



Town of Milton Planning Board
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FORM M

APPLICATION FOR MODIFICATION, AMENDMENT or RESCISSION

Date: December 5, 2024

To the Planning Board of the Town of Milton:

The undersigned hereby applies, pursuant to the appropriate provisions of applicable law, for a
 modification of; amendment to; or rescission of a previously approved:

Definitive Subdivision Special Permit Site Plan Approval

Accompanying this application is a plan entitled:

Tenant Alterations New Restaurant

Pando Associates Architects, Inc. and Steve Tedisco Restaurant Design
Group, Inc. as Amended by updated seating place for restaurant

Plans prepared by: and bar area Dated: July 1, 2024 and Amended on
December 5, 2024

Parcel(s) Street Address: 10 Bassett Street, Milton, MA 02186

Original Decision Attached: Yes No Original Decision Date: February 1, 2023

Original Decision Recorded in Norfolk County Registry Book number(s): 41071 page(s): 449

Deed of Property Recorded in Norfolk County Registry Book number(s): _____ page(s): _____

Registered in Norfolk County Registry District of the Land Court, Certificate of Title number(s): 210879

Milton Assessor's Map Number(s): G18 Parcel(s): 14,15,17, 19 Zoning District: Business & Residence C Total Acreage: 2.526 Acres

Please describe the precise nature of the request, or attach appropriate documentation as appropriate:

The owners of the subject property will be leasing existing restaurant on the second floor to Vance Welch and his business, 10 Bassett Street, LLC. The proposed tenant would need to utilize the enclosed second floor seating area of 48 seats for only customers of the Lessee restaurant. There are currently 49 seats in this enclosed area, and only 48 will be utilized. The prior tenant at this location, The Plate, was permitted a total of 68 seats in their leased area, and only 51 seats in that area would be needed. (See attached for Additional Details and Information)

Owner: Mark E. Mignosa & Michael V. Mignosa, Trustees Applicant: Mark E. Mignosa & Michael V. Mignosa, Trustees

Company: Antwerp Street Realty Trust

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Signature of Owner: Mark E. Mignosa

Date: 12/5/24

Signature of Applicant (or Agent): Mark E. Mignosa

Date: 12/5/24

Application for Modification of Site Plan Approval
Originally Approved February 1, 2023
Additional Information in Support of Application

The Owner and the Applicant would like to address a number of issues that are relevant and important to the application. These issues are as follows:

1. Impact of the project on current tenants

The owner reports that the existing tenants of the Milton Market Place are very excited about a new restaurant on the premises that will be open seven (7) days per week from 6:30 a.m. until 10:00 p.m. This restaurant will drive foot traffic to the second floor and create potentially new customers for the building.

2. What is the occupancy of the proposed restaurant

There would be ninety-nine (99) seats in total. The Prior restaurant, The Plate, was approved for sixty-eight (68) seats that did not include the outdoor seating area that later became enclosed and heated. The new tenant would need fifty-one (51) seats where The Plate Restaurant had been located, and the forty-eight (48) seats are located in the enclosed area to arrive at the 99 seats in total. This, if approved, would result in thirty-one (31) seats more than what had been approved for the last tenant that occupied the second floor restaurant area.

3. Impact upon parking and traffic

- a. The restaurant that is being proposed is geared towards a dinner crowd similar to Abby Park and Novara also being operated and managed by Vance Welch. The prior tenant, The Plate, was more geared towards breakfast/lunch. The Plate ran a very good restaurant, but was busiest when the rest of the building was also very busy in the 11:00 am to 2:00 pm time frame. The restaurant would propose opening early every day between 8:00 am to 9:00 am to provide a breakfast component for the customers and patrons of the restaurant.
- b. As a result, there will be less need/demand for parking and the increased traffic flow caused by the proposed new restaurant will be after the shops on second floor of the building are closed which is after 5:00 pm – 6:00 pm depending upon the business.
- c. Also, the Fruit Center closes at 7:00 pm. When the parking/traffic demands for the Fruit Center are highest during the day hours, the restaurant business will be the quietest. At 7:00 pm the Fruit Center will be closed and the parking/traffic demand will be less.
- d. As such the owner does not see that Traffic and parking would be adversely impacted by the proposed restaurant. It is estimated that 75-80% of all restaurant business occurs after 6:00 pm when the stores have closed the Fruit Center business is less busy, and closed at 7:00 pm.

4. How will waste, trash, compost, recycling be handled?

- a. The Milton Market Place previously had an open dumpster in the back parking lot to handle trash for the building. This dumpster would be emptied six (6) days per week. The owners removed that dumpster and replaced it with a trash compactor on Tuesday, August 6, 2024. The compactor is a sealed container. It is much cleaner than the dumpster. It only needs to be emptied once every 10 -14 days. This allows the owner, Milton Market Place, to eliminate a very noisy truck in the parking lot six (6) days per week.
- b. By law, the owner is required to compost all organic material. They have fourteen (14) compost barrels in the back lot with attached lids. They are closed very tightly after material is placed into them. These materials are picked up two (2) times per week. The prior tenants, the Plate, also put their organic material into compost barrels as the new restaurant will do as well.
- c. All "hard" recycled materials (plastic, aluminum, glass, etc.) go into a small dumpster next to the compactor. The dumpster is emptied once a week. The Plate put all their hard plastic into the same container. The new proposed restaurant will do the same.
- d. All cardboard/paper goes into a separate compactor attached to the building. All tenants in the building dispose of their cardboard into this unit. This container is picked up and recycled roughly every six (6) days.
- e. Trash/recycling will be held in the building after 7:00 pm, and will be disposed of in the compactor dumpster on the following day.

5. Lighting

There will be no changes to existing lighting on the building or in the parking lot. Also when the new outdoor stairway was built, the lights were added to each riser to shine on each step for safety. Also, the owner added a small spotlight to shine on the new stairway. All lights will be shut off in the rear parking lot after 8:00 pm every evening. The rear parking lot will be closed after 8:00 pm every day as well.

6. Landscaping

There will be no changes to existing landscaping on the property.

7. Air Conditioning

The owners had a new mini split unit installed in the new space on the second-floor deck area. It is extremely efficient and very quiet.

8. Delivery Schedule

- a. The Fruit Center's delivery schedule will not change. They do not receive any deliveries in the back parking lot before 8:00 am or after 6:00 pm. They have two (2) dock doors out back for most deliveries and two (2) spots in the loading zone in front of their building.
- b. The prior tenant, The Plate, used a number of vendors that the Fruit Center did not use, but they followed the same guidelines. The newly proposed restaurant will be using many of the same vendors for their deliveries as The Fruit Center.

9. Impact to neighbors from the new restaurant

- a. There should be minimal, if any, impact upon neighbors. The restaurant will have 7-10 employees over lunchtime and 10-15 over dinner.
- b. Hours of operation will be 11:00 am to 12:00 am
 1. Breakfast will be available at 8:00 am or 9:00 am until 11:00 am each day of the week
 2. Lunch: Monday-Friday 11:00 am to 3:00 pm
 3. Dinner: Sunday-Thursday 3:00 pm to 10:00 pm
 4. Dinner: Friday-Saturday 3:00 pm to 10:00 pm
 5. Brunch: Saturday and Sunday 11:00 am to 3:00 pm
- c. Catering/delivery service
 5. Takeout will be offered to customers
 6. No catering at all from this location will be conducted

10. Entertainment or music

No live music will be provided to the customers. There will be a soft sound system to provide ambient music conducive to the dining experience.

11. Stairs

- a. The outdoor stairs are closer to the end of the patio than the board wanted. The owner's contractor originally built the stairs as they were approved and designed on the plan.
- b. The Building Inspector had concerns over the design and wanted the tread to be deeper. As a result, Anthony Maggiore, the owner's contractor, took down the stairs he had constructed and rebuilt them to the Builder Inspector's specifications. After the stairs were rebuilt, the owner's contractor had the architect make sure they were in compliance and the Building Inspector also signed off on the stairs as they were in compliance with the building code.

The owner is aware that the Planning Board wanted the clearance to be roughly 6'3" to

the curb, and it is now 5' to the curb. The owner is suggesting that they could place a railing at the end bottom of the stairs at the end of the patio to keep anyone from walking directly into the parking lot area. Additionally, the Applicant agreed to extend the walkway at the bottom exterior stairway to provide a wider landing and throughway. This was completed on November 14, 2024.

12. Security

Security on behalf of The Milton Marketplace will be monitoring the parking lot until the restaurant closes and all customers have left the restaurant the parking lot area.

13. Proposed Changes to plan for the new exterior seating area

The bar seats will be reduced to a total of sixteen (16) seats with an expansion of the table seats to sixteen (16) table seats for thirty-two (32) customers can be in that area and at tables can be in that area and at tables.

14. Odor Control

The Applicant will install a state of the art odor control system to both The Fruit Center commercial kitchen and The Marbella kitchen. The Applicant is looking to add 3 AirMade Systems to their commercial kitchen.

15. Noise Volume

The Applicant will hire an acoustics consultant to measure the noise volume baseline to make sure the noise levels from the enclosed seating area on the second floor deck are kept low at all times.

16. Additional Noise Concerns

If windows in the new space are opened at all, would be minimal at the most due to the air conditioning system. The windows, if open, will be closed at 7:00 pm to avoid the chance of additional noise.