



## AGENDA

April 17, 2012

**Town Hall BOS Meeting Room - 6:30 PM**

### **PUBLIC HEARING – Milford Driveway Permit Regulations**

1. In accordance with NH RSA 675:7, the Planning Board will conduct a public hearing to discuss and adopt revisions to the Driveway Permit Regulations on Tuesday April 17, 2012, at 6:30 PM in the Board of Selectmen's Room at the Town Hall.

### **MINUTES:**

2. Approval of minutes from the 03/20/12 meeting.

### **NEW BUSINESS:**

3. **CRJ Properties, LLC dba Eco Stoneworks, LLC – Oak St – Map 43, Lot 18;** Public hearing for a waiver of site plan review in accordance with Development Regulations Article V, Section 5.020.  
(New Application)
4. **Richard LaBonte – 1 Nashua St – Map 26, Lot 156;** Public Hearing for compliance with the Nashua and Elm Streets Corridor District for proposed façade renovations.  
(New application)

### **OTHER BUSINESS:**

5. **Ducal Development LLC – North River and Mont Vernon Roads – Map 8, Lot 52;** Discussion for senior housing units. (New application)

### **Future meetings:**

*05/01/12 Worksession*

*05/15/12 Regular Meeting*

*The order and matters of this meeting are subject to change without further notice.*



# Town of Milford

## Driveway Permit Regulations

Residential & Non-Residential

Adopted August 19, 2008

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**SECTION I. AUTHORITY**

The Town of Milford Planning Board hereby adopts the following regulation pursuant to its authority as set forth at RSA 236:13.V, and establishes that hereafter no driveway providing access from private property to a public way owned and maintained by the Town of Milford shall be constructed without compliance with this regulation.

**SECTION II. PURPOSE**

Inasmuch as driveways and entrances are, in effect, intersections, and therefore require certain controls as to size, location and construction in order to provide safe and efficient access to property fronting on the public way, as well as surface drainage in and around said driveways, this regulation is enacted for the purpose of such control.

**SECTION III. PERMIT**

Anyone desiring to construct, alter, or relocate a driveway in order to obtain access to an existing public way or a proposed street or public way, shall first apply for and obtain a permit from the Director of Public Works (DPW Director) or designated agent. This permit shall provide for the approved location, construction, alteration or relocation of such driveway in accordance with the specifications provided in the driveway permit form, which is available at the Department of Public Works, the Community Development Office and related websites. The driveway location as indicated on the approved permit (in accordance with the approved site plan or septic plan, as applicable) is the ONLY driveway to be utilized unless the DPW Director or the Planning Board authorizes a change in writing. If a permanent house or structure number is assigned by the Building Department at the time of driveway permit issuance the number shall be located so as to be clearly visible from the roadway at start of construction.

If the roadway to be accessed by a proposed driveway is maintained by the State of NH, the applicant shall apply for and receive a driveway permit from the State of NH Department of Transportation (NHDOT) and will not be required to obtain a Driveway Permit from the Town of Milford. Applicants can obtain a permit and information for driveway permits on State maintained roadways at [www.nh.gov/DOT](http://www.nh.gov/DOT) or by calling the Department of Transportation directly at 603.271.3734. A copy of the final, signed NHDOT Permit shall be submitted to the Town of Milford.

**SECTION IV. PERMIT PROCESS**

- A. Prior to submitting an application for a driveway permit:
- B. The applicant shall clearly mark and flag the location of the proposed driveway with a centerline stake at the edge of the right-of-way (ROW).
  1. The applicant shall submit completed applications to either the Department of Public Works or Community Development Office.
  2. Applications will be reviewed with a site inspection (as necessary) and approved by the Department of Public Works within five (5) business days. The approved permit and any additional documentation will be sent to the Community Development Office.

- C. Once the driveway permit has been approved by the DPW Director or designated agent, the driveway can be installed.
- D. A construction exit/entrance shall be in place prior to the start of on-site activity (see Appendix, Figures 4a and 4b).
- E. Upon completion of the driveway or a minimum of fourteen (14) days prior to the issuance of a Certificate of Occupancy (CO) by the Building Department, the Department of Public Works will perform a post-construction inspection and issue a Certificate of Compliance (CC) for the driveway. A copy of the CC will be sent to the Community Development Office. A CO will not be issued unless a driveway CC has been issued by the Department of Public Works or a security is in place.

## **SECTION V. RESIDENTIAL ACCESS POINTS**

- A. If a property is adjacent to a side road the access to the main road should be via the side road.
- B. Curb cuts shall be limited to one (1) per residential lot, except where the DPW Director has determined that a second cut is warranted and can be safely accommodated. A scale drawing indicating the features necessitating the second access must be submitted for the DPW Director to make a determination. A second cut may be granted under the following conditions:
  - 1. A second curb cut is necessary for access to a secondary use or structure, or if the physical constraints of the lot, including natural features, unusual lot shape, size or elevation change necessitates the second access.
  - 2. A second curb cut is necessary to allow handicapped access for an individual who is a permanent resident of the property.
- C. A permit is required from the Department of Public Works for any temporary access entrance. A security in an amount to be determined by the DPW Director may be required at the discretion of the Director. If a security is required, the applicant shall submit an itemized detailed estimate of the cost to complete the driveway to the DPW Director who shall determine the required amount of the security.
- D. A construction exit/entrance is required for all driveways (See Appendix, Figure 4a). The public right-of-way shall be cleared daily of debris such as mud, stone, earth and all construction supplies, vehicles and equipment. Said maintenance of the exit/entrance shall be the responsibility of the permit applicant.

## **SECTION VI. NON-RESIDENTIAL ACCESS POINTS**

- A. Curb cuts shall be limited to one (1) per lot, except through Planning Board Site Plan approval or if the DPW Director has determined additional curb cuts are warranted and can be safely accommodated. If the driveway(s) are not shown on an approved Site Plan a scale drawing indicating the features necessitating additional access points must be submitted to the DPW Director to make a determination. Additional cuts may be granted to provide access to a secondary use, structure or corner lots, to increase access safety or if the physical constraints of the lot, including natural features, unusual lot shape, size, or elevation change necessitates the additional access.
- B. A permit is required from the Department of Public Works for any temporary access entrance. A security in an amount to be determined by the DPW Director may be required at the discretion of the Director. If a security is required, the applicant shall submit an itemized detailed estimate of the

cost to complete the driveway to the DPW Director who shall determine the required amount of the security.

- C. A construction exit/entrance is required for all driveways (See Appendix, Figure 4b). The public right-of-way shall be cleared daily of debris such as mud, stone, earth and all construction supplies, vehicles and equipment. Said maintenance of the exit/entrance shall be the responsibility of the permit applicant.

## **SECTION VII. DESIGN REQUIREMENTS**

- A. Driveway design and construction shall conform to the applicable Residential or Non-Residential detail and the Department of Public Works Infrastructure Design, Construction and Administration Standards. It is understood that the applicant shall confer with the DPW Director who shall determine specifications as to sloping, culverts, headwalls and other aspects of construction of said driveway only when it deviates from the typical profile and standards. The deviations shall be noted in writing on the Driveway Permit. Upon written application, the DPW Director may waive any of the design requirements when it is shown that strict compliance would cause undue or unnecessary hardship, so long as such waiver does not result in any injury to the public health or welfare.
- B. All driveways shall be a minimum of ten feet (10') in width. A residential entrance shall flare as it approaches the pavement to a maximum width of twenty-four feet (24') measured at the existing edge of roadway. A non-residential entrance shall flare as it approaches the pavement to a maximum width of fifty feet (50').
- C. Flat driveway side-slopes (4:1 to 6:1) are required to minimize hazards to vehicles that leave the pavement for any reason.
- D. All paved roads shall require an asphalt apron. The asphalt apron shall be paved twenty feet (20') from the edge of pavement and shall be constructed with a minimum of three inches (3") of asphalt with emulsion applied at the joint with the Town roadway surface.
- E. All new driveways established to serve structures intended for human occupancy shall have a maximum grade of ten percent (10%). The purpose of the maximum grade requirement is to ensure public safety and accessibility for emergency vehicles. This standard shall not apply to driveways intended to serve non-occupancy structures, such as utility service buildings, and other private ways intended for purposes such as logging, silviculture, agriculture and recreational access.
- F. All driveways shall have not more than four percent (4%) negative grade from the edge of the traveled way to the center of the ditch line and no more than four percent (4%) positive grade from the center of the ditch line back to the end of the apron, to insure the driveway does not drain into the street.
- G. All driveways shall intersect the Town's roadway at a perpendicular angle to the center line.
- H. Where required, culverts shall be at least fifteen inches (15") in diameter and shall be constructed of reinforced concrete, high density polyethylene pipe or approved equal. The driveway will have minimum three foot (3') shoulders on each side where it meets the culvert. Culverts shall have a minimum twelve inches (12") of cover above the crown.
- I. Headwalls shall be constructed of either pre-cast or cast-in-place concrete. The culvert cover shall be equal to or greater than two feet (2'). Stone and mortar headwalls shall not be permitted. Where headwalls are not applicable, pre-manufactured flares will be placed on each pipe end.
- J. Safe sight distance shall be maintained and is defined as a line which encounters no visual obstruction between two points, each at a height of three feet, nine inches (3'9") above the pavement, and ten feet (10') back from the road pavement, to represent the critical line of sight

between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction for a distance of two hundred (200) feet.

K. Driveway Design Features:

1. The following table (VII.K.1) summarizes driveway design features:

	Zoning Districts	
	R	A, B, C, I, LCB, ICI, ICI-2, Open Space & Conservation Subdivisions
<b>Minimum tangent between drives</b>	100 feet	50 feet
<b>Minimum distance from intersections</b>	100 feet	50 feet

*Note: The dimensions of the minimum tangent between drives and distance from intersection shall be detailed on the driveway plan.*

2. Driveway design features for the Commerce and Community District shall be based upon the approved Master Regulating Plan and/or Site Regulating Plan.
3. Safe sight distance shall be compatible with the maximum speed limit posted on the road, as described in the following table (VII.K.3):

Speed Limit (MPH)	Sight Distance
15-25 MPH	200 feet
26-35 MPH	300 feet
36-55 MPH	400 feet

- L. In cases of rear lots with private ways to local streets, the above requirements for minimum tangent between drives and maximum frontage drives shall not apply.
- M. Any driveway impacting a wetland or wetlands buffer shall have all permits required by the State and Town posted on-site until a CC is issued or all on-site work is completed, whichever comes last.
- N. Two-way driveways, divided driveways and alternate major entrances shall be constructed to State DOT standards and shall be approved by the Planning Board or the DPW Director.

**SECTION VIII. MAINTENANCE RESPONSIBILITY**

- A. Temporary and permanent erosion and sedimentation control measures shall be provided before, during and after construction, in accordance with the best management practices as described in the “New Hampshire Stormwater Manual” (NH Department of Environmental Services 2008) as amended, a copy of which is available in the Community Development Office.
- B. The applicant, or their grantees, successors and/or assigns served by the driveway shall be responsible for the following:
  1. Maintenance of the driveway from the edge of the roadway pavement or paved shoulder, if existing;
  2. Maintenance of all approved and/or required upstream and downstream drainage alterations including but not limited to: pipe extensions, open ditches, swales, drainage systems and detention ponds, with the exception of connecting catch basins, manholes or other specified structures at roadway cross culverts;

3. All driveway pavement markings and all traffic control signs on the drive with the exception of a stop sign or yield sign; and,
  4. Operational costs of electric service for traffic signals and street lights that are required by the permit.
- C. The Department of Public Works may also specifically maintain the following drainage structures:
1. The driveway culverts carrying surface water in roadside ditches under driveways within the Town right-of-way, provided said driveway culverts were initially installed according to permit conditions;
  2. Drainage systems within the roadway limits, serving existing State highways, and constructed for the purpose of controlling highway and surface water run-off; and,
  3. Catch basins, manholes or other specified connecting drainage structures constructed at the end of cross roadway culverts or parallel culverts serving the State highway system.

## **SECTION IX. EASEMENT AND SECURITY**

- A. The applicant shall, at the discretion of the DPW Director and as a condition of the granting of the Driveway Permit, be required to provide to the Town of Milford, its successors and/or assigns, an easement for the purpose of entering upon the premises of the applicant to control or maintain surface drainage on the property and perform all necessary maintenance for, and incidental to, said drainage easement.
- B. A security in an amount to be determined by the DPW Director may be required at the discretion of the Director to guarantee the proper construction of any culverts, piping, ditching or other efforts incidental to and necessary for the proper discharge and control of surface drainage in and around the vicinity of the proposed driveway as well as the proper construction of the driveway entrance both on the property of the applicant or on the property of the Town of Milford.
- C. If a security is deemed necessary, the applicant shall submit an itemized detailed estimate of the cost to complete the DPW Director who shall determine the required amount of the security. The security shall be provided to the Department of Public Works accompanied by the necessary securities form and W-4, to be held in an escrow account and released within one (1) year of obtaining a CC. Failure to begin construction within one (1) year of application approval will render the driveway permit null and void. Failure to complete construction within one (1) calendar year from the date of posting of a security shall result in the automatic calling of the security, unless specifically extended by the DPW Director for a period of one (1) additional year.
- D. Funds may be withdrawn from the security by the Town of Milford and applied to the cost of said construction which the Town of Milford is obliged to complete. No funds shall be expended at any site in excess of the amount of the security pertaining to said site.
- E. Driveways that have not received a CC at the time of the issuance of a CO will be required to provide a security to insure completion of the approved driveway to Town of Milford specifications. If a security is provided in lieu of obtaining a CC for the driveway, The Department of Public Works shall submit documentation to the Community Development Office notifying them of the security.

## **SECTION X. SEPARABILITY**

The invalidity of any provision of these regulations shall not affect the validity of any other provisions.

**SECTION XI. ENFORCEMENT**

The Milford Board of Selectmen and the DPW Director are charged with the power and authority to enforce the provisions of these regulations.

**SECTION XII. AMENDMENT**

These regulations may be amended by the Planning Board following a noticed public hearing on the proposed amendment. All amendments will take effect upon approval by a majority of the Planning Board and filed with the Milford Town Clerk.

SECTION XIII. APPENDIX

Figure 1. Driveway Detail

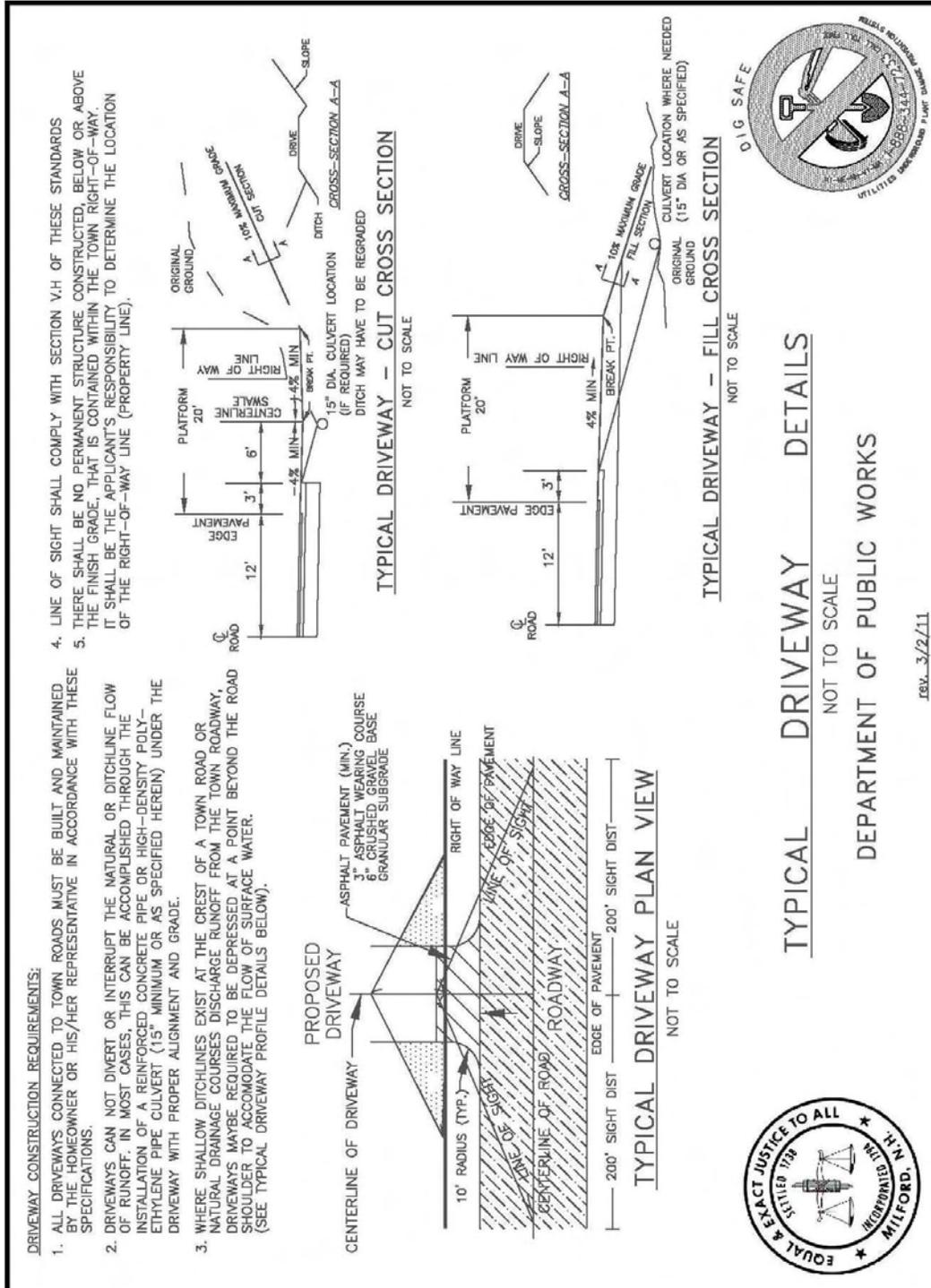
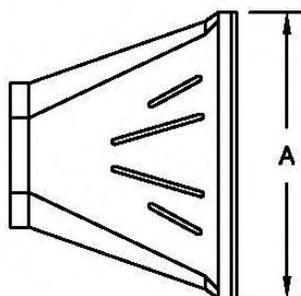
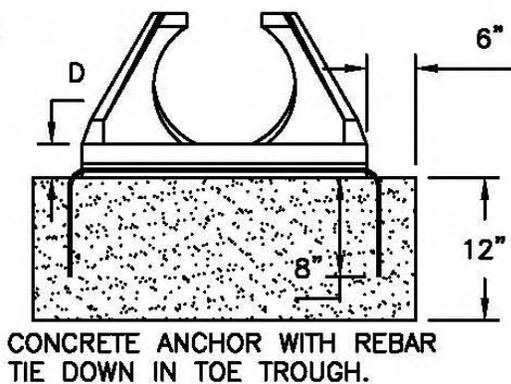
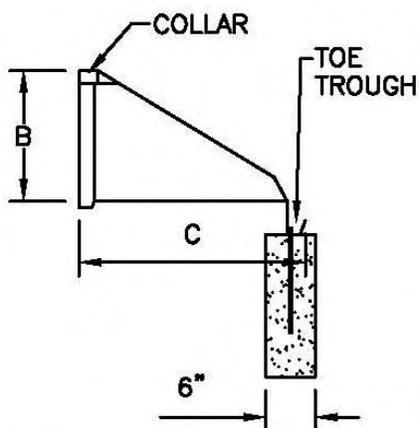


Figure 2. Flared End Detail

DIMENSION	PIPE DIAMETER (INCHES)				
	15	18	24	30	36
A	41	49	59.5	88	88
B	19	22	28	36	43
C	34	43	48	63.5	66.5
D	6	6	6	6	6



THE INVERT OF THE PIPE AND THE END SECTION SHALL BE AT THE SAME ELEVATION.



FLARED END SECTION – HDPE

HANCOR HI-Q FLARED END SECTION OR EQUAL

JUNE 6, 2002  
SCALE: NONE

Figure 3. Headwall Detail

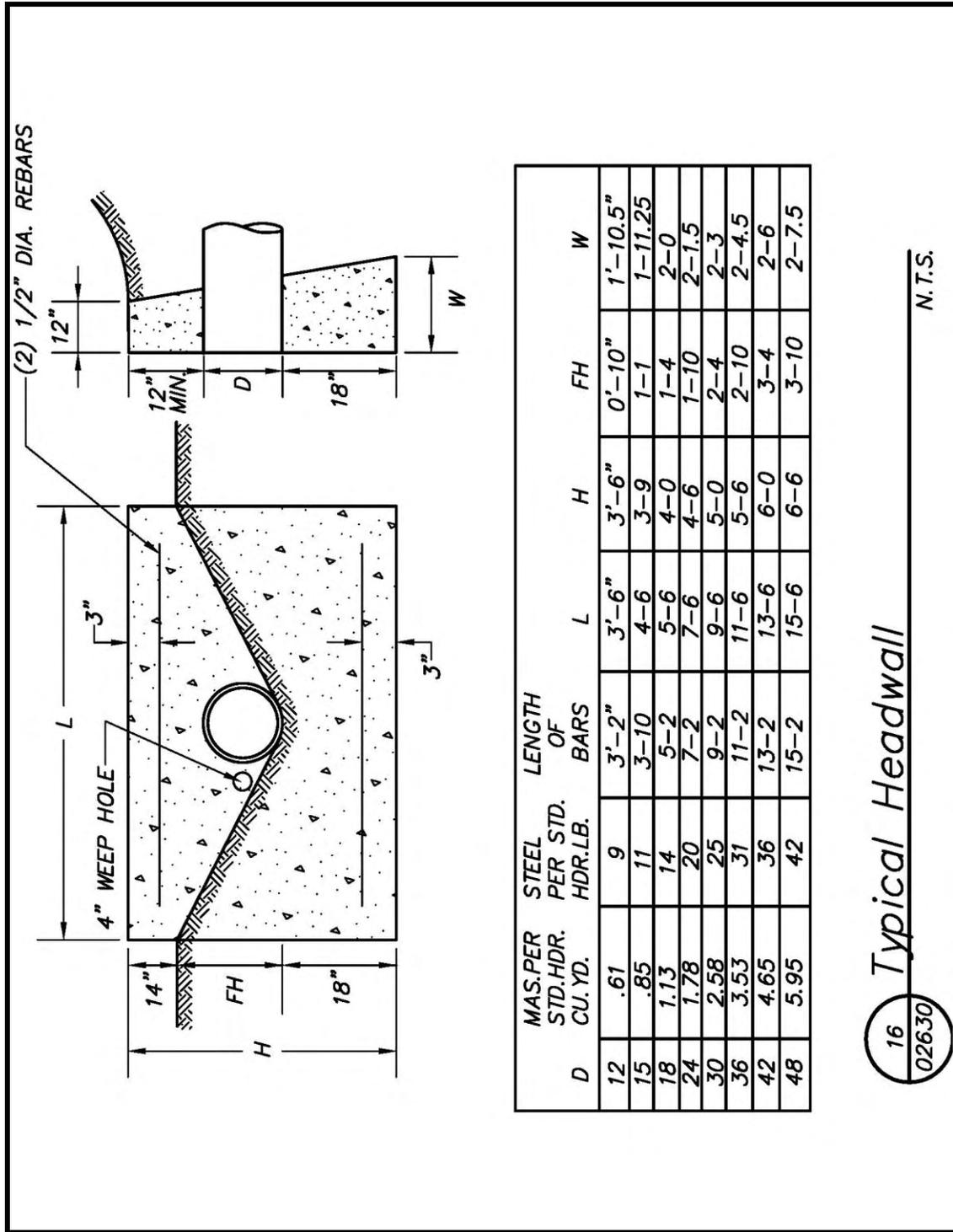


Figure 4a. Residential Construction Entrance

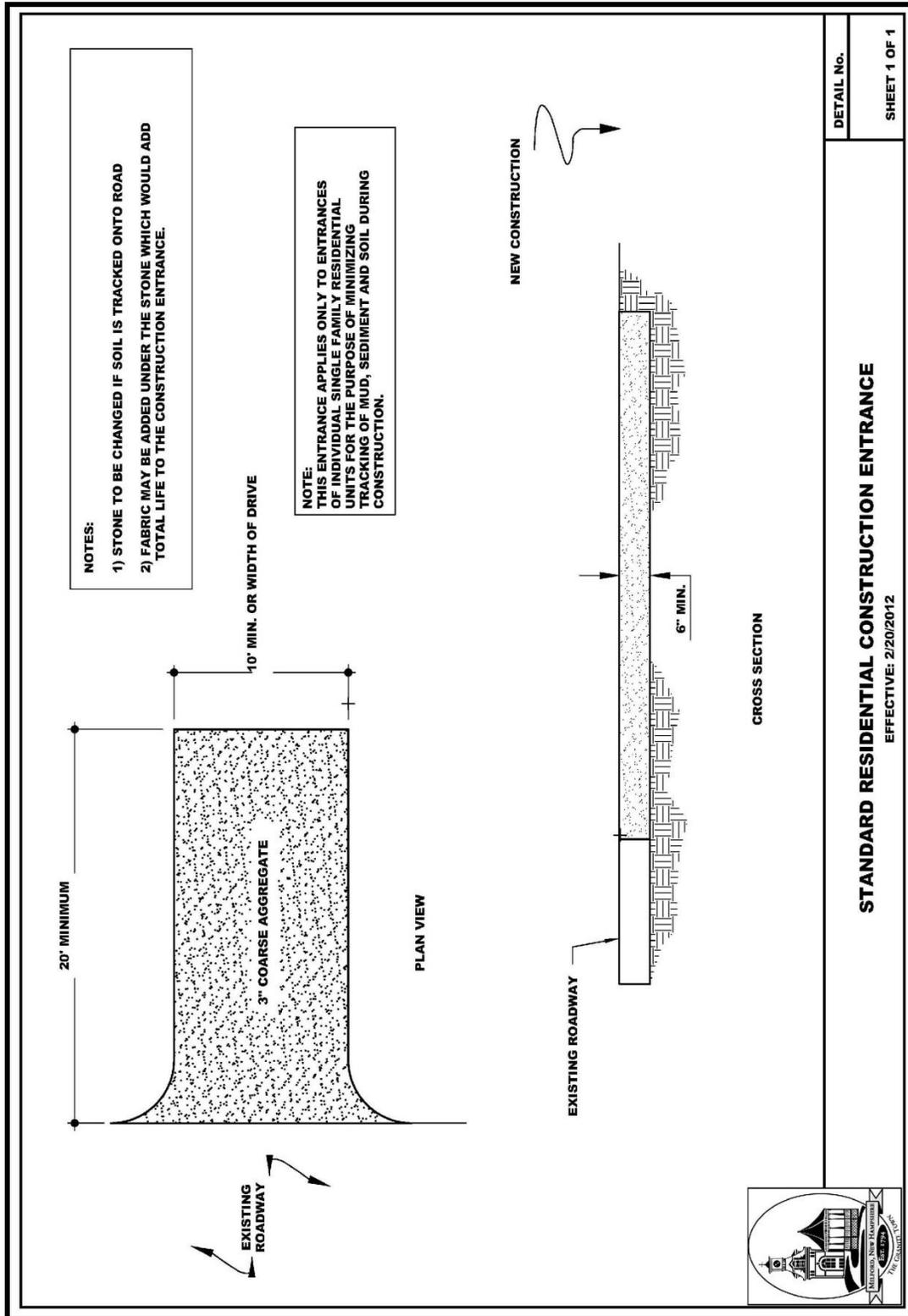
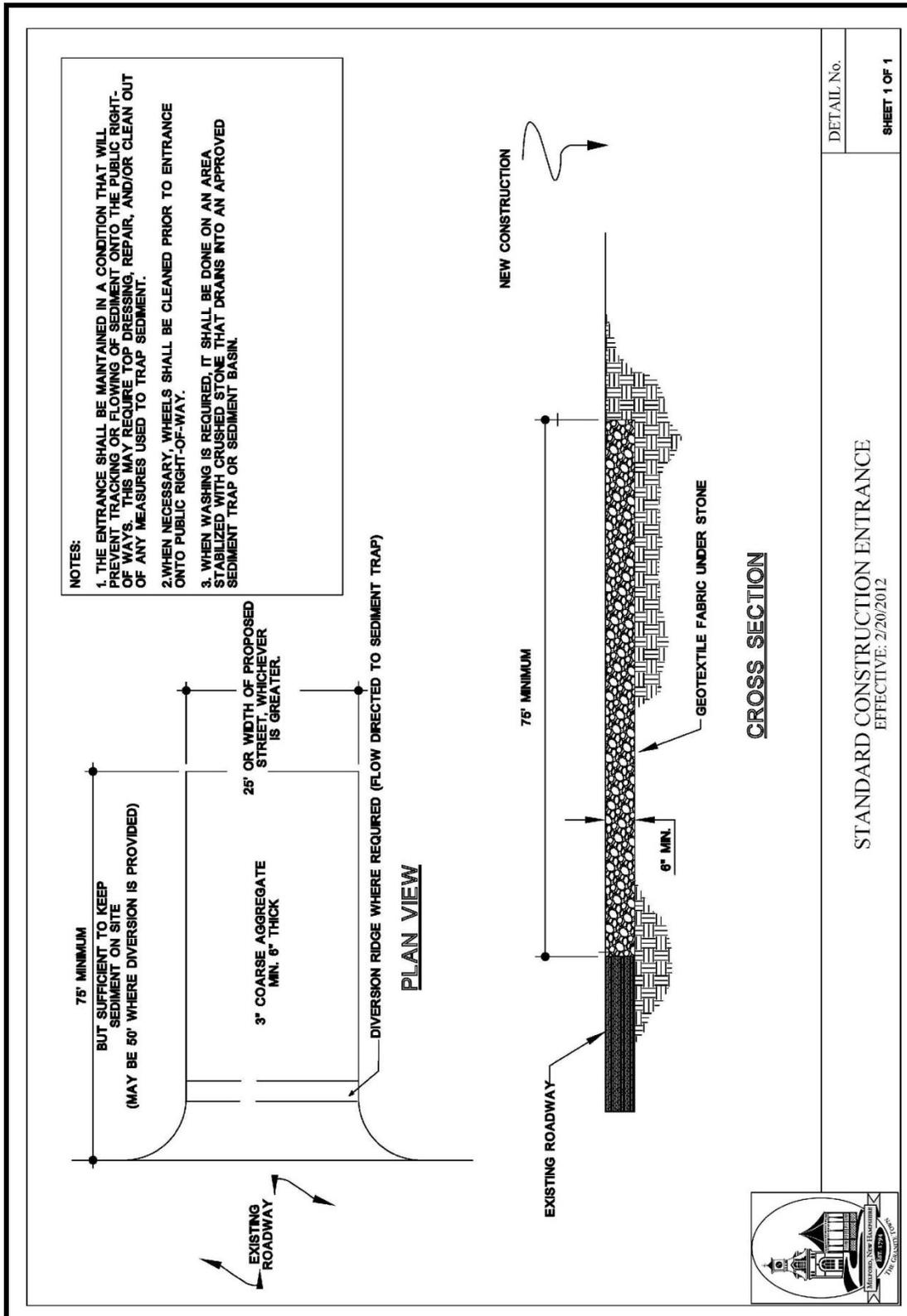


Figure 4b. Non-Residential Construction Entrance



MILFORD PLANNING BOARD MEETING

March 20, 2012 Board of Selectmen's Meeting Room, 6:30 PM DRAFT

**Members Present:**

Janet Langdell, Chairperson  
Kathy Bauer, BOS Representative  
Chris Beer  
Steve Duncanson  
Susan Robinson, Alternate member

**Excused:**

Judy Plant  
Paul Amato  
Gary Williams, Alternate member

**Staff:**

Bill Parker, Director of Community Development

Chairperson Janet Langdell opened the meeting at 6:32 PM.

**SCENIC ROAD PUBLIC HEARING – Continued from February 21, 2012:**

1. In accordance with NH RSA 231:158, the Milford Planning Board will hold a Public Hearing at 6:30pm in the Board of Selectmen's meeting room at the Town Hall for the following:  
**Public Service of New Hampshire (PSNH)** – Scenic Road Public Hearing for tree trimming and removal, as part of the annual maintenance program, on the following scenic roads: Emerson Rd, Federal Hill Rd, Foster Rd, Osgood Rd, Ponemah Hill Rd, Ruonala Rd, and Young Rd.

Hearing continued relative to resolution on removal of maple tree near pole 523/30.

**MINUTES:**

2. Approval of minutes from the 02/21/12 meeting.

**OTHER BUSINESS:**

3. Election of Officers

Chairperson Langdell called the meeting to order at 6:32PM and introduced the Board members. This meeting was not televised or videotaped.

**SCENIC ROAD PUBLIC HEARING – Continued from February 21, 2012:**

**Public Service of New Hampshire (PSNH)** – Scenic Road Public Hearing for tree trimming and removal, as part of the annual maintenance program, on the following scenic roads: Ball Hill, Emerson Rd, Federal Hill Rd, Foster Rd, Jennison Rd, Joslin Rd, Mason Rd, McGettigan Rd, Melendy Rd, Mile Slip Rd, Osgood Rd, Ponemah Hill Rd, Ruonala Rd, Savage Rd and Young Rd.

Chairperson Langdell read the notice into the record and reviewed the discussion that occurred on February 21<sup>st</sup>, noting that tree trimming and removal request presented by Brian Salas, arborist and representative for PSNH, had been conditionally approved, pending resolution on the status of the 28” maple tree located near Pole 523/30. At the February 21<sup>st</sup> meeting the Board had concerns as to the need to remove that specific tree.

As noted in the Staff Report, the tree had been found to have already been removed, by an unknown party, and which PSNH was unaware at the time of the Scenic Road hearing on the 21<sup>st</sup>. After brief discussion, the Board determined that there was no further action needed, and a motion was made by Tom Sloan, seconded by Chris Beer, that no further action on the scenic road tree trimming request was needed, and that the conditional approval granted on February 21, 2012 holds. The motion was approved unanimously.

**MINUTES:**

J. Langdell asked for a motion on the approval of the minutes from the February 21, 2012 meeting, after offering several revisions. A motion was made by Steve Duncanson to approve the minutes of the February 21, 2012 meeting with revisions, motion seconded by Chris Beer. All in favor with Tom Sloan abstaining.

**OTHER BUSINESS:**

**Election of Officers:** After a very brief discussion, a motion was made by Steve Duncanson, motion seconded by Chris Beer, to nominate Janet Langdell as Chair-person for the next year. Vice-Chairman Tom Sloan ask for a vote on the motion and it was unanimously approved, with Janet Langdell abstaining. A motion was then made by Steve Duncanson to nominate Tom Sloan as Vice-Chairman, motion seconded by Chris Beer and it was unanimously approved, with Tom Sloan abstaining.

There being no additional regular business, J. Langdell closed the meeting at 6:40 PM with a Worksession to immediately follow.

**MINUTES OF THE MARCH 20, 2012 PLANNING BOARD MEETING APPROVED \_\_\_\_\_**

Motion to approve:

Motion to second:

\_\_\_\_\_  
Signature of the Chairman/Vice-Chairman:

Date:\_\_\_\_\_



## **STAFF MEMO**

### **Planning Board Meeting**

**April 17, 2012**

### **Agenda Item # 3: CRJ Properties, LLC dba Eco Stoneworks, LLC Oak Street, Map 43/Lot 18**

#### **Public Hearing for a Waiver of Site Plan Review (Minor Site Plan – Development Regulations Article V, Section 5.020)**

#### **Background:**

The owners of Eco Stoneworks are seeking approval from the Planning Board to locate a 10' x 40' mobile office unit at their facility located at 64 Oak Street. The site, zoned C-Commercial, has been utilized as a granite/stone fabrication facility for over a century, long preceding the adoption of both zoning (1970) and site plan regulations (1974). On October 6, 2011 the Zoning Board of Adjustment granted a Special Exception to the property owners to make this use a conforming use in the C District. Prior to that time the facility was non-conforming as manufacturing uses were not permitted uses in the C District. However, manufacturing in the C District by Special Exception was approved by Town vote in 2011 as part of the overall update and revisions to the Zoning Ordinance relative to uses.

The proposed location of the mobile office unit was decided upon after a Special Exception request was denied by the Zoning Board of Adjustment that if approved would have located the structure within the northerly side yard setback. The new location meets all zoning requirements for the C District. Additionally, there is no history of significant complaints or violations in the Office files from this use at this location and it is a historical part of the neighborhood.

#### **Request:**

The request before the Planning Board is for a waiver of site plan review (minor) which would normally be required for any new construction less than 600 SF. An "Existing Conditions" plan, prepared by Meridian Land Services dated September 22, 2011, is on file and the plan delineates all areas of operation that have developed over the past decades.

The proposed 400 SF mobile office unit is not in reality considered a permanent structure as it is not situated on a permanent foundation. However, the Building Code does classify any structure utilized for occupancy for more than 180 days at a time as a permanent structure. A building permit is required.

At the direction of the Community Development Director and the Commercial Building Inspector/Code Enforcement Official, the applicant is seeking a waiver of the full minor site plan process for this mobile unit. Both officials believe that the "Existing Conditions" plan provides sufficient technical detail on this already developed and operational site to adequately locate the mobile unit, and that the impacts from this unit are insignificant.

Attached is a narrative from Eco Stoneworks that addresses the Waiver Request.

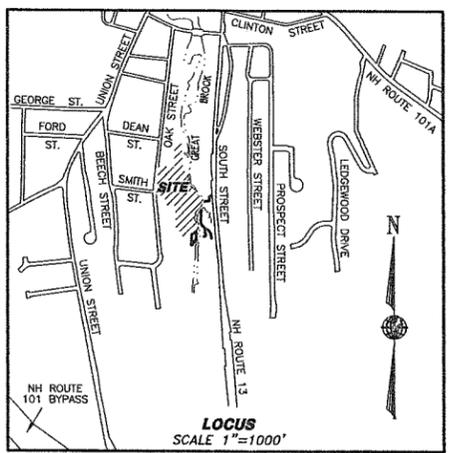
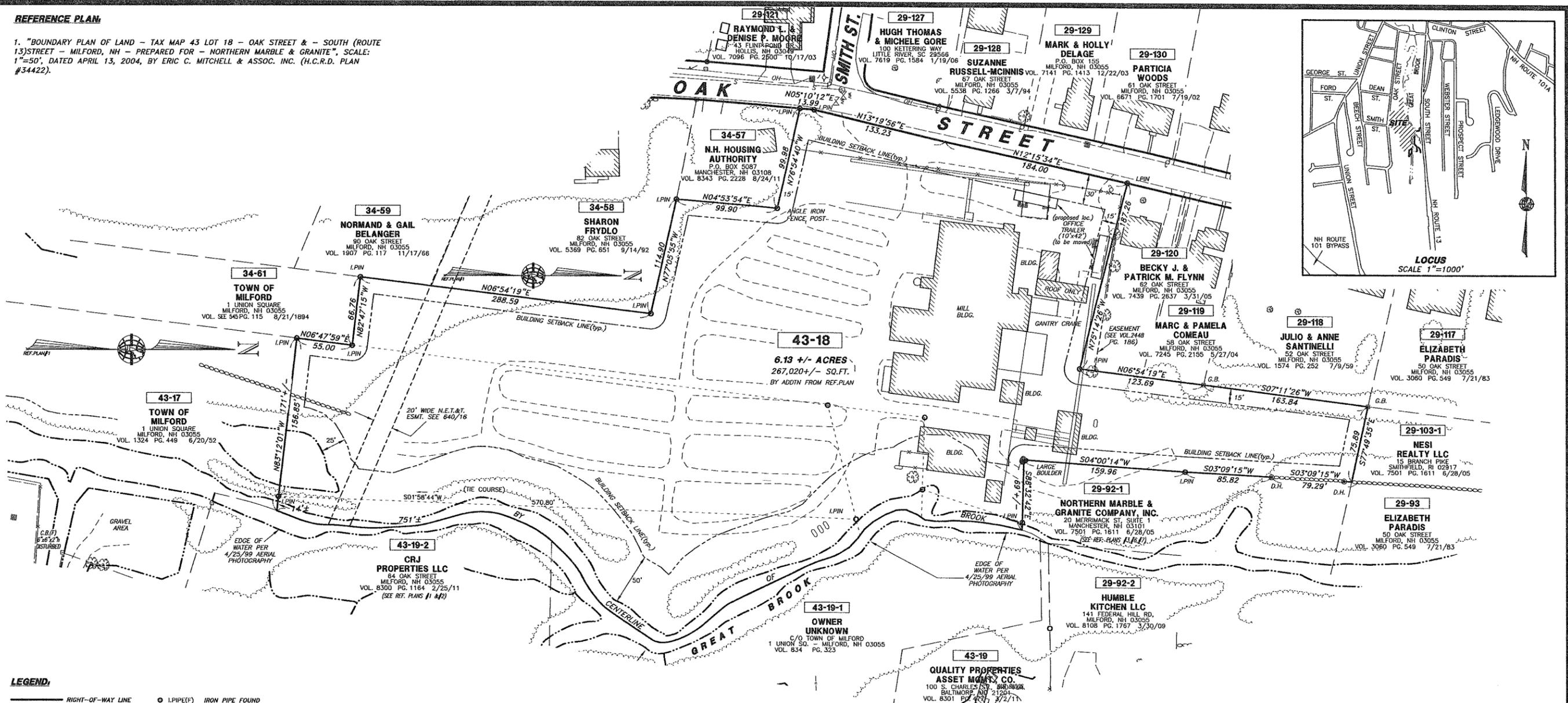
**The Staff Recommendation is on the following page.**

**Staff Recommendation:**

If the Planning Board decides to approve this Request, staff would recommend that the Board consider the following condition of approval: That at such time as any permanent construction is proposed on the property owners shall comply with the Development Regulations relative to site plan requirements as a means to bring the site into conformance with applicable current regulations.

**REFERENCE PLAN:**

1. "BOUNDARY PLAN OF LAND - TAX MAP 43 LOT 18 - OAK STREET & - SOUTH (ROUTE 13) STREET - MILFORD, NH - PREPARED FOR - NORTHERN MARBLE & GRANITE", SCALE: 1"=50', DATED APRIL 13, 2004, BY ERIC C. MITCHELL & ASSOC. INC. (H.C.R.D. PLAN #34422).



**LEGEND:**

—	RIGHT-OF-WAY LINE	○ L.P.I.P.E.(F)	IRON PIPE FOUND
—	BOUNDARY LINE	○ I.P.I.N.(F)	IRON PIN FOUND
—	ABUTTING LOT LINE	⊙ D.H.(F)	DRILL HOLE FOUND
—	EDGE OF WETLANDS	⊙ G.B.(F)	GRANITE BOUND FOUND
—	EDGE OF WATER	⊙ D.H.(S)	DRILL HOLE SET
—	TIE COURSE LINE	○ L.P.I.N.(S)	IRON PIN SET
---	EXISTING EASEMENT LINE	⊙	SEWER MAN HOLE
---	EDGE OF PAVED ROAD	■	CATCH BASIN
---	EDGE OF GRAVEL ROAD	⊙	HYDRANT
---	10' CONTOUR INTERVAL	⊙	WELL
---	2' CONTOUR INTERVAL	⊙	AREA LIGHT POLE
---	EXISTING CULVERT	⊙	BOLLARD
---	STONE WALL	⊙	UTILITY POLE AND GUY WIRE
---	BOX WIRE FENCE	⊙	EXISTING BUILDING
---	TREELINE		

- NOTES:**
1. THE OWNER OF RECORD OF TAX MAP PARCEL 43-18 PER THE TOWN OF MILFORD ASSESSORS RECORDS IS CRJ PROPERTIES, LLC - 64 OAK STREET, MILFORD, NEW HAMPSHIRE. SEE VOL. 8300 PG. 1164, DATED FEB. 25, 2011 IN THE H.C.R.D.
  2. THE PURPOSE OF THIS PLAN IS TO DEPICT THE IMPROVEMENTS WITHIN, DEFINE THE PERIMETER OF THE SITE PER THE REFERENCE CITED AND SHOW THE PROPOSED OFFICE TRAILER LOCATION.
  3. THE TOTAL AREA OF THE SITE IS 6.13± ACRES OR 267,020± SQ. FT. (PER REFERENCE PLAN).
  4. THE BOUNDARY INFORMATION SHOWN WAS DEVELOPED ENTIRELY FROM THE REFERENCE PLAN CITED AND IS NOT THE RESULT OF A PRECISE FIELD SURVEY BY THIS OFFICE.
  5. PLANIMETRICS FOR THE SITE WERE DEVELOPED FROM AERIAL PHOTOGRAPHS DATED APRIL 25, 1999 BY AERODATA DIGITAL MAPPING. THE OFFICE TRAILER LOCATION IS FROM A FIELD SURVEY BY THIS OFFICE ON SEPTEMBER 21, 2011.
  6. 43-18 DENOTES TAX MAP PAGE AND PARCEL NUMBER.
  7. ZONING FOR ENTIRE SITE IS COMMERCIAL. MINIMUM LOT SIZE IS 20,000 SQ.FT. WITH 150' OF FRONTAGE. SETBACKS ARE 30', 15' SIDE & REAR, 50' FROM GREAT BROOK AND 25' FROM WETLANDS

EXISTING CONDITIONS PLAN  
 TAX MAP PARCEL 43-18  
 PREPARED FOR  
**CJR PROPERTIES LLC**  
 MILFORD, NEW HAMPSHIRE  
 SCALE: 1" = 50'      SEPTEMBER 22, 2011

**MERIDIAN**  
 Land Services, Inc.  
 OFFICE: 31 OLD NASHUA ROAD, AMHERST, NEW HAMPSHIRE 03031  
 MAILING ADDRESS: PO BOX 118, MILFORD, NEW HAMPSHIRE 03055-0118  
 TEL 603-673-1441 FAX 603-673-1584 MERIDIAN@MERIDIANLANDSERVICES.COM  
**ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS**

GRAPHIC SCALE

REV.	DATE	DESCRIPTION	C/O	DR	CK
A	3/7/12	ADD SETBACKS & PROP. TRAILER LOC.	CRJP	RAH	JT

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## **STAFF MEMO**

### **Planning Board Meeting**

**April 17, 2012**

**Agenda Item # 4: Richard LaBonte**  
**1 Nashua Street, Map 26/Lot 126**

### **Public Hearing for Compliance with the Nashua and Elm Streets Corridor District for Proposed Façade Renovations**

#### **Background:**

The property owner and developer, Richard LaBonte of Milford, is currently undertaking interior structural and exterior building renovations on his property at 1 Nashua Street (formerly referred to as “Boston Shoe”). Purchased in February 2010, Mr. LaBonte is intending to lease street level space for various commercial and business uses, and add a second floor for future business/commercial use.

Map 26/Lot 126 is zoned C-Commercial and lies within the Oval Subdistrict. The parcel is 0.09 acres (3920 SF) and is almost entirely covered by the footprint of the existing structure, excepting only an ‘alleyway’ on the southerly side that provides access to the rear of the structure from South Street and a utility corridor. Prior to Mr. LaBonte’s ownership the structure was partially vacant with the only tenant being Gentlemen’s Weekly Barber Shop (since relocated to another Nashua Street site). Mr. LaBonte has been continuously working on renovations since acquiring ownership and is currently developing his interior and exterior plans required for building permits.

Due to its location in the Oval Subdistrict, the property is not subject to open space, parking, or setback requirements. Historically, the structure was at one time a 2 ½ story building.

#### **Request:**

Because the property lies within the Nashua and Elm Street Corridor District it is subject to Planning Board consultation due to the following applicability criteria:

- Additions or alterations to buildings used for non-residential purposes which significantly increase the square footage of the building (the proposed second floor); and
- Additions or alterations to buildings used for non-residential purposes which significantly alter the visual appearance of the site or a façade visible from a public way.

Specifically, the Board will want to consider Mr. LaBonte’s plans relative to Section 6.05.D – Architectural Design Standards (copy of this section attached to Staff Report);

- Building massing, forms and pedestrian scale
- Building height
- Roof forms and materials
- Architectural features and materials
- Windows
- Building entrances
- Mechanical equipment and building accessory screening
- Signs
- Lighting

Elevation drawings for both the Nashua Street frontage and South Street frontage are included with this report.





**FRONT ELEVATION**

1 NASHUA STREET MILFORD, NH 03055

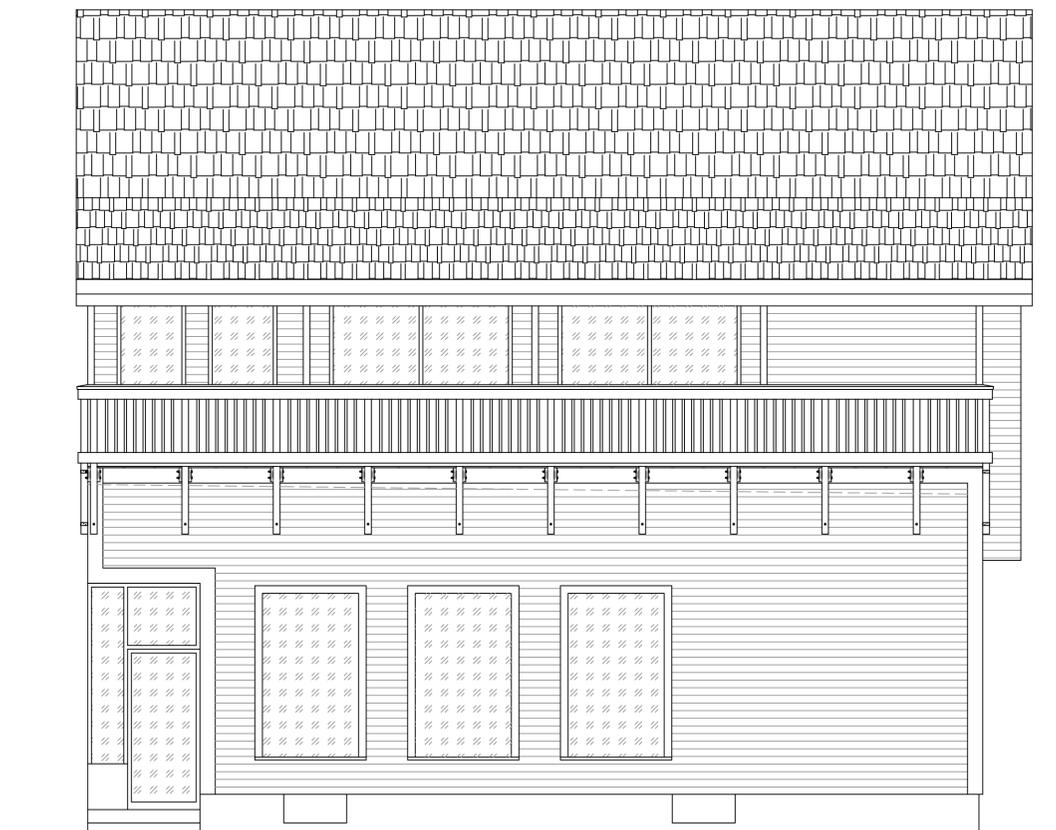
PREPARED FOR:  
**R. LaBONTE CONSTRUCTION**  
 223 MILE SLIP ROAD  
 MILFORD, NH 03055

SCALE: 1/4" = 1'-0" U.O.N. DATE: April 10, 2012 FILE: Elevations April 2012.dwg

**LaBOMBARD** 12 RIDEOUT LANE  
 ENGINEERING, LLC BROOKLINE, N.H. 03033 (603) 673-9733

JOB NO. 10-029  
 SHEET NUMBER:  
**1 of 2**

NO.	DATE	REVISION



**WEST SIDE ELEVATION**

1 NASHUA STREET MILFORD, NH 03055

PREPARED FOR:  
**R. LaBONTE CONSTRUCTION**  
 223 MILE SLIP ROAD  
 MILFORD, NH 03055

SCALE: 1/4" = 1'-0" U.O.N. DATE: April 10, 2012 FILE: Elevations April 2012.dwg

**LaBOMBARD** 12 RIDEOUT LANE  
 ENGINEERING, LLC BROOKLINE, N.H. 03033 SHEET NUMBER:  
 (603) 673-9733 2 of 2

NO.	DATE	REVISION

3. **Build-to-Zone.** Building setbacks influence the character of the street. New structures shall be constructed so as to maintain a traditional streetscape edge. The setbacks of adjacent structures and context of spacing between buildings shall be considered in determining the appropriate building setback. At a minimum, a new structure shall be constructed within a Build-to-Zone between 15' and 35' from the public street right of way. If site circumstances dictate a new structure may be constructed within 10' of the public street right of way.
4. **Landscaping.** Required landscaping coverage shall be in accordance with the Town of Milford Subdivision and Site Plan Regulations, and shall be required for all proposals in the Nashua and Elm Streets Corridor District.
  - a. Trees. Required street trees should be species which are native to New Hampshire as set forth on the "*List of NH Native Trees*" (as amended) published by UNH Cooperative Extension (See Appendix II). Recognizing that site and growing conditions vary other appropriate street trees may be considered and approved by the Planning Board.
  - b. Landscaping plants. Landscaping with native plants and materials is strongly encouraged. However, recognizing the need to accommodate varying site and growing conditions, non-native landscaping plants may be permitted in accordance with published recommendations from the UNH Cooperative Extension and Hillsborough County Conservation District. See "*Alternatives to Invasive Landscape Plants*", UNH Cooperative Extension (as amended).
  - c. Prohibited Plants and Trees. Plant species as listed on the "*NH Prohibited Invasive Species List*" (as amended) by the NH Department of Agriculture are prohibited. As of 2007, the list includes the species listed in Appendix III. (2012)

#### D. Architectural Design Standards

##### 1. General Criteria

- a. Plans shall show all building elevations and portray the design of all buildings and the relationship of the development to surrounding properties, buildings, natural features and built features.
- b. The Planning Board may require that development proposals be reviewed by an historic preservation consultant or architect, and be designed by a NH licensed architect at the cost of the applicant.

##### 2. Building Orientation.

New structures shall orient their main entrance or storefront to a public street.

- a. New structures shall maintain an appropriate street edge in relationship to adjacent structures. (See 6.05.6:C.3 Build-to-Zone)
- b. Buildings shall be sited so that entrances are clearly identifiable and directly accessible from a sidewalk and shall be accessible for pedestrians, bicyclists and future public transit users.

##### 3. Building Massing, Forms and Pedestrian Scale.

The size, mass and form of new structures must relate to the appropriate scale of neighboring buildings as well as the context of the corridor. The following architectural features and treatments should be used to enhance the character of new development and the corridor:

- a. Avoid blank walls at ground-floor levels through the use of windows, trellises, wall articulation.
  - b. Arcades, materials changes, awnings or other features.
  - c. Reduce the apparent scale of the building by introducing small-scaled architectural features, creating an irregular footprint and variations in roof forms and height of roof elements.
  - d. Enhance definition of each floor of the building through terracing, articulated structural elements, changes in materials, belt courses and horizontal trim bands.
4. **Building Heights.** Building heights shall be generally compatible with and transition from the height of adjacent development within the historic context of the corridor. The overall building height and number of floors shall comply with the dimensional requirements of the Town of Milford Zoning Ordinance; however, wall plane heights shall be “stepped back” to minimize the mass of the structure along the frontage or public way.
5. **Roof Forms and Materials.** Rooflines shall be characteristically sloped and articulated with architectural features such as dormers, chimneys, gables, cupolas, etc.
- a. Rooflines shall not run in continuous planes, and shall be broken into appropriately scaled masses.
  - b. Flat roofs are prohibited unless the Planning Board finds that a proposal can provide appropriate visual appeal and does not detract from the character of the corridor.
  - c. Where appropriate roofs shall provide adequate overhangs for pedestrian activity.
  - d. Roof materials shall be composed of high quality, durable and architecturally consistent materials, including but not limited to concrete tile, asphalt shingles and standing seam metal.
6. **Architectural Features and Materials.** Architectural features and details shall be considered in every building design.
- a. Traditional features and details such as columns, pilasters, canopies, porticos, awnings or arches associated with Milford’s architectural heritage are strongly encouraged.
  - b. Long expanses of repetitive architectural elements and flat unarticulated wall surfaces shall be avoided.
  - c. Use of traditional materials or materials that have the same visual effect shall be used including but not limited to wood, brick, tile, or stone.
7. **Windows.** With the exception of retail storefronts, modestly scaled vertically proportioned windows are the most appropriate to the local building vernacular.
- a. Building facades should have an abundance of windows that use clear non-reflective glass.
  - b. Windows on higher floors should align vertically with windows below, if possible.
  - c. Walls facing streets and pedestrian approaches shall have display windows, recessed windows, detailed entry areas, awnings or prominent sills and a pedestrian scaled lighting element. Storefronts should use windows to reveal indoor amenities, activities and displays.

8. **Building Entrances.** All building entrances shall be clearly defined and highly visible using a variety of the following details (*Please refer to the Town of Milford Design Guidelines for examples*):
  - a. Porticos
  - b. Canopies
  - c. Overhangs
  - d. Arcades
  - e. Recesses or projections
  - f. Raised cornice parapets over doors
  - g. Arches with detail (tile work or moldings) integrated with the building
  - h. Outdoor patios
  - i. Display windows
  - j. Integral planters
  - k. Wing walls with planters or seating
9. **Mechanical Equipment and Building Accessory Screening.** All rooftop air conditioning, heating equipment, other large mechanical equipment and building accessories such as dumpsters shall be screened from public view. The screening may be part of the articulation of the building.
10. **Existing Structures.** Existing buildings and structures of historic value should be preserved and if renovated or expanded done so in a manner that is respectful of the character, features and details of the existing structure.
11. **Signs.** Signs shall comply with the Town of Milford Sign Ordinance and should be designed to meet the needs of the individual uses while complementing the building, site and surroundings.
  - a. Wall signs shall be appropriately scaled to the building or surface on which it is placed and should not obscure important architectural features.
  - b. Signs shall be readable for both pedestrians and drivers approaching a site.
  - c. Consideration should be given to form, color, lighting and materials that are compatible with the building and its surroundings.
12. **Lighting.** All new developments shall include pedestrian-scaled light fixtures that are appropriate to the building and location. The use of floodlights, wall packs and tall light posts intended for lighting large areas shall be prohibited.

#### 6.05.7 WAIVER PROVISION

There may be unusual or exceptional circumstances that exist where the application of one or more of the Performance Standards of Section 6.05.6 would entail practical difficulty or unreasonable hardship when balanced against the public purposes sought to be achieved by this Ordinance. In such circumstances, the Planning Board may waive the applicability of some or all of the Performance Standards in accordance with the Development Regulations waiver process (Section 5.020).

**6.05.8 APPEALS**

A decision of the Planning Board made pursuant to the Nashua and Elm Streets Corridor Overlay District shall not be appealed to the Zoning Board of Adjustment, but rather shall be appealed to the Superior Court as provided by NH RSA 677:15 and NH RSA 676:5, III.

**6.05.9 SAVING CLAUSE**

Where any provision of this Ordinance is found to be invalid, such determination shall not affect the validity of the remainder of this Ordinance.

**6.05.10 EFFECTIVE DATE**

The Nashua and Elm Streets Corridor District Ordinance was adopted by the Town of Milford on Tuesday, March 11, 2008 and is effective the same date.



# STAFF MEMO

## Planning Board Meeting

April 17, 2012

### Agenda Item # 5: Ducal Development, LLC – Map 8/Lot 52

#### Discussion – Proposed 24 Unit Senior Housing Development, North River Road and Mont Vernon Road

##### **Background:**

Ducal Development, LLC, of Nashua, New Hampshire is the owner of Map 8/Lot 52, located at the northwesterly corner of the intersection of North River Road and Mont Vernon Road. The parcel is zoned Residence A and is approximately 4.5 acres in size. The site has been utilized as a single-family residence, and the existing brick home dates back to the 1820s with subsequent additions and remodeling over the years.

The site is served by municipal water. Both North River Road and Mont Vernon Road are State roadways at this location. North River Road is also a designated Scenic Road along the parcel's frontage. NHDOT driveway permits will be required for the two proposed drives accessing Mont Vernon Road.

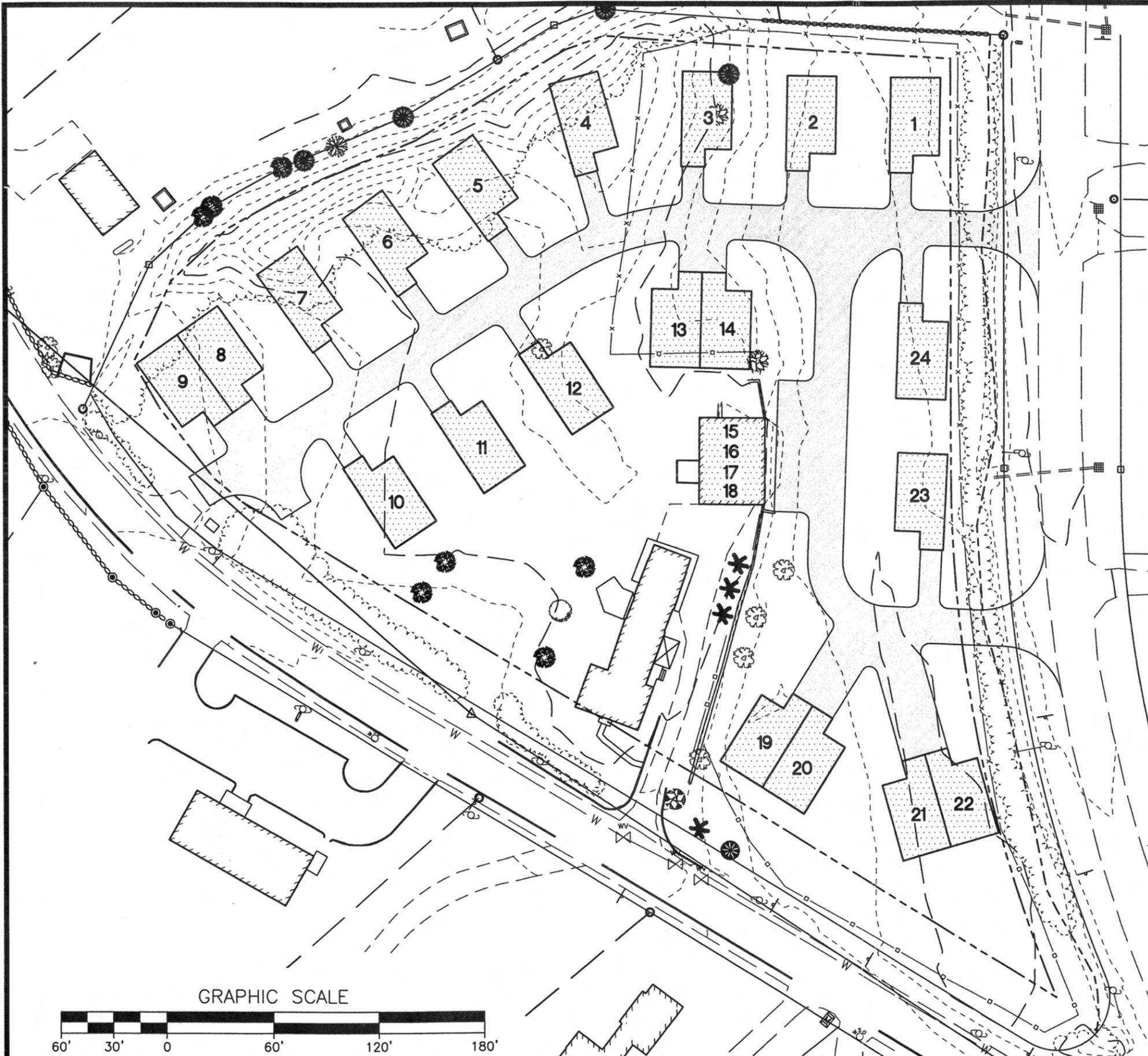
##### **Proposal:**

Ducal Development is proposing a senior housing development of 24 units. The current conceptual configuration indicates 12 detached units, 4 duplexes, and one 4-plex. The plan does not indicate whether the existing home will remain as a residence, be subdivided with a separate lot, or be utilized for another use.

Senior Housing Developments are an Acceptable Use by Special Exception in the A District. Density is based on a bedrooms/acre calculation, and whether there is both municipal water and sewer. Although the conceptual plan does not indicate unit size or number of bedrooms, if there is both municipal water and sewer Senior Housing Developments are allowed a density of 30 bedrooms/acre. The developer has met with the Water and Sewer Commissioners to discuss extension of the sewer main to the site.

The conceptual plan has not been distributed for full interdepartmental review as it is not yet a formal application. However, it has been circulated within the Community Development Office and preliminary comments include naming the private drives for emergency management purposes, providing an emergency access (gated) on North River Road at the terminus of the drive at Units 8/9, including additional parking areas for residents and guests, and inclusion of active and/or passive recreation opportunities as required by the Senior Housing Regulations. Additional review will be necessary upon formal application.

The Planning Board in its discussion with Ducal Development and its engineer/surveying consultant will want to seek additional information on the density/type of units, architectural style, and ownership/maintenance.



CONCEPT PLAN  
 PREPARED FOR:  
**DUCAL DEVELOPMENT, LLC**  
 TAX MAP 8 LOT 52  
 MILFORD, NEW HAMPSHIRE

SCALE: 1" = 60'

MARCH 08, 2012

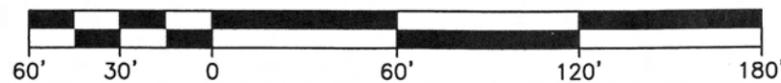
ENGINEERS  
 LAND SURVEYORS  
 SCIENTISTS  
 LAND PLANNERS

**MERIDIAN**  
 Land Services, Inc.

OFFICE: 31 OLD NASHUA ROAD  
 AMHERST, NEW HAMPSHIRE 03110  
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TEL. 603-673-1441  
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 MERIDIAN@MERIDIANLANDSERVICES.COM

GRAPHIC SCALE



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