45) days from the date of the filing of the application. At least fourteen (14) days before said public hearing, public notice shall be given by posting in a conspicuous place in Town Hall and in a newspaper of general circulation in Milton. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall be mailed to the applicant, to the owners of all adjoining properties and of other properties deemed by the COMMISSION to be materially affected thereby, all as they appear on the most recent applicable tax list, to the Planning Board, to any person filing a written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the COMMISSION shall deem entitled to notice.

7.4.1 A public hearing on an application for a CERTIFICATE need not be held if such hearing is waived in writing by all persons entitled to notice thereof. In addition, a public hearing on an application for a CERTIFICATE may be waived by the COMMISSION if the COMMISSION determines that the EXTERIOR ARCHITECTURAL FEATURE involved, or its category, is so insubstantial in its effect on the DISTRICT that it may be reviewed by the COMMISSION without a public hearing. If the COMMISSION dispenses with a public hearing on an application for a CERTIFICATE, notice of such application shall be given to the owners of all adjoining property and of other property deemed by the COMMISSION to be materially affected thereby as above provided, and ten (10) days shall elapse after the mailing of such notice before the COMMISSION may act upon such application.

7.5 Within sixty (60) days after the filing of an application for a CERTIFICATE, or within such further time as the applicant may allow in writing, the COMMISSION shall issue a CERTIFICATE or a disapproval. In the case of a disapproval of an application for a CERTIFICATE, the COMMISSION shall set forth in its disapproval the reasons for such disapproval. The COMMISSION may include in its disapproval specific recommendations for changes in the applicant's proposal with respect to the appropriateness of design, arrangement, texture, material and similar features which, if made and filed with the COMMISSION in a subsequent application, would make the application acceptable to the COMMISSION.

7.6 The concurring vote of a majority of the members shall be required to issue a CERTIFICATE.

7.7 In issuing CERTIFICATES, the COMMISSION may, as it deems appropriate, impose certain conditions and limitations, and may require architectural or plan modifications consistent with the intent and purpose of this Bylaw.

7.8 If the COMMISSION determines that the CONSTRUCTION or ALTERATION for which an application for a CERTIFICATE of Appropriateness has been filed will be appropriate for or compatible with the preservation or protection of the DISTRICT, the COMMISSION shall issue a CERTIFICATE of Appropriateness.

7.9 If the CONSTRUCTION or ALTERATION for which an application for a CERTIFICATE of Appropriateness has been filed shall be determined to be inappropriate and therefore disapproved, or in the event of an application for a CERTIFICATE of Hardship, the COMMISSION shall determine whether, owing to conditions especially affecting the BUILDING or STRUCTURE involved, but not affecting the DISTRICT generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this Bylaw. If the COMMISSION determines that owing to such conditions failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, the COMMISSION shall issue a CERTIFICATE of Hardship.

7.10 The COMMISSION shall send a copy of its CERTIFICATES and disapprovals to the applicant and shall file a copy of its CERTIFICATES and disapprovals with the office of the Town Clerk and the Building Commissioner. The date of issuance of a CERTIFICATE or disapproval shall be the date of the filing of a copy of such CERTIFICATE or disapproval with the office of the Town Clerk.

7.11 If the COMMISSION should fail to issue a CERTIFICATE or a disapproval within sixty (60) days of the filing of the application for a CERTIFICATE, or within such further time as the applicant may allow in writing, the COMMISSION shall thereupon issue a CERTIFICATE of Hardship Due to Failure to Act.

7.12 Each CERTIFICATE issued by the COMMISSION shall be dated and signed by its chairman or such other person designated by the COMMISSION to sign such CERTIFICATES on its behalf.

7.13 A PERSON AGGRIEVED by a determination of the COMMISSION may, within twenty (20) days of the issuance of a CERTIFICATE or disapproval, file a written request with the COMMISSION for a review by a person or persons of competence and experience in such matters, acting as arbitrator and designated by the regional planning agency. The finding of the person or persons making such review shall be filed with the Town Clerk within forty-five (45) days after the request, and shall be binding on the applicant and the COMMISSION, unless a further appeal is sought in the Superior Court as provided in Chapter 4OC, Section 12A. The filing of such further appeal shall occur within twenty (20) days after the finding of the arbitrator has been filed with the office of the Town Clerk.

## 8. CRITERIA FOR DETERMINATIONS

8.1 In deliberating on applications for CERTIFICATES, the COMMISSION shall consider, among other things, the historic and architectural value and significance of the site, BUILDING or STRUCTURE; the general design, proportions, detailing, mass, arrangement, texture, and material of the EXTERIOR ARCHITECTURAL FEATURES involved; and the relation of such EXTERIOR

ARCHITECTURAL FEATURES to similar features of BUILDINGS and STRUCTURES in the surrounding area.

8.2 In the case of new CONSTRUCTION or additions to existing BUILDINGS or STRUCTURES, the COMMISSION shall consider the appropriateness of the scale, shape and proportions of the BUILDING or STRUCTURE both in relation to the land area upon which the BUILDING or STRUCTURE is situated and in relation to BUILDINGS and STRUCTURES in the vicinity. The COMMISSION may in appropriate cases impose dimensional and setback requirements in addition to those required by applicable statute or bylaw.

8.3 When ruling on applications for CERTIFICATES on solar energy systems as defined in Section IA of Chapter 40A, the COMMISSION shall consider the policy of the Commonwealth of Massachusetts to encourage the use of solar energy systems and to protect solar access.

8.4 The COMMISSION shall not consider interior arrangements or architectural features not subject to public view from a public way.

## 9. EXCLUSIONS

9.1 The COMMISSION shall exclude from its purview the following:

9.1.1 Temporary BUILDINGS, STRUCTURES or SIGNS subject, however, to conditions pertaining to the duration of existence and use, location, lighting, removal and similar matters as the COMMISSION may reasonably specify.

9.1.2 Storm windows and doors, screen windows and doors, and window air conditioners.

9.1.3 The color of paint.

9.1.4 The color of materials used on roofs.

9.1.5 The reconstruction, substantially similar in exterior design, of a BUILDING, STRUCTURE or EXTERIOR ARCHITECTURAL FEATURE damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

9.2 Upon request the COMMISSION shall issue a CERTIFICATE of Non-Applicability with respect to CONSTRUCTION or ALTERATION in any category not subject to review by the COMMISSION in accordance with the above provisions.

9.3 Nothing in this Bylaw shall be construed to prevent the ordinary maintenance, repair or replacement of any EXTERIOR ARCHITECTURAL FEATURE within a DISTRICT which does not involve a change in design, material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any CONSTRUCTION or ALTERATION under a permit duly issued prior to the effective date of this Bylaw.

## 10. CATEGORICAL APPROVAL

The COMMISSION may determine from time to time after a public hearing, duly advertised and posted at least fourteen (14) days in advance in a conspicuous place in Town Hall and in a newspaper of general circulation in Milton, that certain categories of EXTERIOR ARCHITECTURAL FEATURES, STRUCTURES or BUILDINGS under certain conditions may be CONSTRUCTED or ALTERED without review by the COMMISSION without causing substantial derogation from the intent and purpose of this Bylaw.

## 11. ENFORCEMENT AND PENALTIES

11.1 The COMMISSION shall determine whether a particular activity is in violation of this Bylaw or not, and the COMMISSION shall be charged with the enforcement of this Bylaw.

11.2 The COMMISSION, upon a written complaint of any resident of Milton, or owner of property within Milton, or upon its own initiative, shall institute any appropriate action or proceedings in the name of the Town of Milton to prevent, correct, restrain or abate violation of this Bylaw. In the case where the COMMISSION is requested in writing to enforce this Bylaw against any person allegedly in violation of same and the COMMISSION declines to act, the COMMISSION shall notify, in writing, the party requesting such enforcement of any action or refusal to act and the reasons therefore, within twenty one (21) days of receipt of such request.

11.3 Whoever violates any of the provisions of this Bylaw shall be punishable by a fine of up to \$500.00 for each offense. Each day during any portion of which such violation continues to exist shall constitute a separate offense.

11.4 The COMMISSION may designate the Building Commissioner of the Town of Milton to act on its behalf and to enforce this Bylaw under the direction of the COMMISSION.

## 12. VALIDITY AND SEPARABILITY

The provisions of this Bylaw shall be deemed to be separable. If any of its provisions, sections, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Bylaw shall continue to be in full force and effect.

## 13. APPENDICES

### Appendix 1:

#### Milton Village District

The Milton Village District shall be a DISTRICT area under this Bylaw. The location and boundaries of the Milton Village District are defined and shown on the Local Historic District Map of the Town of Milton, Sheet 1-2023 which is a part of this Bylaw. Sheet 1 is based on the 2023 town GIS map and was created with the help of the Town of Milton Engineering Department / GIS. The delineation of the DISTRICT area boundaries is based on the parcel boundaries then in existence and shown therein. to see what sum of money the Town will vote to appropriate for the commission's purposes, including without limitation for the retention of architectural or other consultation services and historical research; to determine how said appropriation shall be raised, whether by borrowing or otherwise; and to act on anything relating thereto.

Submitted by the Select Board on behalf of the Local Historic District Study Committee

Article \_\_\_ To see if the Town will vote to transfer to the care, custody, management and control of the Conservation Commission, and to be subject to the provisions of Article 97, the following parcel of land: Approximately 41.4+ acres of land, shown on the Town of Milton Assessor's Map as Map C Block 34A Lot 4 and to authorize the Select Board to obtain all necessary Governmental approvals necessary to accomplish the purpose of this article.

RECEIVED

SEP 22 2023

Submitted by the following residents of Milton:

Select Board Office  
Milton MA  
A. Milano

#1

NAME Diane D'Amato Agostino  
ADDRESS: [REDACTED] Prec 9  
Diane D'Amato Agostino

NAME \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS: \_\_\_\_\_

September 26, 2023

Docket Operations, M-30  
U.S. Department of Transportation (DOT)  
1200 New Jersey Avenue SE  
Room W12-140, West Building Ground Floor  
Washington, DC 20590-00001

Re: Docket No. FAA-2023-0855

Dear Sir or Madam:

The Town of Milton, Massachusetts (“Milton” or the “Town”), through its Select Board, is pleased to provide comments in response to the FAA’s “Request for Comments on the Federal Aviation Administration’s Review of the Civil Aviation Noise Policy” (the “Request for Comments”).

As background, Milton is significantly overburdened with overflights to and from Boston’s Logan International Airport (“Logan”). The noise and pollution burden has only increased during the past dozen years. The fleet mix has changed, with an increase in larger jets in operation; the volume of flights at Logan was increasing before the COVID-19 pandemic and is currently climbing back to pre-pandemic levels; and aircraft are overflying Milton at lower altitudes than they had previously, creating more and louder noise. However, the root of the problem is the FAA’s implementation of Next Generation Air Transportation System (“NextGen”) Performance-Based Navigation (“PBN”), which has caused flight paths to the Nation’s airports, including Logan, to be concentrated over a fewer number of people. Prior to NextGen and PBN, air traffic was dispersed over wide geographic areas.

PBN has produced inequitable, unbearable and dangerous results for some neighborhoods, placing hundreds of loud, low-flying planes a day over the same people, disrupting sleep, creating anxiety, and increasing health risks for people exposed to concentrated airplane noise<sup>1</sup> and

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<sup>1</sup> Residential exposure to aircraft noise and hospital admissions for cardiovascular diseases: multi-airport retrospective study *BMJ* 2013;347:f5561 doi: 10.1136/bmj.f5561 (Published 8 October 2013); Aircraft noise and cardiovascular disease near Heathrow airport in London: small area study *BMJ* 2013;347:f5432 doi: 10.1136/bmj.f5432 (Published 8 October 2013); Airport noise and cardiovascular disease *BMJ* 2013;347:f5752 doi:

pollution.<sup>2</sup> The noise burden has caused some residents to sell their homes. Post-pandemic, many people work from home full-time or part-time, but their work is interrupted by incessant airplane noise from the “highways in the sky” over their homes. We hear from residents of Milton who are not only annoyed by days of constant airplane noise, but are unable to sleep, work, enjoy being outdoors in their own backyards, and engage in conversation with neighbors because of the noise burden. For the past decade, this Board and many of our employees and appointees have spent an exorbitant amount of time and resources battling the noise burden that the FAA’s actions have imposed on our community.

Our comments herein respond to the numbered topics and questions raised by the FAA in Part II of its Request for Comments with respect to the civil aviation noise policy (the “Policy”).<sup>3</sup>

Preliminarily, we make two important observations. First, we are not, nor should we be expected to be, noise experts. We are elected local government officials writing to you on behalf of our Town and on behalf of the approximately 28,000 residents of Milton. We believe our role is to identify existing noise conditions and problems with the FAA’s current sole noise metric and suggest alternative noise measures for the FAA to evaluate and consider. The FAA employs many aviation specialists, noise experts, analysts, and scientists, and is in a much better position than most commenters will be to propose and analyze new noise metrics, particularly those of a technical nature. In our view, the FAA should consult with both the United States Congress and the United States Environmental Protection Agency (“EPA”) about the relevance today of its decades-old Policy, the concerns raised by commenters, and proposed changes to the Policy. We urge you to do so.

Second, Milton is located approximately ten (10) miles southwest of Logan and, as such, would be characterized, for purposes of your Request for Comments, as an overflight or corridor community rather than as a community in the vicinity of an airport. Accordingly, our comments are directed at the FAA’s Policy *as it relates to overflight communities*. As set forth below, we believe that both (a) the Day-Night Average Sound Level (“DNL”) metric and (b) the FAA’s use of DNL 65 dB as the level for determining whether noise impacts on overflight communities are significant are outdated, irrelevant and grossly inadequate in the age of NextGen/PBN aviation operations. We leave to other commenters suggestions for the Policy as it relates to communities that are adjacent to or in the vicinity of an airport.

## **Executive Summary**

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10.1136/bmj.f5752 (Published 8 October 2013). *See also* Soumya Karlamangla, “How Noise Can Take Years Off Your Life,” *The New York Times*, June 14, 2023.

<sup>2</sup> Although this comment letter addresses only noise because that is what the FAA’s Civil Aviation Noise Policy governs, we note that air traffic generally, and PBN in particular, raise significant pollution-related public health concerns. Aircraft noise and pollution must be addressed by the FAA through both policy and its regulation and oversight of the Nation’s air traffic.

<sup>3</sup> The Request for Comments states that the “policy is set forth in various agency regulations, orders, guidance and policy statements.”

Mr. Don Scata, Manager of the Noise Division in the FAA's Office of Environment and Energy, summarized the problem well in his introduction to each of your four (4) Noise Policy Review webinars:

"Historically noise issues were airport-centric, [the] result of infrequent operations and dispersed flight paths, and very loud jet aircraft. Noise concerns were raised primarily by communities immediately adjacent to airports. In communities[,] lived experience included low cadence of relatively loud aircraft noise events separated by long intervals. Our current noise problem is an airspace or overflight noise problem resulting from frequent operations, concentrated flight paths, relatively quiet aircraft, and noise concerns raised primarily by corridor communities further from airports. Communities['] lived experience includes a high cadence of daily, relatively quiet aircraft noise events separated by short intervals."<sup>4</sup>

For overflight or corridor communities such as Milton, DNL 65 dB is a wholly inadequate and outdated noise metric, and must be abandoned. A revised Policy must apply to commercial jets and all new entrants into the National Air Space, and create a system of metrics that captures noise burden by vehicle type, location and purpose. Such metrics should be companion, not supplemental, metrics. The FAA's Neighborhood Environmental Survey has shown that the Schultz Curve is outdated and not an appropriate method for representing community response to aircraft noise. We urge the FAA to revise its Policy to implement Number Above ("NA") 45 dB as an alternative noise metric for overflight communities.

As it revises the Policy, the FAA has an opportunity to reverse the public's negative perception and mistrust of the FAA, but that will happen only if the new Policy actually solves the noise problems that NextGen foisted upon overflight communities with no meaningful notice or public input. It is imperative that changes to the Policy, including the establishment of one or more noise metrics, be applied retroactively as well as prospectively. That is, a revised Policy must address *current* noise problems; it *cannot* be limited to only future decision-making and future environmental reviews. The FAA must collaborate with, and be much more responsive to, state and local government officials than it has been if it wishes to solve the serious public health issues caused by concentrating aircraft noise (and pollution) over residential and other populations.

### **Detailed Comments**

#### **1. Vehicle Type**

Currently, the aviation noise that plagues Milton stems primarily from commercial jet arrivals to, and departures from, Logan. Helicopter activity (including but not limited to helicopter traffic over I-93 in East Milton) also contributes to the noise problem. We anticipate that, for the foreseeable future, these will remain the most significant causes of the noise burden on the Town.

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<sup>4</sup> FAA's Noise Policy Review Webinar #1 at 8:38 through 9:25, and Transcript, page 5. FAA's Noise Policy Review Webinar #2 at 8:37 through 9:25, and Transcript, pages 5-6.

However, some areas of Milton have been impacted by noise from drones. Moreover, news reports and the Request for Comments indicate that advanced air mobility (“AAM”) is an emerging system of automated transportation that is expected to carry passengers and cargo between relatively short destinations. As such, AAM, including but not limited to air taxis, can be expected to impose a substantial noise burden on communities across the country in the not too distant future.<sup>5</sup>

We urge the FAA to modify its Policy to apply to all current and future air vehicle activity. In addition to airplanes (commercial, private and governmental), the Policy should apply to drones, AAM and other future air vehicle activity. As required by the Aviation Safety and Noise Abatement Act of 1979 (“ASNA”), the Policy must use a system of metrics. The FAA now realizes that the system must capture noise burden by vehicle type, location (*i.e.*, in the vicinity of airport or vertiport or away from airport or vertiport (such as an overflight community)), and purpose (*e.g.*, for purposes of compliance with the National Environmental Policy Act of 1969 (“NEPA”) or noise mitigation eligibility).

Your Request for Comments specifically mentions supersonic activity. In 2019, we provided comments to the United States Department of Transportation in response to the FAA’s proposed revised regulations for “Special Flight Authorizations for Supersonic Operations” (Docket No. FAA-2019-0451). A copy of our comment letter dated August 21, 2019 is attached hereto as Exhibit A. In that letter, we objected to the proposed regulations, noting that until the FAA resolves the noise and pollution burdens that PBN has imposed on Milton and many other communities across the Nation, the FAA must not permit supersonic testing (let alone supersonic air travel) to occur. We also urged the FAA to seek guidance from the United States Congress and the EPA on the wisdom (or lack thereof) of permitting supersonic testing and travel. Our position with respect to supersonic activity has not changed since 2019. We reiterate the comments contained in our August 21, 2019 letter, and strongly oppose any consideration of supersonic activity by the FAA, whether through the Policy or any other means.

## 2. Operations of Air Vehicles

As noted above, Milton would be characterized as an overflight community rather than a community in the vicinity of an airport. (Request for Comments, Part II.2.b and Part II.2.c) However, as drone activity continues to grow and AAM operations emerge, it is possible, and perhaps even likely, that Milton could eventually fall within the FAA’s categories of communities that are in the vicinity of vertiports or “in the vicinity of UAS (drone) package delivery or other newly emerging technology operations.” (Request for Comments, Part II.2.e)

For current subsonic fixed-wing commercial overflight operations, we are concerned about noise from flights en route to and from Logan and, in particular, flights that are making their final descent and approach to Logan. In our view, the FAA’s revised noise metric(s) should be used for both the FAA’s decision-making and its public disclosure of noise impacts. A system of noise

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<sup>5</sup> Please see our comments on AAM in our letter to the U.S. Department of Transportation (“DOT”) dated August 8, 2023 and submitted to Docket No. DOT-OST-2023-0079. Our comment letter was posted on August 10, 2023 with ID No. DOT-OST-2023-0079-0103.

metrics should allow for different metrics and thresholds for the FAA's Part 150 regulations and decision-making with respect to land compatibility, Part 161 determinations of eligibility, and NEPA reviews.

Arrivals to Logan's closely spaced parallel Runways 4R and 4L are (1) flying over Milton at altitudes that are too low and (2) far too often deploying landing gear over Milton, sooner than is necessary for safety purposes. Deployment of landing gear contributes to the noise that is heard by residents.

As discussed below, for overflight communities, DNL is an outdated and grossly inadequate noise metric and must be replaced by one or more alternative noise metrics. Companion metrics, not supplemental metrics,<sup>6</sup> are required to address the multi-level matrix of noise exposure by vehicle type, location and regulation. Additionally, runway use restrictions (especially at nighttime) should be imposed, and the FAA should impose monetary penalties on commercial and private airlines that violate the restrictions. Noise complaint data can and should help inform the FAA's revision of the Policy as well as its future rulemaking and decision-making.

At this time, we are not in a position to comment on the type(s) of noise metric(s) that should apply to drones or AAM operations. AAM technology is too new and emergent for us to have sufficient knowledge of it to comment. However, for the reasons stated below, at a minimum, DNL should not be the metric for determining acceptable levels of noise from drones and AAM. We expect that, similar to the problems created by PBN flightpaths, the frequency of drone/AAM noise events, not the loudness/intensity of the event, should be the primary factor captured by the noise metrics used for decision-making about drone/AAM noise exposure. Additionally, we encourage the FAA to use C-weighted measurements and estimates.

### 3. DNL

The Request for Comments concedes that the Policy is "based on research conducted many decades ago." In response to the ASNA, the FAA established, and continues to use, a single metric – DNL – to measure and analyze how aircraft noise is experienced by people on the ground. According to the Request for Comments, ASNA

"requires the FAA to develop a single system for analyzing aircraft noise exposure; however, the system does not have to be composed of a single metric. Rather the system must have a high degree of correlation between the projected noise exposure levels and the surveyed reactions of people to those noise levels and must account for the intensity, duration, frequency, and tone of noise-producing activity, as well as the time of occurrence."

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<sup>6</sup> Our understanding, based on the Request for Comments and the FAA's Noise Policy Review Webinars, is that supplemental metrics would not be used by the FAA in connection with decision-making under NEPA, but that companion metrics would be so used.

Pursuant to FAA Order 1050.1F, the FAA considers aviation noise impacts significant only if they are DNL 65 dB or greater.<sup>7</sup>

DNL has long been criticized as an adequate measure of aviation noise impacts. DNL is a flawed metric because it measures sound and averages it over a 24-hour period (a so-called “representative day”) on an annual basis. Therefore, DNL dilutes actual noise impacts by averaging noise data over a daily basis and an annual basis. For communities like Milton, DNL’s flaws also include the fact that, because of input assumptions, the software used to estimate DNL (AEDT) does not adequately capture noise events resulting from deployment of an aircraft’s landing gear. Regardless of whether DNL was ever an appropriate metric for aviation noise, the FAA’s reliance on DNL as its sole measure of noise is obsolete and irrelevant in the age of NextGen and PBN.

By diluting overflight noise over a 24-hour period and on an annual basis, DNL does not accurately measure the real life noise impacts to people on the ground. PBN causes overflight communities like Milton to experience, on some days, flyovers from several hundred airplanes and, on other days, zero flyovers. Averaging them on an annual basis dilutes the true level of annoyance, sleep deprivation, work and school interruption,<sup>8</sup> conversation interruption, and adverse health impacts that are suffered by people on the ground in Milton on days on which hundreds of aircraft fly overhead, separated by very short time intervals (i.e., a minute or two). No citizen of the United States lives in the FAA’s model DNL world or experiences a “representative day” of airplane noise. People live in the real world and, all too often, the unlucky ones in overflight communities suffer the ill effects of hundreds of airplanes flying over them in an 18-hour period or longer.

The DNL metric also underrepresents the noise impacts attributable to the deployment of landing gear. When landing gear is being lowered, an airplane emits a loud whistling sound that is highly audible and disturbing to people on the ground. The deployment of landing gear only increases the noise annoyance that is already caused by the overflying aircraft. Our community has substantial experience with this issue, because pilots routinely deploy landing gear earlier than they need to, adding to the noise burden wrought by NextGen. At a minimum, the Policy should recognize early deployment of landing gear as a contributing factor to the noise burden in overflight communities, and take it into account in establishing one or more new noise metrics.

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<sup>7</sup> ASNA requires that the FAA’s single system for assessing aviation noise is one “which includes noise intensity, duration, frequency, and time of occurrence”, which is different than accounting for frequency as stated in the above quotation. “Including” frequency means that the metric distinguishes aviation noise burdens from, say, one hundred 94.4dBA SEL noise events close to an airport compared with one thousand 84.4 dBA SEL noise events in overflight communities, both of which would have a DNL of 65 dBA despite the 10-fold difference in frequency. Although DNL “accounts” for frequency in its logarithmic average, it does not “include” frequency in its representation of noise burden.

<sup>8</sup> With more people working from home post-pandemic, PBN has caused greater work interruptions in overflight communities than it did even a few years ago.

By the FAA's own admission, most overflight communities have DNL levels below 65 dB, yet still experience noise and disturbance at a level much greater than the DNL reveals.<sup>9</sup> During the FAA's Noise Policy Review Webinar #2, Ryan Weller, an environmental protection specialist with the FAA's Western Service Center, explained that DNL 65 dB is usually the level of noise experienced at an airport itself or by a community in the vicinity of an airport, whereas DNL contours for overflight communities are typically at lower levels (e.g., DNL dB ranges in the 40s and 50s). Mr. Weller observed that the FAA is considering and seeking comment on, among other things, whether "DNL is the right metric for addressing those communities that are farther away or, as we call them now, overflight communities, in the lower DNL levels, and does the DNL as a metric adequately address the impacts that those communities ... are experiencing...."<sup>10</sup> During the same webinar, Andrew Brooks, Regional Environmental Program Manager for the FAA's Eastern Region Airports Division, referenced a presentation slide that showed both DNL contours for Logan and noise complaints filed by residents along Logan's arrival and departure RNAV corridors. Mr. Brooks acknowledged that

"one of the things that we've realized, especially through the implementation of NextGen and precision based navigation, as these procedures come forward, is that the effects that communities are experiencing from these procedures are being experienced much farther afield than what our current Policy considers. And certainly seeing how those complaints have grown at farther areas, that's kind of our attempt to capture those concerns, those complaints, into a noise policy analysis to develop methods for analyzing those changes, disclosing those changes, informing communities underneath those changes, and determining how those would influence future decisions moving forward."<sup>11</sup>

We applaud the FAA for acknowledging what citizens and elected officials across the country have been arguing to it for years: that NextGen, PBN, and concentrated RNAV corridors have called into serious question the legitimacy and relevance of the FAA's use of DNL 65 dB as a valid measure of noise exposure in overflight communities. For residents of these communities, it is possible that none of the hundreds of aircraft flying over them in a single stream, hour after hour for most of a day, will produce noise at a level of 65 dB. However, that does not mean that the noise generated by those hundreds of planes, separated by only a minute or two from each other, is insignificant. To the contrary, the concentration of flight paths traveled by hundreds of planes per day produces near-constant noise and a much greater level of annoyance, sleep

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<sup>9</sup> In 2012, Milton residents filed 102 noise complaints with the Massachusetts Port Authority ("Massport"), which operates Logan. In 2016 and 2019, Milton residents filed 21,796 noise complaints and 41,575 noise complaints, respectively. Other communities that are impacted by departures and arrivals from and to Logan also experienced a significant increase in the number of noise complaints filed by residents.

<sup>10</sup> FAA's Noise Policy Review Webinar #2 at 1:02:50 through 1:04:45.

<sup>11</sup> FAA's Noise Policy Review Webinar #2 at 1:04:45 through 1:06:06.

deprivation, speech interference, and other adverse health risks than would a single overflight with a noise level of 65 dB.<sup>12</sup>

We believe that, for overflight communities, DNL must be either lowered significantly, *i.e.*, from DNL 65 dB to DNL 45 dB, or replaced with one or more alternative metrics that will accurately measure the noise that is experienced by people under concentrated RNAV corridors. The FAA's use of DNL 65 dB as the measure of significant noise exposure for overflight communities is in no way reflective of current conditions on the ground.

The FAA's framing paper entitled "The Foundational Elements of the Federal Aviation Administration Civil Aircraft Noise Policy: The Noise Measurement System, its Component Noise Metrics, and Noise Thresholds" (the "Framing Paper") identifies various other noise metrics. Among those metrics identified as "Single Event/Operational" on pages 12 and 13 of the Framing Paper are NA<sup>13</sup> and Time Above ("TA"). NA is defined as "[a] metric that presents the number of noise events that exceeds a specified noise level over a set time interval." TA is defined as "[a] metric that presents the total duration of noise events above a specified noise level over a set time interval." Examples provided for NA and TA in the Framing Paper use 60 dB as a threshold.

We believe that NA and TA are potential alternative metrics to DNL, but only if a reasonable dB level is used as the threshold. In our view, 60 dB is too high a threshold for overflight communities like ours, which is ten miles from the airport and, post-RNAV, is overflowed by hundreds of large aircraft at low altitudes when Logan's Runways 4R/4L are in use. NA and TA would have to be measured at a much lower level than 60 dB because the noise is virtually constant for 18 hours or more. An appropriate level would be 45 dB, because ambient noise levels in communities like ours tend to be in the 40s range.<sup>14</sup> Additionally, we believe the FAA should use C-weighted measurements and estimates or, at a minimum, study whether both A-weighting and C-weighting are appropriate tools for new noise metrics and a new Policy.

Lastly, we note that noise complaint data can help the FAA identify where noise problems exist in corridor communities. We believe such data should be considered in the FAA's decision-making processes for determining whether noise impacts are significant. The United States Court of Appeals for the District of Columbia Circuit has held that noise complaints, in and of themselves, constitute substantial evidence of a noise problem regardless of whether DNL is above

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<sup>12</sup> During the FAA's Noise Policy Review Webinar #2, Mr. Weller acknowledged, with respect to NextGen, that "it would be probably fairly annoying to have an aircraft fly over your house on a consistent basis where you only used to have one every so often...", and invited comments on alternative metrics. *See* FAA's Noise Policy Review Webinar #2 at 1:52:05 through 1:53:00. We agree with Mr. Weller except for his use of the word "fairly." We have been telling the FAA for years that hundreds of planes flying over Milton residents in an 18-hour period or longer is not only *extremely* annoying but unbearable and dangerous to public health.

<sup>13</sup> As noted above, NA means Number Above.

<sup>14</sup> The World Health Organization recommends 45 dB (Lden) for aircraft noise exposure (and 40 dB (Lnigh) for nighttime aircraft noise exposure). *See* [https://cdn.who.int/media/docs/default-source/who-compendium-on-health-and-environment/who\\_compendium\\_noise\\_01042022.pdf?sfvrsn=bc371498\\_3](https://cdn.who.int/media/docs/default-source/who-compendium-on-health-and-environment/who_compendium_noise_01042022.pdf?sfvrsn=bc371498_3).

65 dB. *See Helicopter Assoc. Int'l, Inc. v. F.A.A.*, 722 F.3d 430, 435-37 (D.C. Cir. 2013). Indeed, in that case, the FAA itself based its decision-making on noise complaint data.

In *Helicopter Assoc.*, the FAA, seeking to abate helicopter noise over residential populations on Long Island, mandated a specific route for helicopters traveling between New York City and Long Island. 722 F.3d at 432. The FAA modeled the noise impacts and concluded that the sound levels were below DNL 45 dB. *Id.* at 433. Despite the fact that DNL was well below 65 dB, the FAA “relied on a host of externally generated complaints from elected officials and commercial and private residents of Long Island” and decided to mandate a new helicopter route. *Id.* at 435-436. The Court of Appeals noted that DNL 65 dB

“was established for use in mapping noise exposure within the vicinity of airports, not residential areas far removed from an airport environment (citation omitted). It serves as a reference point from which the FAA can reasonably deviate when determining whether a particular noise reduction intervention is in the public interest (citation omitted).”

*Id.* at 436. Accordingly, the Court of Appeals concluded that the petitioning helicopter association failed to meet its burden of proving that the FAA used an incorrect methodology. *Id.* at 437.

Noise complaints filed by residents in overflight communities such as Milton have increased dramatically.<sup>15</sup> The *Helicopter Assoc.* decision established the validity of noise complaints as a measure of significant noise impacts and annoyance to overflown residents, and affirmed the FAA’s use of such data for decision-making purposes. In addition to establishing an alternative noise metric to DNL 65 dB, the FAA should take into account noise complaint data when making decisions that will impact overflight communities.

#### 4. Averaging

For the reasons stated above, the FAA’s use of DNL to model a representative day (referred to in the Request for Comments as an Average Annual Day (“AAD”)) is outdated and irrelevant in the age of NextGen/PBN. Averaging dilutes the true level of annoyance, sleep deprivation, work interruption, and adverse health impacts that are suffered by people on the ground on days on which hundreds of aircraft fly overhead. Therefore, DNL, AAD and averaging are not appropriate ways to describe noise impacts for overflight communities burdened by NextGen. We do not believe that any other alternative averaging scheme is appropriate. For the reasons stated above, we recommend that NA 45 dB be used in place of any averaging for purposes of both decision-making and public disclosure of noise.

#### 5. Decision-making Noise Metrics

With the implementation of NextGen/PBN beginning at least a dozen years ago at some airports, the FAA’s decision-making metric for actions that are subject to NEPA and airport noise

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<sup>15</sup> See footnote 9.

compatibility planning studies pursuant to 14 CFR part 150 is long overdue for an overhaul. DNL makes absolutely no sense as the FAA's metric when flight paths are concentrated over fewer people who experience hundreds of overflights on days that an RNAV path is in use. We reiterate that Milton often experiences overbearing, incessant noise from several hundred airplanes from early in the morning (i.e., approximately 5:00 a.m.) until well after midnight. On such days, there is no relief whatsoever. Yet DNL averages the 18 or more hours of constant noise on such days with the lack of noise that the same people experience when there are no overflights. The average result is misleading and in no way reflects the reality that people on the ground experience.

It has been disingenuous for the FAA, more than a dozen years after it began to implement NextGen, to cling to DNL as its sole noise metric when making decisions or taking any action. Increased noise complaint data from affected communities nationwide demonstrates how irrelevant and obsolete DNL has become. Moreover, elected officials at the federal, state, and local levels of government have, for years, brought to the FAA's attention serious public health concerns related to PBN's concentrated flight paths. Concerns and comments expressed by governmental officials on behalf of the people they represent should also be accorded weight by the FAA in its decision-making processes.

We identified above NA 45 dB as the noise metric that we believe should be used for overflight communities. Part II.5.b of the Request for Comments asks whether the FAA should "use a noise metric other than DNL to evaluate noise exposure in quiet settings, such as national parks, national wildlife and waterfowl refugees, etc." Our answer is yes, but the FAA's example is woefully inadequate. The FAA should use a noise metric other than DNL to evaluate noise exposure in all settings in overflight communities, and particularly those in which residential homes, schools, hospitals, senior living facilities, business districts, recreational facilities and the like are situated. Often, these areas are already subjected to noise from motor vehicle traffic, buses, trains, commercial and industrial operations, and everyday life. Residential populations should be accorded as much, if not greater, consideration than wildlife populations.

## 6. Communication

First, the FAA can improve communication regarding changes in noise exposure by meeting in person (and not solely via Zoom or other online platforms) with elected officials and members of the public in communities that bear the burden of the FAA's actions. Such corridor communities are easily identifiable; they are the communities that have been pleading for relief from aviation noise and concentrated flight paths caused by NextGen/PBN for the past decade. Noise complaints in unaffected communities are non-existent or minimal, whereas residents and elected officials in affected communities file many complaints and continue to seek relief from the FAA and airport operators. Therefore, it is reasonable for affected communities to expect the nine (9) regional FAA offices to host regional meetings to provide information about changes in noise exposure and actions that the FAA plans to take.

Second, we urge the FAA to listen to, and take seriously, the public health concerns voiced by residents and elected officials, engage in meaningful dialogue, and propose real-world, workable solutions to noise problems. For far too long, public perception has been that the FAA

acts in a manner that is dismissive of both noise complaints and requests for relief from NextGen. If safety truly is at the core of the FAA's mission, vision, and values (as its mission statement on its website states), then the FAA must give serious consideration to the safety (*i.e.*, the public health) of people on the ground whose daily lives and well-being have been adversely impacted by the FAA's decision-making and abolish DNL as the noise metric for overflight communities. For overflight communities, DNL 65 dB should be replaced with NA 45 dB.

In response to Part II.5.c of the Request for Comments, we suggest that the FAA hold regional public information sessions about emerging AAM trends and how the FAA will regulate drones, AAM and the noise that they will generate. We suspect that most U.S. citizens are not well informed on the topic of AAM generally. The public will benefit from proactive educational outreach by the FAA.

#### 7. NEPA and Land Use Noise Thresholds Established Using DNL or for Another Cumulative Noise Metric

We were not surprised to read in the Request for Comments that the FAA's "Neighborhood Environmental Survey results show [a] higher percentage of people who self-identify as 'highly annoyed' by aircraft noise across all DNL levels studied in comparison to the Schultz Curve." That study demonstrates that, as a result of PBN, the Schultz Curve is outdated as a method for representing community response to aircraft noise. The Schultz Curve should be replaced by the National Curve.

#### 8. FAA Noise Thresholds Using Single-Event or Operational Metrics

The FAA notes in the Request for Comments that its Neighborhood Environmental Survey demonstrated that "people are bothered by individual aircraft noise events, but their sense of annoyance increases with the number of those noise events." This is hardly surprising. NextGen has placed hundreds of aircraft over Milton on many days of the year. The incessant loud noise produced by hundreds of overflights at low altitudes substantially increases both the burden on Milton and its residents and results in increased noise complaints that Milton residents file with Logan's operator, Massport. The FAA must adopt a noise metric that takes into account the fact that, thanks to NextGen, some residential populations are exposed to hundreds of "single events" a day, while others rarely or never experience any aircraft noise.<sup>16</sup>

As noted above, we recommend that the FAA consider NA and TA as potential alternative metrics to DNL, but only if a reasonable dB level, such as 45 dB, is used as the threshold. We believe that an alternative noise metric of NA 45 dB makes the most sense for overflight communities such as ours.

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<sup>16</sup> In addition to the weaknesses described above, utilization of DNL also pits communities against each other, and makes it more challenging to find community-based solutions to overflight noise. Utilizing a more accurate measure of noise and annoyance would help communities assist the FAA and local airport operators in identifying real solutions to noise complaints.

9. FAA Noise Thresholds for Low-Frequency Events

The Request for Comments identifies as an example of a low-frequency event “the launch and reentry of commercial space transportation vehicles authorized by the FAA Office of Commercial Space Transportation.” As there are no spaceports (launch/reentry sites) in the New England area, we offer no comments on this issue.

10. Miscellaneous

In response to part II.10 of the Request for Comments, we make two important comments.

A. Retroactive Application of Revised Policy

Any changes to the Policy, including but not limited to the establishment of one or more alternative noise metrics for overflight communities, must be accompanied by the FAA’s commitment to revisit (and, more importantly, to resolve the noise and pollution problems associated with) extant RNAV flight paths. Changes to the Policy must *not* be applied only prospectively to future decision-making and actions by the FAA; they must address current problems.

When NextGen and PBN were first implemented, the serious public health risks to people in overflight communities could not have been known by the public, but could and should have been anticipated and known by the FAA. Over the past decade, the FAA has continued to roll out more RNAV paths at airports nationwide despite the outcry from affected communities and elected officials at all levels of government. Notwithstanding that the FAA has had at least ten (10) years’ notice of serious public health issues stemming from NextGen, the FAA has stubbornly clung to its obsolete DNL 65 dB metric and resisted, until now, considering any alternative noise metric.

Through your various Noise Policy Review Webinars, FAA employees have stated that any revisions to the Policy will be applied only to future decision-making, and will not change existing noise exposure, existing flight paths, or completed or ongoing environmental reviews.<sup>17</sup> That position cannot stand the test of time. It would be unconscionable for the FAA not to use a revised Policy to solve serious, foreseeable, and existing public health problems that the FAA itself created when it implemented NextGen and PBN. The ongoing damage done to corridor communities across the country by the federal government only ensures the continuance of noise complaints, public outcry, and public pressure on Congress and the Executive Branch to act. The FAA would be wise to commit itself to using a revised Policy, among other measures,<sup>18</sup> to provide short-term and long-term relief to overflight communities.

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<sup>17</sup> See, e.g., FAA’s Noise Policy Review Webinar #3 at 46:48 through 48:20; FAA’s Noise Policy Review Webinar #4 at 1:53:53 through 2:00:02.

<sup>18</sup> PBN technology itself can be used to disperse air traffic. The below-referenced MIT study of operations at Logan demonstrated that it is possible to use multiple flight paths for arrivals to a single runway in rotation with each other to disperse air traffic and noise more equitably.

**B. FAA's Opportunity to Reverse Public Perception and Solve Problems**

When reviewing comments and the Policy, the FAA should consider the adverse public perception of itself and its wholly inadequate response to community concerns about NextGen. In general, public trust in the federal government has declined in recent decades.<sup>19</sup> Specifically, the FAA's failure to abate civil aviation noise impacts on residential populations has created mistrust of the FAA, and will make it harder for the FAA to regulate AAM. It is imperative that the FAA relieve the noise burden on overflight communities in an expeditious, diligent manner and with a sense of urgency.

We cannot emphasize to you enough that Milton, and many other communities in Massachusetts and around the country, have been overburdened by aircraft noise (and pollution) for more than a decade. Despite substantial efforts since 2013 by Milton's local officials (including but not limited to this Board and our employees and appointed representatives to the Massport Community Advisory Committee and a volunteer advisory committee), State Senators, State Representatives, U.S. Senators, U.S. Representatives, and tax-paying residents, neither the FAA nor Massport has done *anything* to provide permanent or temporary relief to noise and pollution problems that the FAA created by implementing NextGen/PBN at Logan.

A multi-year study conducted by the Massachusetts Institute of Technology ("MIT") and funded pursuant to a joint agreement between the FAA and Massport produced recommendations for regional dispersion of overflights arriving to Runway 4R at Logan (*i.e.*, three flyable alternative RNAV paths that would be used in rotation with the existing RNAV path) and the relocation of a waypoint for departures from Runway 27 at Logan. Both recommendations would help to reduce the substantial aviation noise burden on Milton. MIT delivered its recommendations to the FAA more than two years ago, but, to date, the FAA has failed to implement them, even on a trial basis. Despite the fact that Milton engaged extensively with the FAA, Massport and MIT during the study, the FAA has had zero proactive communication with Milton about MIT's recommendations during the past two years. Therefore, it should come as no surprise that the perception many people have of the FAA is that it does not take seriously the valid public health concerns that were first brought to its attention a decade ago. Sadly, the perception is that the FAA cares more about efficiency and fuel cost savings for commercial airlines than it does about the safety and health of people on the ground. However, the FAA now has an opportunity to change that perception and to take a leadership role on a critical environmental and health issue. We urge you to do so.

As an agency of the federal government, the FAA should engage with elected officials at the federal, state and local levels with respect to the Policy in a collaborative and meaningful way. Local government officials are your colleagues in government, and represent some of the same people that the FAA and the DOT serve. We offer these comments on the Policy in good faith and in the spirit of collaboration. We desire to work with you to achieve solutions that will benefit the

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<sup>19</sup> See <https://www.pewresearch.org/politics/2022/06/06/public-trust-in-government-1958-2022/>.

people we represent and others similarly situated while at the same time being workable for the FAA.

11. Literature Review

We call to your attention the health studies (one of which is cited in Appendix 1 to the Framing Paper) and the recent article published in *The New York Times* that are cited in footnote 1 to this comment letter.

Thank you for the opportunity to comment on the Policy and for your consideration of our recommended modifications.

Sincerely,

MILTON SELECT BOARD

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Michael F. Zullas, Chair

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Erin G. Bradley, Vice Chair

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Roxanne Musto, Secretary

---

Richard G. Wells, Jr., Member

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Benjamin Zoll, Member

cc: U.S. Secretary of Transportation Pete Buttigieg  
U.S. Senator Edward J. Markey  
U.S. Senator Elizabeth Warren  
Representative Stephen F. Lynch  
Representative Ayanna Pressley  
Attorney General Andrea Campbell  
State Senator Walter F. Timilty  
State Representative William Driscoll, Jr.  
State Representative Brandy Fluker-Oakley  
Milton Airplane Noise Advisory Committee  
Milton Community Advisory Committee Representative  
Milton Town Counsel

**Exhibit A**

Town of Milton Select Board's August 21, 2019 letter to the U.S. Department of Transportation  
(re: FAA's proposed revised regulations for  
"Special Flight Operations for Supersonic Operations")

See attached.



MICHAEL D. DENNEHY  
TOWN ADMINISTRATOR

## COMMONWEALTH OF MASSACHUSETTS

### TOWN OF MILTON

OFFICE OF THE SELECT BOARD  
525 CANTON AVENUE, MILTON, MA 02186

TEL. 617-898-4843  
FAX 617-698-6741

#### SELECT BOARD

MICHAEL F. ZULLAS  
CHAIRMAN

MELINDA COLLINS  
VICE CHAIR

ANTHONY J. FARRINGTON  
SECRETARY

KATHLEEN M. CONLON  
MEMBER

RICHARD G. WELLS, JR.  
MEMBER

August 21, 2019

Docket Operations, M-30  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Room W12-140, West Building Ground Floor  
Washington, DC 20590-00001

Re: Docket No. FAA-2019-0451

Dear Sir or Madam:

The Town of Milton, Massachusetts, through its Select Board, hereby objects to the FAA's proposed revised regulations for "Special Flight Authorizations for Supersonic Operations," to be codified as 14 C.F.R. § 91.818.

Supersonic civil flights are prohibited without the FAA's express authorization. 14 C.F.R. § 91.817. This little-used FAA regulation dating back to 1973 allows the FAA to authorize supersonic flights for the purpose of testing and developing new aircraft. Currently, application requirements are found in Appendix B to 14 C.F.R. Part 91. In its June 28, 2019 notice of proposed rulemaking (the "Notice"), the FAA states that it has received only "a handful of inquiries since 1973" and has granted only three (3) authorizations for supersonic flight testing, two (2) of which related to the testing of an experimental space vehicle attached to an airplane. Notwithstanding this, according to the Notice, the FAA "expects that renewed interest in the development of supersonic aircraft will lead to increased requests to authorize flights in excess of Mach 1."

As a preliminary matter, we note that, in the four decades since the FAA promulgated 14 C.F.R. § 91.817 and Appendix B, there have been material changes in aviation operations both in the United States and internationally. For example, today there are more airlines than there were

in the 1970s; the fleet mix has changed, with an increase in larger (and louder) jets in operation; and the volume of flights has increased. Perhaps most significantly, in recent years, the FAA has implemented NextGen precision-based navigation, causing a concentration of flight paths at airports around the country. NextGen has produced inequitable, unbearable and dangerous results for some neighborhoods, placing hundreds of loud, low-flying planes a day over the same people, disrupting sleep, creating anxiety, and increasing health risks for people exposed to concentrated airplane noise and pollution.<sup>1</sup> For years, communities located near airports around the United States have been sounding the alarm about NextGen, raising serious public health concerns and seeking relief from the FAA. Yet the FAA has failed to address the noise and pollution problems wrought by NextGen.<sup>2</sup> After several years, no solutions to this FAA-created problem have been forthcoming from the FAA.

As leaders of a community with neighborhoods that are already significantly overburdened with overflights to and from Boston's Logan International Airport, we are very concerned about what the FAA described in the Notice as "renewed industry interest in developing new civil supersonic aircraft." The Notice makes clear that the FAA's revisions to Appendix B to Section 91.817 "are intended to support the growth of the civil supersonic industry." The Notice further states that technological advances as well as renewed industry interest "have prompted the FAA to consider policy and regulatory changes to enable the domestic certification and operation of [supersonic] aircraft." The Town of Milton strongly objects to the FAA's supporting or in any way fostering the advent of supersonic flights to, over or from the United States. Unless and until the FAA resolves the very significant NextGen-related airplane noise and pollution concerns that we and so many other communities have raised, the FAA should take no action to further the aviation industry's apparent recent interest in supersonic air travel. No supersonic testing, let alone supersonic air travel, should be performed until the FAA has fully addressed the problems caused by NextGen.

By the FAA's own admission, in the four decades since the FAA promulgated its existing regulations on supersonic aircraft, the airline industry has shown little commercial interest in supersonic air travel. Indeed, Concorde, the only supersonic commercial jet ever to be placed in service, ended operations in 2003. The combination of NextGen and supersonic air travel would have a disastrous environmental impact on our town and other communities around the country. Therefore, we believe that, before the FAA takes any action to "support the growth of the civil supersonic industry," the United States Congress and the United States Environmental Protection Agency (the "EPA") should weigh in on whether, as a matter of public policy, the encouragement and development of supersonic aircraft is in the Nation's best interest. We are sending copies of this letter to our Congressional delegation with a request that they consider the wisdom of permitting supersonic aircraft to fly over the United States as well as its regulation by

<sup>1</sup> Residential exposure to aircraft noise and hospital admissions for cardiovascular diseases: multi-airport retrospective study *BMJ* 2013;347:f5561 doi: 10.1136/bmj.f5561 (Published 8 October 2013); Aircraft noise and cardiovascular disease near Heathrow airport in London: small area study *BMJ* 2013;347:f5432 doi: 10.1136/bmj.f5432 (Published 8 October 2013); Airport noise and cardiovascular disease *BMJ* 2013;347:f5752 doi: 10.1136/bmj.f5752 (Published 8 October 2013).

<sup>2</sup> In Boston, a study being performed by the Massachusetts Institute of Technology for the FAA and the airport operator is now in its third year. No interim relief has been provided to the affected communities, and none of the first round of recommendations has yet been implemented.

a federal agency that has thus far failed to resolve the serious damage that its NextGen program has caused to communities.

In addition to the foregoing general objection to the FAA's pursuit of supersonic air operations at this time, we offer the following comments on the specific text of the proposed revised regulation. The FAA proposes, in part, to move application criteria from Appendix B to 14 C.F.R. § 91.817 to a newly created Section § 91.818. While we do not object to a mere reorganization of existing application requirements, we do object to certain revisions to, and the substance of, portions of the proposed regulation. Additionally, in response to the FAA's request for comments on removing or retaining Section 91.818(b), we urge the FAA to remove such provision.

#### 1. Time of Day

Proposed Section 91.818(a)(5) would require an applicant to include "the time of day the flights would be conducted." Section 91.818(a)(5) would make clear that "[p]roposed night operations may require further justification for their necessity." The increased noise from supersonic flights would be unduly burdensome during daytime hours, and even worse at night when people are trying to sleep. Under no circumstances should nighttime testing of supersonic aircraft be permitted. Communities that are already adversely affected by NextGen cannot and should not be subjected to the noise of supersonic jets, either during daytime or nighttime hours.

#### 2. Additional Reason for Authorization

Currently, the FAA may authorize supersonic flights for only four (4) reasons: to show compliance with airworthiness requirements; to determine the sonic boom characteristics of an aircraft; to establish a means of reducing or eliminating the effects of sonic boom; and to demonstrate the conditions and limitations under which a supersonic flight will not cause a measurable sonic boom to reach the ground. To this list, the FAA proposes to add, through Section 91.918(a)(8)(v), a fifth reason: to measure the noise characteristics of an aircraft to either demonstrate compliance with noise requirements or determine limits for operation. The Notice describes this new reason for authorization as "forward-looking" because it may help establish noise limits for supersonic air travel, which do not currently exist. As stated above, unless and until the FAA adequately responds to and resolves the significant harm it has already imposed on communities as a result of its NextGen implementation, we object to any action that may add to the noise and pollution burden imposed upon people on the ground.

#### 3. "Overocean" Testing

Section 91.818(a)(9) would require an applicant to show "why its intended operation cannot be safely or properly accomplished over the ocean at a distance ensuring that no sonic boom overpressure reaches any land surface in the United States." While the revised language is clearer and better than the existing text, we believe that the FAA must go further than requiring an applicant to justify its request for testing supersonic jet capability over land. Instead, the FAA should mandate that future supersonic testing be conducted over the ocean (in such a manner that no sonic boom overpressure reaches land) successfully before any testing over land is authorized.

#### 4. Duration of Authorizations

Section 91.818(e)(1) would authorize the Administrator to determine the length of time that is necessary for supersonic flights to be flown in a test area, presumably on a case-by-case basis. The Notice states that Appendix B does not currently specify a maximum time period for testing supersonic flights. We believe that a bright line test must be provided in the regulation. A maximum allowable testing duration, which may be shortened but not lengthened by the Administrator, must be stated. We further believe that the FAA should seek the input of the EPA in determining the maximum allowable testing duration.

We agree with the FAA that an applicant should submit separate applications for testing supersonic flights for different phases of a project. However, we believe that the FAA must do more than “encourage” such separate applications; the regulation should be revised to mandate separate applications for distinct phases of a project.

#### 5. Test Areas

The Notice provides that:

“[t]o support the current development efforts of the industry, the FAA seeks to provide supersonic flight test applicants with the broadest opportunity to request an appropriate flight test area, consistent with applicable regulations. Whether an applicant chooses to request an area already used for non-civil supersonic flights or an area in another location would be up to the applicant. The ability to request a flight test area appropriate for an applicant’s needs would allow the applicant to control the costs and benefits of various options, and to develop its business plan accordingly. The requirement to submit the environmental impact information remains, which allows the FAA to determine the acceptability of the location and the effect on the environment of the proposed flights as well as its duty to determine the level of review required under NEPA.”

This paragraph makes clear that the FAA prioritizes the airline industry’s business purposes and costs, not the need to protect either the health of people on the ground who would be affected by supersonic test flights or the environment. Section 91.818(a)(6) should not leave it up to aviation industry applicants to designate a test area to be overflowed. If overland flights are to be considered, the regulation must designate as a test area either an area that is unpopulated or, at worst, one of the military test ranges (the locations of which are not disclosed in the Notice) that the FAA approved for three (3) previous applicants. According to the Notice, environmental impact statements have already been approved for such military test ranges. The Notice also points out that using these military sites will be “more efficient and less costly” than establishing a new test area. Therefore, these sites, not residential areas, should be the approved test areas. Specifically, we object to any testing of supersonic aircraft at or near Boston’s Logan International Airport.

## 6. Supersonic Operations Outside Test Area

The Notice invited public comment on whether the FAA should maintain or remove a provision (Appendix B, section 2(b)) of the existing regulation that allows an applicant to request supersonic non-test flights outside of a test area. For the reasons stated in the Notice, we strongly urge the FAA to remove Section 91.818(b) from the proposed regulation. According to the Notice, the “prerequisites for this supersonic operation are considerable” and would be “difficult” to satisfy, and “the FAA knows of no aircraft that can meet the ‘no overpressure’ provision.” Forty-five years after the existing regulation was promulgated, “no operator has applied for an authorization to demonstrate a supersonic flight capable of producing no measurable sonic boom overpressure such as to qualify for this operating allowance.” Lastly, the Notice points out that “speeds slightly above Mach 1 are often the least fuel-efficient and may have the most negative effects on an aircraft.”

We submit that removal of Section 91.818(b) from the proposed regulation will have no measurable consequence upon any aircraft that may be under development. Testing is a necessary prerequisite to commercial flight operations and would continue to be governed by the re-codified regulation. If at some point in time, the aviation industry is able to successfully test a supersonic flight first over the ocean and then over an appropriate overland test area, the FAA will have adequate time to write a new and suitable regulation to govern flights outside of a test area. Such a regulation would be informed by current aviation practice and conditions, not aviation practice and conditions that existed in the 1970s.<sup>3</sup> We believe that the FAA must seek current guidance from the EPA and the United States Congress on the critical issue of whether supersonic air travel is in the Nation’s best interest and, if so, under what conditions and limitations it should be authorized. Removing Section 91.818(b) and crafting an appropriate new regulation only after successful testing is demonstrated and Congressional, EPA and other governmental and public input is obtained, is in the best interests of the people we represent and, in our opinion, the entire Nation.

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<sup>3</sup> We submit that the Notice itself provides the obvious answer to the question of whether Section 91.818(b) should be included in the final regulation. The Notice states that “[t]he records of the adoption of this provision in 1973 contain no discussion of how these flights would be included in the overall operation of the national airspace system (NAS). The sheer volume of increased activity in the NAS since 1973 would demand a more comprehensive consideration of the impact of supersonic flights. Moreover, in the event that some level of supersonic boom or other noise generated by supersonic flight is determined to be consistent with the FAA’s statutory authority to protect the public health and welfare, the FAA would consider all available regulatory tools . . . to allow such flights, *rather than rely on a 45-year-old standard that was included in a regulation designed primarily to approve test flights* (emphasis added).”

Lastly, as noted above, our position is that unless and until the FAA adequately resolves the significant noise and pollution burden it has imposed on our town and other communities through its implementation of NextGen's precision-based navigation, the FAA should pursue no new technology or measures that would add to that burden.

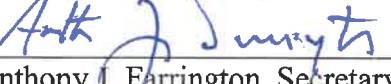
Thank you for your consideration of our comments.

Sincerely,

MILTON SELECT BOARD

  
Michael F. Zullas, Chair

  
Melinda A. Collins, Vice Chair

  
Anthony J. Farrington, Secretary

  
Kathleen M. Conlon

  
Richard G. Wells, Jr.

cc: U.S. Senator Edward J. Markey  
U.S. Senator Elizabeth Warren  
Representative Stephen F. Lynch  
Representative Ayanna Pressley  
Attorney General Maura Healey  
State Senator Walter F. Timilty  
State Representative William Driscoll, Jr.  
State Representative Daniel R. Cullinane  
Milton Airplane Noise Advisory Committee  
Milton Community Advisory Committee Representative  
Milton Town Counsel

**Town of Milton**  
**Application for Volunteer Appointment to**  
**Boards, Committees, and Commissions**

Residents interested in volunteering to serve on a Board, Committee, or Commission are requested to fill out the form below and submit by email to the Select Board, at [volunteer@townofmilton.org](mailto:volunteer@townofmilton.org), by mail to Select Board Office: ATTN: Volunteers, 525 Canton Avenue, Milton, MA, 02186, or in person to the Select Board Office.

**Name:** David R. Godine  
**Address:** ██████████ 02186  
**Email:** ██████████  
**Registered Voter in Milton:** Yes

**Date:** 9/12/2023  
**Home Phone:** ██████████  
**Cell Phone:** ██████████  
**Precinct:** 3

Please check the Board, Committee, or Commission that is of interest to you. One application is required for each requested Board, Committee, or Commission. An individual may serve on only up to two different Boards, Committees, or Commissions.

If you are interested in serving, but are unsure which might be the best fit, please contact Town Administrator Nicholas Milano at [nicholas.milano@townofmilton.org](mailto:nicholas.milano@townofmilton.org) to discuss and learn more.

**General Government - Select Board**

- Board of Registrars
- Commission on Disability
- Council on Aging
- Local Emergency Planning Committee
- Municipal Broadband Committee
- Retirement Board
- Telecommunication Design Review Committee
- Traffic Commission

**General Government - Town Moderator**

- Audit Committee
- Board of Appeals
- Bylaw Review Committee
- Fire Station Building Committee
- Information Technology Committee
- Personnel Board
- Redistricting Committee
- Warrant Committee

**Finance - Select Board**

- Capital Improvement Planning Committee
- Education Fund Committee
- PILOT (Payment in Lieu of Taxes) Committee

**Community Advocacy - Select Board**

- Airplane Noise Advisory Committee
- Animal Shelter Advisory Committee
- Bicycle Advisory Committee
- Climate Action Planning Committee
- Cultural Council
- Equity and Justice for All Advisory Committee
- Bicycle Advisory Committee
- Climate Action Planning Committee
- Cultural Council
- Equity and Justice for All Advisory Committee
- Historical Commission
- Local Historic District Study Committee
- Trustees of the Affordable Housing Trust
- Youth Task Force

**Town of Milton**  
**Application for Volunteer Appointment to**  
**Boards, Committees, and Commissions**

**Land Use and Conservation - Select Board**

- Community Preservation Committee
- Conservation Commission
- Open Space & Recreation Planning Committee
- Shade Tree Advisory Committee
- Sign Review Committee

**General Government - Select Board and Planning Board**

- Master Plan Implementation Committee

**General Government - Select Board and Town Moderator**

- School Building Committee

1. What professional experience, life experience, skills, insight, education, or special training would you bring to the Board, Committee, or Commission? A resume (one to two pages) is welcome but not required. You may optionally post a link to your LinkedIn resume here.

I have been a resident of Milton for 43 years and have been involved with the issue of airplane traffic over this Town from my first years here. I was present at and active in the efforts of the Town to redirect traffic from Runway 4 takeoffs that were flying directly over Milton to take a left turn and depart over the water. I was the Town CAC representative for five years and attended numerous meetings at Logan Airport to represent our interests. I have a file that goes back forty years and is 12" deep on our efforts to fairly address this issue. I was a member of ANAC since its inception and made an effort to attend every meeting. I consider this an issue of considerable importance to the future livability of this community and as the Select Board is aware, the issue now goes well beyond simply noise but also involves health.

2. Please describe your familiarity with the work that the Board, Committee, or Commission you are applying for does? If so, have you attended any meetings?

See above. I think it covers the ground.

3. What level of meeting frequency are you able to attend?

- a. Twice Weekly
- b. Weekly
- c. Twice Monthly
- d. Monthly

**Town of Milton**  
**Application for Volunteer Appointment to**  
**Boards, Committees, and Commissions**

4. Have you previously been a member of a Board, Committee, or Commission, in Milton or elsewhere? If so, please list the name(s) and approximate dates of service.

ANAC & CAC Milton Rep

5. Are you currently serving on any Board, Committee, or Commission? If so, please provide the name of the Board, Committee, or Commission and when you were appointed.

No

6. Do you or anyone in your immediate family have a current employment or business relationship with the Town of Milton that could create a conflict of interest? If so, please describe.

No



**Office of the Select Board**  
525 Canton Avenue  
Milton, MA 02186  
(617)898-4846

### **Boards & Committees Volunteer Application**

For information on current active boards/committees including, charge, term, and vacancies please visit the Town of Milton Boards & Committees webpage @ <https://www.townofmilton.org/boards> or contact the Select Board Office @ (617)898-4846. If you are interested in volunteering, submit this form to the Select Board Office, attention: Suzanne Bridges at [Sbridges@townofmilton.org](mailto:Sbridges@townofmilton.org). A resume is welcome but not required.

**Name**

Cindy L. Christiansen, PhD

**Address**

[Redacted address information]

**Please list the board or committee which you are requesting appointment to:**

Airplane Noise Advisory Committee (ANAC)

**Please use the space provided below to answer the following questions:**

**What experience, skills, insight, education, or special training would you bring to the board/committee?**

I have extensive knowledge about FAA, FAA's 1050.1f, NextGen, Performance Based Navigation at the local, regional, and national levels. I helped to write the Milton and Hyde Park residents' appeal of the Runway 33L RNAV In 2013; I provided the GAO graphics and formulas on cumulative effects of aviation noise that were used in their recent report; I have several co-authored publications in the Airport Noise Report (a weekly publication with a national audience); I have detailed knowledge of Logan's stationary noise monitors; I've created dozens of interactive flight path maps for Milton and other cities/towns across the country; I have a good amount of knowledge about GBAS, Wake ReCat, FAA regulations for Unmanned Aerial Vehicles (UAV), ANCA, nighttime curfews, and runway categorizations; I led or participated in several noise and pollution studies conducted in Milton with Tufts and BU Universities; I am lead author of a technical report on the FAA's alternative metrics report mandated by Congress in its 2018 Reauthorization (the technical report resulted in the Congressional Quiet Skies Caucus' rejection of the FAA report); I co-authored a report to the House Aviation Subcommittee for their 3/17/22 Hearing on Aviation Noise; I've participated in several NextGen Advisory Committee (NAC) meetings during the public-speak agenda; I co-led the recent effort to ask Secretary Buttigieg, through the Quiet Skies Caucus, to add 5 community members to the NAC (outcome should be known this month); I serve as a trusted and knowledgeable resource for several grassroots organizations across the country. At their request, I've participated in conversations with various Congressional members' staff. I am a co-founder of Aviation-Impacted Communities Alliance [aviationimpactedcommunities.org](http://aviationimpactedcommunities.org); I have a PhD in statistics; 25+ years of health policy research; I led local efforts to prevent the Select Board from, unknowingly, recommending a change to the Runway 27 departures that would take planes through the middle of town and efforts to prevent the Select Board from recommending a 2nd RNAV path over East Milton; I work very well with the many other honest, hard-working Milton volunteers who have high ethical standards and who are respectful of others. I'm also very well informed on OML and other process requirements for town-government committee work.

**What would you hope to take away from your experience on the board/committee?**

My primary goals would be to work with committee members and the Board on runway use restrictions for Runways 4R and 4L and to bring some relief to the most-affected residents of Milton who have an unfair burden of aviation noise.

**Have you served on a Town committee before? If so, which one(s)?**

Logan CAC, Massport CAC, Ex-officio ANAC, Granite Ave DPW Yard Committee, East Milton development committee

**Potential Conflicts of Interest**

Please list any committees appointed by the Select Board, local agencies, or non-profit organizations of which you or a member of your immediate family are current members.

none

**Are you or any member of your family employed by, or receive any financial consideration from the Town of Milton?**

no

**How did you hear about this committee or the volunteer/talent bank?**

Town of Milton

**What better or other ways could we use to reach people with similar information?**

Demonstrate respect, consideration, and kindness to all of your volunteers and appointees.

**\*You may also submit this form by mail: Select Board Office: Attn: Suzanne Bridges, 525 Canton Avenue, Milton, MA 02186**



**Office of the Select Board**

**525 Canton Avenue**

**Milton, MA 02186**

**(617)898-4846**

**TOWN OF MILTON VOLUNTEER APPLICATION**

Name: Catherine Sheedy-McGonagle Address: 27 Centre St., Milton  
Email: [REDACTED] Phone: [REDACTED]

The Milton Talent Bank is a means of identifying residents who are interested in serving the community, including persons who have special interests, education, or experience needed for distinct tasks. There are approximately 30 active committees appointed by the Select Board and 9 committees appointed by the Moderator for terms ranging from one year to indefinite. Since many members are willing to serve for more than one term, and the interest of the Town would often be served in that matter, the number of opportunities is limited. Please indicate any Committee on which you would like to serve. If you are interested in more than one, please rank your interests in order of interest.

**Appointed by the Select Board**

<b><u>COMMITTEE</u></b>	<b><u>MEMBERS</u></b>	<b><u>TERM</u></b>	
Advisory Committee on Equity & Justice for All	11	18 months	_____
Affordable Housing Trust	N/A	N/A	_____
Airplane Noise Advisory Committee	7	1 year	X
Animal Shelter Advisory Committee	9	1 year	_____
Bicycle Advisory Committee	10	1 year	_____
Board of Registrars	3	3 years	_____
Capital Improvement Planning Committee	9	1 year	_____
Commission on Disability	9	3 years	_____
<b><i>Community Preservation Committee</i></b>	9**	1, 2 & 3 year	_____
Conservation Commission	9	3 years	_____
Council on Aging	9, 10 Associates	3 years	_____

Cultural Council	9	3 years	_____
Education Fund Committee	6	3 years	_____
Fair Housing Committee	6	1 year	_____
Historical Commission	7	3 years	_____
Housing Committee	5	1 year	_____
<b><i>Local Historic District Study Committee</i></b>	5	1 year	_____
Master Plan Implementation Committee	5	1 year	_____
Max Ulin Skating Rink Lease Committee	7	1 year	_____
Metropolitan Area Planning Council	1	1 year	_____
Milton Village/Central Avenue Revitalization Committee (MVCARC)	7	1 year	_____
Municipal Broadband Committee	7	1 year	_____
Norfolk County Advisory Board	1	1 year	_____
Payment in Lieu of Taxes (PILOT)	5	1 year	_____
Quarry Hills Financial Oversight Committee	5	1 year	_____
Radio Amateur Communications Emergency System (RACES)	2	1 year	_____
Retirement Board	5	3 years	_____
Sign Review Committee	5	1 year	_____
Shade Tree Advisory Committee	7 + 1 Ex-Officio	1 year	_____
Telecommunications Design Review Committee	3	1 year	_____
Traffic Commission	3	1 year	X
Tree Warden	1	1 year	_____
Youth Task Force	12	1 year	_____

**Appointed by Town Moderator**

<b><u>COMMITTEE</u></b>	<b><u>MEMBERS</u></b>	<b><u>TERM</u></b>	
Audit Committee	5	3 years	_____
Board of Appeals	3, 6 Associates	3 years	_____
Bylaw Review Committee	5	3 years	_____
Electronic Voting Committee	5+	N/A	_____

Information Technology Committee	5**	3 years	_____
Personnel Board	5	5 years	_____
Warrant Committee	15	1 year	_____

**Many of these committees meet at least twice per month, especially prior to Town Meeting. Please indicate any limitations to your commitments.**

**Amount of time available per month:**

Less than one meeting:  one,  two,  three,  four **X**

**Please detail your special areas of interest, education or experience:**

I am interested in having the exorbitant airplane noise abated in Milton. I am an attorney.

I am also treasurer of First Parish Milton

**Because of conflict of interest problems with certain positions, please list your current employer and your position with that employer:**

**self-employed.**

***Please do not be disappointed if you are not chosen the first time you offer your services.***

\*\* Information Technology Committee shall consist of five (5) members. Three (3) members are appointed by the Moderator, one (1) member by the Select Board and one (1) member by the School Committee.

\*\* Established at the 2021 February Special Town Meeting, the Community Preservation Committee, consisting of nine (9) voting members pursuant to M.G.L. c. 44 B, § 5. The composition of the Committee, the appointment authority and the term of office for the Community Preservation Committee members shall be as follows:

One member of the Conservation Commission as designated by the Conservation Commission, for a term of three (3) years. One member of the Historical Commission, as designated by the Historical Commission, for a term of three (3) years. One member of the Planning Board as designated by the Planning Board, for a term of three (3) years. One member of the Parks Commission as designated by the Parks Commission for a term of three (3) years. One member of the Housing Authority as designated by the Authority for a term of three (3) years. If a vacancy occurs in any of the preceding positions during the terms set forth above, that vacancy shall be filled by the commission, board or authority that made the original designation to complete the remainder of the term.

Four members to be appointed by the Select Board, two (2) members to be appointed for an initial term of one (1) year and thereafter for a term of three (3) years and two (2) member to be appointed for an initial term of two (2) years and thereafter for a term of three (3) years. If a vacancy occurs in any of the preceding positions during the terms set forth above, that vacancy shall be filled by the Select Board to complete the remainder of the term.

If any Commission, Board, or Authority who has appointment authority under this section, no longer exists, for whatever reason, the appointment authority for that Commission, Board, or Authority shall be the Select Board.



# Town of Milton

TEL 617-898-4843

TOWN OFFICE BUILDING  
525 CANTON AVENUE  
MILTON, MASSACHUSETTS

## SPECIAL ONE DAY LIQUOR LICENSE APPLICATION

Applicant's Name: Christine Rohrer

Applicant's Address: [REDACTED] Ave, Milton MA 02186

Applicant's Contact Information: 7 [REDACTED]  
Telephone # [REDACTED] E-Mail Address [REDACTED]

Organization Name: Mass Audubon Blue Hills Trailside Museum

Name of Event: Flocktoberfest

Description of Event: 21+ event featuring access to Trailside, a local brewer, crafts, and

The Applicant is:  Non-profit Organization or  For Profit Organization

Date of Event: Saturday, October 21st 2023

Hours of Event: 4p-7p

Location of Event: Blue Hills Trailside Museum

Number of Participants: 100-200

License For:  All Alcoholic Beverages - Issued only to a non-profit organization

Wine and Malt Beverages Only

Recommended Number of Police Officer(s) to be assigned: \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_  
Chief of Police

**SIGNATURE:** \_\_\_\_\_  
Town Administrator on behalf of Select Board

**APPLICANT'S SIGNATURE:** Christine Rohrer **Date:** 9/12/2023

Applicants must attest to the information provided in order for the license to be approved. Completed applications should be submitted to the Select Board Office along with payment in the form of a check in the amount of \$50.00 made payable to the Town of Milton. The Select Board, as the Town of Milton's Licensing Authority, requires approval at a scheduled public meeting. Please submit the application 30 days in advance of the event for which the license is being applied.



## Town of Milton

TEL 617-898-4846

TOWN OFFICE BUILDING  
525 CANTON AVENUE  
MILTON, MASSACHUSETTS

### SPECIAL ONE DAY LIQUOR LICENSE APPLICATION

Applicant's Name: John Morton

Applicant's Address: Milton MA 02186

Applicant's Contact Information: \_\_\_\_\_

Telephone #

E-Mail Address

Organization Name: Catholic Parishes of the Blue Hills

Name of Event: Designer Purse Bingo

Description of Event: A fun filled night playing bingo to win designer purses & raffles

The Applicant is:  Non-profit Organization      or       For Profit Organization

Date of Event: Sat. Oct. 21

Hours of Event: 6-9 PM

Location of Event: St. Pius X Church, Milton, MA 02186

Number of Participants: 200

License For:  All Alcoholic Beverages - Issued only to a non-profit organization

Wine and Malt Beverages Only

Recommended Number of Police Officer(s) to be assigned: 1

**SIGNATURE:** \_\_\_\_\_  
Chief of Police

**SIGNATURE:** \_\_\_\_\_  
Town Administrator on behalf of Select Board

**APPLICANT'S SIGNATURE:** John Morton      Date: 8/29/23

Applicants must attest to the information provided in order for the license to be approved. Completed applications should be submitted to the Select Board Office along with payment in the form of a check in the amount of \$50.00 made payable to the Town of Milton. The Select Board, as the Town of Milton's Licensing Authority, requires approval at a scheduled public meeting. Please submit the application 30 days in advance of the event for which the license is being applied.



## Town of Milton

TEL 617-898-4846

TOWN OFFICE BUILDING  
525 CANTON AVENUE  
MILTON, MASSACHUSETTS

## **SPECIAL ONE DAY LIQUOR LICENSE APPLICATION**

Applicant's Name: **Joan Clifford**

Applicant's Address: 334 Edge Hill Road

Applicant's Contact Information: [REDACTED]

Telephone #

E-Mail Address

Organization Name: **Milton Art Center**

## Name of Event: **Teaching Artists Art Exhibit**

Description of Event: An art exhibit of the teaching artists at the Milton Art Center

The Audit Trail  Non-profit Organization  For Profit Organization

The Applicant is:  Non-profit Organization or  For Profit Organization

Page 6 of 54

Date of Event: October 6, 2023

6-10pm

Hours of Event: \_\_\_\_\_

Location of Event: 334 Edge Hill Road

Digitized by srujanika@gmail.com 70

Number of Participants: \_\_\_\_\_

License For:  All Alcoholic Beverages - Issued only to a non-profit organization

1. What is Java Persistence API?

A logo consisting of a small red checkmark inside a white square, followed by the text "Wine and Malt Beverages Only".

Chief of Police Town Administrator on behalf of Select Board

APPLICANT'S SIGNATURE: Joan Clifford 9/20/23  
Date:

Applicants must attest to the information provided in order for the license to be approved. Completed applications should be submitted to the Select Board Office along with payment in the form of a check in the amount of \$50.00 made payable to the Town of Milton. The Select Board, as the Town of Milton's Licensing Authority, requires approval at a scheduled public meeting. Please submit the application 30 days in advance of the event for which the license is being applied.