



AGENDA

January 17, 2012

Town Hall BOS Meeting Room - 6:30 PM

PUBLIC HEARING:

1. In accordance with the requirements of NH RSA 675:3, the Milford Planning Board will hold a Public Hearing on Tuesday January 17, 2012, at 6:30pm in the Board of Selectmen's meeting room at the Town Hall. The purpose of the public hearing is to discuss proposed amendments to the Town of Milford Zoning Ordinance as follows:
 - Addition of the Commerce and Community District to Article VI, *Overlay Districts*
 - Addition of the West Elm Street Gateway District to Article VI, *Overlay Districts*.

MINUTES:

2. Approval of minutes from the 12/20/11 meeting, and 1/03/12 public hearing.

NEW BUSINESS:

3. **Michael R, Heather M, Matthew T, and Andrew Ciardelli – Stable Rd & Wyman Ln - Map 54, Lot 2-1.**
Public hearing for:
A proposed subdivision creating one (1) new residential lot,
Associated waivers from the Milford Development Regulations, Article V:
 - Section 5.06.K Wetlands Delineation
 - Section 5.06.L Delineation of slopes over 25%
 - Section 5.06.X Summary description of drainage & discharge
(New application)

OTHER BUSINESS:

4. **Park Meadow, LLC / Airmar Technology Corporation – Meadowbrook Dr – Map 7, Lot 31.** Extension request for an approved site plan. (SPA#2009-01)
(Miscellaneous application)

WORKSESSION:

5. Planning Board Awards Update
6. Site Plan review – educational discussion
7. 2012 Planning Board Goals
8. Town Meeting Warrant Information booth at the Transfer Station on March 10th 8-2ish

Future meetings:

02/07/12 Worksession: Commerce and Community District
02/21/12 Regular Meeting

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

MILFORD PLANNING BOARD PUBLIC HEARING
December 20, 2011 Board of Selectmen's Meeting Room, 6:30 PM

Present:

Members:

Janet Langdell, Chairperson
Tom Sloan, Vice-Chairman
Paul Amato
Kathy Bauer
Chris Beer
Steve Duncanson
Judy Plant
Susan Robinson (Alternate member)

Staff:

Sarah Marchant, Town Planner
Shirley Wilson, Recording Secretary
Dan Finan, Videographer

PUBLIC HEARING:

1. In accordance with the requirements of NH RSA 675:3, the Milford Planning Board will hold a Public Hearing on Tuesday December 20, 2011, at 6:30pm in the Board of Selectmen's meeting room at the Town Hall. The purpose of the public hearing is to discuss proposed amendments to the Town of Milford Zoning Ordinance as follows:
 1. Revisions to Article II, *General Provisions*, to remove Equitable Waiver, modify and transfer it to Article X, *Administrative Relief*.
 2. Revisions to Article VIII, *Administration* and VII, *Sign Ordinance* relative to Enforcement, Penalties and Remedies.
 3. Revisions to Article X, *Administrative Relief* relative to Special Exceptions for Accessory Dwelling Units and Home Occupations, and Variances.

SCENIC ROAD PUBLIC HEARING:

2. In accordance with NH RSA 231:158, the Milford Planning Board will hold a public hearing on the following application:
Anne C Weiser/Barbara Justason – Map 50, Lot 5 (proposed lot 50/5-1); potential tree cutting/trimming for proposed driveway to be located on Mile Slip Rd.
(*New application*)

MINUTES:

3. Approval of minutes from the 10/18/11 meeting, 11/1/11, 12/6/11 and 12/13/11 public hearings.

NEW BUSINESS:

4. **Anne C Weiser/Barbara Justason – Mile Slip Rd - Map 50, Lot 5.** Public Hearing for a proposed subdivision creating one (1) new residential lot.
(New application-Fieldstone Land Consultants)
5. **Paul Francoeur/Café on the Oval – 285 Union Sq – Map 25, Lot 42.** Public Hearing for compliance with the Nashua and Elm Streets Corridor District for proposed building façade renovations.
(Miscellaneous application)

Chairperson Langdell called the meeting to order at 6:35PM. Chairperson Langdell then introduced the Board, explained the process for the public hearing and read the agenda.

PUBLIC HEARING

Chairperson Langdell read the notice of hearing into the record and explained that these three subgroups of amendments were brought forth by our Zoning Board based on their work and have been reviewed by town counsel and staff. She then read the staff memo dated 12/6/11.

S. Marchant added that the agenda item for Accessory Dwelling Units has already been posted to the March warrant at a previous public hearing and was included due to timing for posting notices. Only the items included in the staff memo are before the Board tonight.

Article II, General Provisions; to remove Equitable Waiver, modify and transfer it to Article X.

Chairperson Langdell said this modification was suggested by town counsel and it will move all of Section 2.06 to Article X, adding section 10.07. It is an administrative change and will make the ordinance easier to read and use.

Article VIII, Administration; and VII Sign Ordinance relative to Enforcement Penalties and Remedies.

Chairperson Langdell said this again will move some language from one section to another and update wording that is out of date.

Article X, Administrative Relief; relative to Special Exceptions for Home Occupations and Variances.

Chairperson Langdell explained that the reasoning behind the revisions to the Variance section is to bring our ordinance in compliance with the State RSA and revisions to the Home Occupation section will limit the ordinance's focus to only the area of the building that is related to where the home occupation is located.

Chairperson Langdell opened the discussion for public comment on all the proposed zoning amendments; there was no comment. She then asked for comments from the Board; there were none.

S. Duncanson made a motion to post and send the proposed amendments, as written, to the March 2012 warrant. C. Beer seconded and all in favor.

NEW BUSINESS:

P. Amato recused himself as he was a direct abutter.

Anne C Weiser/Barbara Justason – Mile Slip Rd - Map 50, Lot 5. Public Hearing for a proposed subdivision creating one (1) new residential lot.

Abutters present:

Paul Amato, Spring Creek Sand and Gravel

Chairperson Langdell recognized:

Mike Ploof, Fieldstone Land Consultants, PLLC

C. Beer made a motion to accept the application. S. Duncanson seconded and all in favor. S. Wilson read the abutters list into the record. S. Duncanson made a motion that this application did not present potential regional impact. T. Sloan seconded and all in favor.

M. Ploof presented plans dated 11/17/11 for a proposed single lot subdivision in the Residence "R" district. The plan is very straightforward and the new lot 50/5-1 will have 3.05 acres leaving the original lot 50/5 with 2.8 acres.

Chairperson Langdell read the staff memo dated 12/20/11, saying there were no comments received from the interdepartmental review process and the only recommendation from staff was that note #11 be updated with the State Subdivision approval, when obtained.

Chairperson Langdell opened the discussion for public comment.

P. Amato asked how much of the land would be buildable due to the slope. M. Ploof showed the ravine and the buildable area on the plan. J. Langdell said that staff did note there was a relatively flat buildable area abutting the ROW.

Chairperson Langdell closed the public portion of the meeting.

She then asked for comments from the Board; there were none.

T. Sloan made a motion to approve the application with the condition from the Staff Memo pertaining to State Subdivision approval. J. Plant seconded and all in favor.

SCENIC ROAD PUBLIC HEARING:

Chairperson Langdell read the notice into the record. *In accordance with NH RSA 231:158, the Milford Planning Board will hold a public hearing on the following application: Anne C Weiser/Barbara Justason – Map 50, Lot 5 (proposed lot 50/5-1); potential tree cutting/trimming for proposed driveway to be located on Mile Slip Rd.*

M. Ploof submitted a driveway plan dated 11/17/11 and explained that the proposed driveway will be located directly opposite from the existing driveway across the street, in the best position for sight distance. One oak tree, which has been marked, will need to be removed and some brush will be cleared behind the wall. There is no stonewall in that area; therefore, no disturbance.

Chairperson Langdell opened the discussion for public comment; there was none.

There was no further discussion from the Board.

S. Duncanson made a motion to grant approval for the removal of the one tree. C. Beer seconded and all in favor.

NEW BUSINESS CONT'D:

Paul Francoeur/Café on the Oval – 285 Union Sq – Map 25, Lot 42. Public Hearing for compliance with the Nashua and Elm Streets Corridor District for proposed building façade renovations.

No abutters were present.

Chairperson Langdell recognized:

Paul Francoeur, owner of Café on the Oval

C. Beer made a motion to accept the application. S. Duncanson seconded and all in favor. S. Wilson read the abutters list into the record. S. Marchant noted that this was the first stand-alone application for an overlay district.

P. Francoeur presented conceptual plans dated November, 2011 and said he purchased the former Dyer building with plans to renovate the whole building, which includes updating the fascia, and move his restaurant to the corner.

J. Langdell explained that the overlay district not only speaks to traffic and transportation, but also to significant changes in the facades of existing buildings and these renditions seem spot on point to the preferred esthetics as described in the ordinance for this particular area of town.

K. Bauer said the designs are wonderful and people have been very anxious to see this building upgraded. This is an old building though and you may run into problems. P. Francoeur said the building was inspected first and yes, they are expected. He then described the interior. The restaurant will be on the first floor and two apartments, dry storage and an office will be located upstairs. The one-bedroom and two-bedroom apartments will be rented out. J. Langdell said this would be keeping with the established tradition downtown of mixed use

buildings. K. Bauer asked about the existing bulkhead on the South St sidewalk. P. Francoeur said it will be removed as there is other access to the building.

P. Amato inquired about the timetable. P. Francoeur said he will begin immediately after this Board's approval and hopes to be completed by May 1st. P. Amato asked if there would be capability to dine on the sidewalk. P. Francoeur said that could be a possibility.

T. Sloan inquired about the façade compositions. P. Francoeur said the lower part of the building would be vinyl with vinyl shakes up top. T. Sloan asked if the building would be air-conditioned. P. Francoeur replied yes, the components will be on the roof and set back out of sight. T. Sloan noted that the renditions do not show how the building will drain. P. Francoeur said the existing roof drains that come down the side along South St will be brought inside the building. T. Sloan inquired about the dumpster location. P. Francoeur replied that they don't have a dumpster, but will work with the Dreymann Corp to put something in the back parking lot that will comply with all requirements. We don't own that rear parking lot, but will have 100% access and first option to purchase. T. Sloan asked if the South St utilities will be buried as there are no telephone poles shown in the renderings. S. Marchant said that is all in the works as part of the South Street Improvements Project and the utilities in that back parking lot are also intended to be buried. P. Amato inquired if this building would be in jeopardy because of the proposed widening of South St. S. Marchant stated no, no chance at all. J. Langdell ended a brief discussion pertaining to the Oval Area/South Street improvements by saying that the plan is still going forward and the slowdown has been, not at the town level, but at the State level. S. Marchant added that easement acquisition has been a time consuming factor as well.

J. Langdell inquired if the applicant came up with the design before taking a look at the ordinances. P. Francoeur answered yes, he didn't know there was an overlay district at the time, but his designer did and brought it all together. J. Langdell asked if the rear stairway would have a railing. P. Francoeur replied yes, on both sides.

Chairperson Langdell opened the discussion for public comment.

S. Robinson, Alternate Planning Board member said her questions had been answered.

The public portion of the hearing was closed.

J. Plant said, as a point of clarification, that the staff memo dated 12/20/11 states two one-bedroom apartments and it should be one one-bedroom and one two-bedroom.

P. Amato made a motion to grant final approval of the application. K. Bauer seconded and all in favor.

MINUTES:

J. Langdell suggested that the spelling of Dawn Tuomala's name, listed on the 10/18/11 minutes, be verified and corrected, if needed. T. Sloan made a motion to approve the minutes of 10/18/11, 11/1/11, 12/6/11 and 12/13/11. J. Plant seconded and all in favor.

The public hearing was adjourned at 7:05PM.

MINUTES OF THE DEC 20, 2011 PLANNING BOARD PUBLIC HEARING APPROVED _____, 2011

Motion to approve: _____

Motion to second: _____

Signature of the Chairperson/Vice-Chairman: Date: _____

MILFORD PLANNING BOARD PUBLIC HEARING - Draft -
January 3, 2012 Board of Selectmen's Meeting Room, 6:30 PM

Present:

Members:

Janet Langdell, Chairperson
Tom Sloan, Vice-Chairman
Kathy Bauer
Chris Beer
Judy Plant
Susan Robinson, Alternate member

Staff:

Sarah Marchant, Town Planner
Shirley Wilson, Recording Secretary
Dan Finan, Videographer

Chairperson Langdell called the meeting to order at 6:30PM. Chairperson Langdell then introduced the Board, explained the process for the public hearing and read the notice.

In accordance with the requirements of NH RSA 675:3, the Milford Planning Board will hold a Public Hearing on Tuesday January 3, 2012, at 6:30pm in the Board of Selectmen's meeting room at the Town Hall. The purpose of the public hearing is to discuss proposed amendments to the Town of Milford Zoning Ordinance as follows:

- 1. Revisions to Article II, General Provisions, to remove Equitable Waiver, modify and transfer it to Article X, Administrative Relief*
- 2. Revisions to Article VIII, Administration and Article VII, Sign Ordinance relative to Enforcement, Penalties and Remedies*
- 3. Revisions to Article X, Administrative Relief relative to Home Occupations and Variances*
- 4. Addition of the Commerce and Community District to Article VI, Overlay Districts*
- 5. Addition of the West Elm Street Gateway District to Article VI, Overlay Districts.*

PUBLIC HEARING

J. Langdell noted that the first three items advertised for Public Hearing were discussed at the 12/20/2011 public hearing, at which time they posted and published for the 2012 Warrant. They were only included in tonight's announcement in case additional discussion might be needed after that public hearing; however, should anybody in the audience want to speak to those items we certainly would do so. The focus of tonight's Public Hearing is on the Commerce and Community District and the West Elm Street Gateway District.

T. Sloan clarified that when the notice was read, item #1 should have been *Revisions to Article II, General Provisions, to "remove" Equitable Waiver*, not require Equitable Waiver as stated.

J. Langdell then said that these proposed overlay districts represents over a year's work by the Planning Board, Planning Staff, and the EDAC Land Use Subcommittee. Together those groups along with many other people, including the professional staff at the Nashua Regional Planning Commission (NRPC), have worked very hard to come forward with some proposals that should enhance Milford's ability to grow into the future. Planning Staff sent out, as part of the public education process, over 240 postcards to land owners and businesses in the west side of town that were involved or abutting the land under consideration for these two pieces of the Zoning Ordinance.

J. Langdell stated that she did receive a phone call from a property owner relative to one of the postcards that was sent. The individual had a few questions and asked for some clarification on the intent of the West Elm Street Gateway District. S. Marchant added that she also talked to two owners in that district who also had gotten postcards and both were supportive of our proposal, but didn't have any comment to add to the public record.

S. Marchant gave a presentation of the two proposed zoning changes for the 2012 ballot, both centering around the theme of promoting economic development in West Milford. One of the major responsibilities of the Planning Board is to develop long term planning for the community and getting the community's input to lay out a very broad-stroke plan with large concepts and ideas for how the community would like to see Milford grow and how to accommodate that growth to serves our interests for the long run. These items are coupled with the fact that Milford is going to continue to grow and must grow to remain economically viable. With this in mind the Planning Board, with the assistance of the Board of Selectmen, Conservation Commission, Economic

Development Advisory Council-Land Use Subcommittee, West Milford Tax Increment Financing District Advisory Board and Recreation Commission, has looked at ways to encourage growth and development in West Milford, which has resulted in somewhat of a three pronged approach. The three prongs include the two (2) proposed zoning districts under discussion tonight (the West Elm Street Gateway District and the Commerce & Community District) and the newly designated Economic Revitalization Zone (ERZ) that the Selectmen approved in September, which also incorporates these proposed overlay districts. An ERZ is somewhat of an incentive, provided by the State, which allows businesses within the zone to apply for a reduction or an offset credit to be used against the Business Profit Tax and Business Enterprise Tax if they expand operations and hire additional employees. We're hoping that with these three (3) tools we can create a carrot to encourage additional growth in the West Milford area. J. Langdell added that while we are trying to put these incentives to attract business and jobs in place, we are still trying very hard to balance out the desires of the people that currently live in this town as reflected in the Master Plan and the research we've done. It's the challenge of doing two things at once and doing both well.

S. Marchant said both proposed zoning districts are overlay districts that would lie on top of the traditional zoning and are supplemental guidelines for areas that have unique characteristics that the community has decided are important to enhance or protect. Overlay districts create a framework to ensure that new development is compatible with the Master Plan. Both of the proposed overlay districts pertain to commercial, industrial, mixed use new construction, additions and alterations and convey that framework that ensures compatibility with Milford's community character, an underlying theme, while trying to provide the flexibility to allow for the innovation and creativity needed to encourage development. The two districts were designed separately because of their very distinct layouts; the WESGD area contains development with an existing infrastructure and utility network and existing businesses while the Commerce and Community District is largely vacant and has great access but does not have road or utility infrastructure yet. Both districts are tools that our community can use to facilitate the outcome defined by the master plan.

Article VI, Overlay Districts; West Elm Street Gateway District (WESGD)

S. Marchant said the idea for this started several years ago when the Planning Board was working on the Nashua and Elm Streets Corridor District which focuses on the east side of town. This district was kicked off with a survey that was sent to the business and property owners in the district back in December, 2010 and then those owners were invited to a breakfast, hosted by Hitchiner Mfg., where they gave their ideas on what was important and what wasn't important for development and growth in this area. That community feedback has fed this project all the way. The WESGD is an overlay district in the Zoning Ordinance that also has a complimentary design guidelines document, which has pictures, simplified text and visually walks the user through what the Planning Board and community has said they are looking for in regards to development in this area. This pertains to commercial, industrial and mixed used buildings. It is designed to manage and improve traffic and roadway flow. The idea is that by laying out all the information very clearly and very visually, we're hoping to expedite the land use approval process so that both the applicant and the Planning Board have a very clear idea of what the community wants for redevelopment. By starting from the same page, in theory, we can get to the end a little sooner.

Overview of the WESGD

- Outline of the district using the *NRPC Corridor Overlay District and Potential Gateways* plan; Oct, 2011.
- Very specific to industrial development.
- Very strong infrastructure and utility network.
- Contains many existing businesses and large employers.
- Guidelines try to enhance the existing commercial and industrial development that the community is very proud of by requiring future new development and re-development meet those standards.
- Guidelines are based on shoulds not shalls.
- Document helps to give orientation to where discussions with the Planning Board should begin.
- Examples were broken down by industrial, commercial, mixed use and campus development,
 - Building orientation and siding
 - Building massing, form and height
 - Good access management

Article VI, Overlay Districts; Commerce and Community District

S. Marchant explained that the Commerce and Community District expands the allowed uses beyond what is already granted by the underlying zoning. The document is very large and detail intensive but will lay out a lot of very specific details. While that might seem cumbersome at first, if we can lay out all the details and very specifically identify what the community wants to see for development, it will expedite the process because the heavy lifting will be done up front. The idea is to not slow anybody down and to try to incentivize development by offering a quicker turnaround time. J. Langdell said hopefully that will be a carrot that attracts people to come to Milford instead of going to one of our neighboring communities or to Londonderry. That is a major reason why we included an expedited review process within this Zoning Ordinance beside it being a requirement of the contract that the Board of Selectmen signed with Eecotech. S. Marchant said we want to be a place that people can come to, for future commercial and industrial development. We want to grow the tax base and we want to bring jobs to Milford; and to do so, we have to offer some incentives to entice people to choose Milford over other areas that might have better access to the highway or airport. Milford has some phenomenal attributes to offer and we want to highlight those.

Overview of the CCD

- Outline of the district using the *Commerce and Community District* plan, which includes the TIF District and the land under agreement with Eecotech being the former police station lot and the Brox property.
- Commerce and Community District Draft 3, dated 12/24/11.
- Lays out a new administrative process to expedite the review of applications.
- Requires large scale master planning for the area to make critical pieces of infrastructure work for the district as a whole.
- Uses form based code.
- Allows for an expedited review process.

S. Marchant said most of Milford is regulated by conventional zoning and this is the first and only form based code area in town. Conventional zoning is based on use segregation and defines basic density, height and building area with a traditional Planning Board review process for subdivisions and site plans. Form based code focuses on the physical form from what the community wants to see; it starts at the street and public spaces. It organizes the zoning by special hierarchy from the big streets with more compact development to smaller streets with a little more space between buildings and uses, making it very spatially organized. The idea is to create places by promoting mixed uses with a large public and open space component. The CCD is set up internally by different levels of regulating plans.

The Framework Regulating Plan would be adopted through the Zoning Ordinance and would require a vote to change. This level addresses the large-scale development and the infrastructure and lays out the sub-districts and the general locations of the required future street connection points.

The Master Regulating Plan gets more specific and is the first plan submitted by a developer/owner that will be approved by the Planning Board through the more traditional site plan process. The plans have to be done at a minimum threshold of forty acres, which doesn't allow for small development to be piecemealed in. The plans will lay out the public and open space, street types, size, locations and connections, building form standards, large scale stormwater management and any special conditions. A key component is that traffic and impact studies would be required at this level to show that the infrastructure will support this development for the long term. Illustrative plans are also submitted at this level. The whole idea of this district is to accommodate future growth in Milford over the next twenty to thirty years so this is a long term project. The hope is that as Milford's population is projected to grow to 18,000 and beyond, the growth will come to this centralized area that has the ability to connect to water and sewer, roadways and transportation rather than pushing it out to the outskirts of the community.

J. Langdell added that research seems to reflect that society is looking for this type of living situation; a little higher density that is more walkable. S. Marchant said a lot of the population statistics that have just come out of the 2010 census say that the size of our over fifty-five population will double in the next thirty years and those people are not looking for 3,000SF homes. This type of development, getting you close to your shops and

potentially close to jobs with large scale commercial development would accommodate both the younger and older populations.

K. Bauer asked who would be reviewing the Master Regulating Plan. S. Marchant stated that the Planning Board would do so through the regular process.

The Site Regulating Plan, the lowest level plan would be submitted for one individual site by a developer or owner and if less than 65,000SF of new or additional building space, it would be reviewed and approved by an expediting review committee composed of Town Staff with Planning Board representation. If the building were larger than 65,000SF the plan would have to go before the Planning Board. This level is a traditional site plan which incorporates the parking, the landscaping, building placement and the more finite details as well as all the specific details laid out in the Master Framework Plan. J. Langdell said in theory, this 96 page Zoning Ordinance document is the framework.

J. Langdell noted that Sarah and Bill have done a tremendous amount of work to bring this forward and this is cutting edge planning from a national perspective. This is very exciting for the growth of Milford going forward.

Chairperson Langdell then opened the discussion for public comment.

S. Christensen inquired about the 65,000SF threshold for the review process. S. Marchant explained that per the review criteria, if you are creating a new structure of 65,000SF or less, instead of submitting an application to the Planning Board and having to wait the timeframes involved with that process, you can go through an expedited permit review if you meet all the details and don't need any waivers. You can submit application to the Community Development Office and within ten days, the application will be reviewed by an expedited review committee at the same time as your building permit so if there are any tweaks that need to be made, they can be done at the same time. It tries to expedite the process because we understand that time is money. A structure greater than 65,000SF would have to go before the Planning Board but there is somewhat of an expedited process for that as well. K. Bauer asked for clarification of the review committee. S. Marchant said the committee would consist of; Code Enforcement, Fire, Ambulance, Conservation Commission, Water Utilities, DPW, Planning, Zoning Administrator, Police and a representative from the Planning Board, all the departments that participate in our current interdepartmental review. The application would go through the same interdepartmental review processes as any other application, but the process would be shortened.

Chairperson Langdell closed the public portion of the meeting, hearing no further discussion and stated that because of the complexity of these zoning district ordinances, we want to allow sufficient time for the public to have an opportunity to review the documents, to see the presentations and ask questions.

T. Sloan said that the Board would encourage anybody with an interest or with questions to continue pursuing information. We have been working on this nearly every week for a very long time and it is not easily digestible. It takes time to understand it. He also wanted to clarify that the two districts don't overlap, even though they are very close in proximity. They are two separate districts.

K. Bauer made a motion to table the proposed zoning revisions to the January 17, 2012 meeting. J. Plant seconded and all in favor.

The public hearing was adjourned at 7:10PM.

MINUTES OF THE JAN 3, 2012 PLANNING BOARD PUBLIC HEARING APPROVED _____, 2012

Motion to approve:

Motion to second:

Signature of the Chairperson/Vice-Chairman: Date: _____



STAFF MEMO

Planning Board Meeting

January 17, 2012

Agenda Item #3: Michael R, Heather M, Matthew T and Andrew Ciardelli – Wyman Lane- Map 54, Lot 2-1

Public Hearing for a Minor Subdivision

Background:

The applicant is proposing to subdivide lot 54/2-1 into two lots. Lot 54/2-1 is a 38 acre lot accessible through a right-of-way off of Wyman Lane, over lots 54/1-5 and 54/1-8(open space). The lot is wooded with 3.42 acres of the south east corner dedicated to a PSNH right-of-way. The applicant is proposing to subdivide 3.18 acre single-family house lot from the larger 38 acre lot.

The applicant received a variance from the ZBA to create a single-family lot without the required 200 ft of frontage on a Class V or better road on November 3, 2011. Minutes from the meeting are attached. The lot exceeds the 2 acre minimum acreage requirements of the Residence R District. The proposed lot (54/2-2) would be accessed via the right-of-way off of Wyman Lane and a 30' access easement over lot 54/2-1, with a gravel driveway approximately 1000 feet long.

The new lot would be served by on-site private well and septic system. There are no wetlands, wetlands buffers or steep slopes on proposed lot 54/2-2. The applicant has requested waivers from the Development Regulations, Section 5.06 K, L & X for wetlands delineation, delineation of slopes over 25% and a summary of drainage and discharge for the larger lot 54/2-1. All required information has been provided for the new lot, the waivers are requested from full delineation of the larger lot. The waiver request is attached.

Please note the Development Regulations allow the Planning Board to grant a waiver in a special case “so that justice may be done and the public interest secured...” provided it does not nullify the intent and purposes of Town Regulations and Ordinances.

Please find the attached plan set.

Interdepartmental Reviews:

Zoning Administrator, DPW, Fire, Water Utilities and Code Enforcement have no comment on this application.

No response was received as of January 11th from Police, Assessing, Heritage Commission and the Conservation Commission.

Staff Recommendation:

Staff has no issues with this subdivision as presented. If the Board chooses to conditionally approve this subdivision plan the following items will need to be updated prior to final approval:

1. Note #6 be updated with State Subdivision number once approved by DES.
2. A copy of the access easement shall be provided to the Town for approval and recording with the subdivision plan at the Registry of Deeds.



Image taken April 2010



TOWN OF
REC

DEC 08 2011

PB ZBA

Waiver Request Form

Department of Planning and Community Development

Name of Project Michael, Heather, Matthew & Andrew Ciardelli

Applicant Same

Date Dec. 7, 2011

When a proposed subdivision plat or site plan is submitted for approval, the applicant may request in writing to waive specific requirements of these Regulations as they pertain to the subdivision or site plan. The applicant shall present reasons in writing why the waiver is needed by the application deadline for a regularly scheduled Planning Board meeting. The Board's publicly notice agenda for the particular meeting shall clearly indicate that a waiver request has been received, a copy of which is available at the planning office, and that the waiver request will be considered at the meeting.

A butter notification is required for all waiver requests.

The Planning Board may grant a waiver in a special case, so that justice may be done and the public interest secured, provided that such waiver will not have the effect of nullifying the intent and purposes of these Regulations, the Zoning Ordinance or the Master Plan. The Planning Board shall not approve waivers unless it shall make findings based upon the evidence presented to it in each specific case.

All approved waivers shall be noted on the plans, indicating the paragraphs waived and a general description of the waivers.

Subdivision or Site Plan Regulation Section Number	Request and Rationale
<u>1. 5.06.K</u>	<u>request waiver to delineate wetlands on entire 34.88 Acres because of expense & time</u>
<u>2. 5.06.L</u>	<u>request waiver to show "slopes over 25%" on entire 34.88 acres because of expense & time</u>

Subdivision or Site
Plan Regulation
Section Number

Request and Rationale

3. 5.06.X

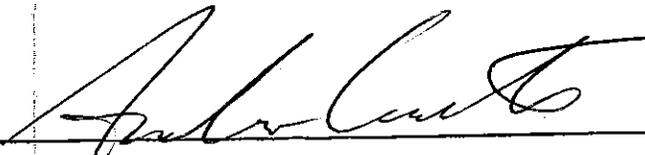
request waiver to "description of drainage
upstream & downstream" because of expense
& time

4. _____

5. _____

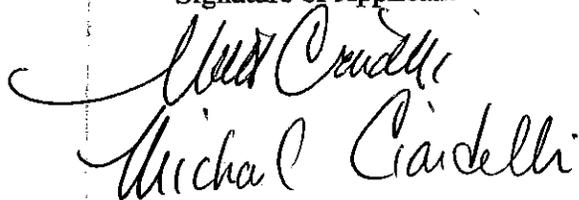
6. _____

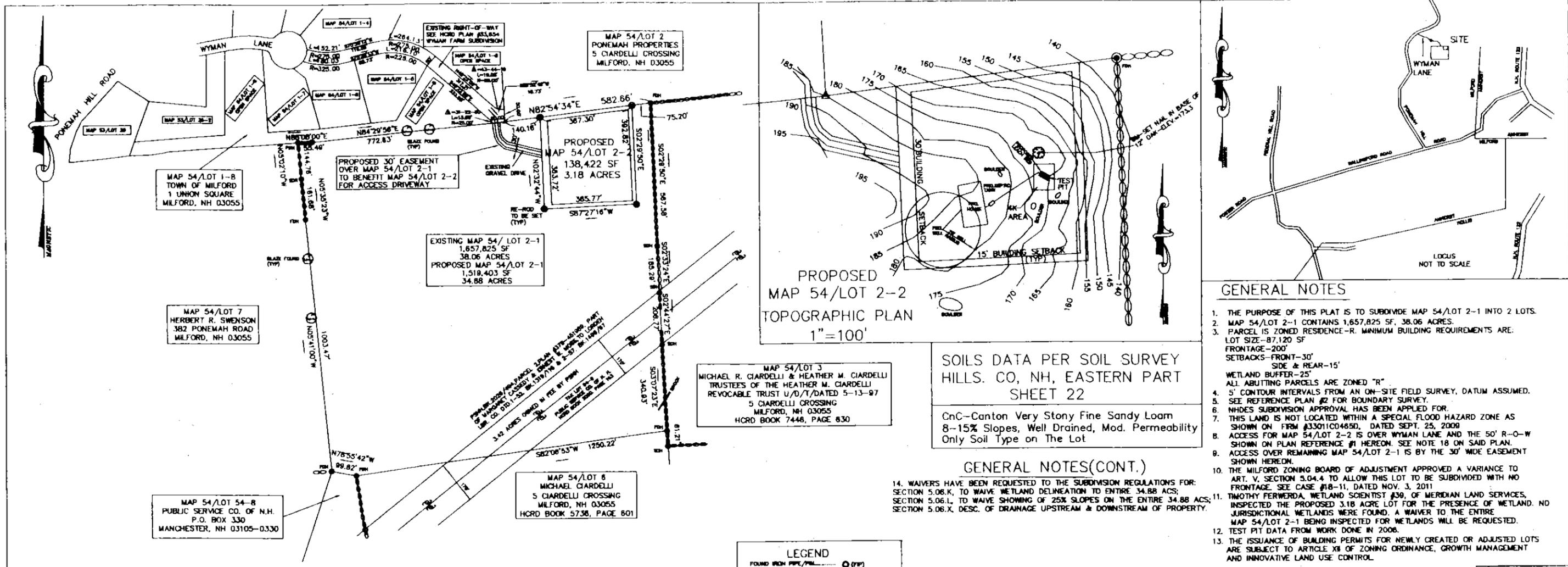
Please feel free to attach any other information as necessary.



Signature of Applicant

12/8/11
Date


Michael Ciardelli



PROPOSED
MAP 54/LOT 2-2
TOPOGRAPHIC PLAN
1"=100'

SOILS DATA PER SOIL SURVEY
HILLS. CO, NH, EASTERN PART
SHEET 22
CnC-Canton Very Stony Fine Sandy Loam
8-15% Slopes, Well Drained, Mod. Permeability
Only Soil Type on The Lot

GENERAL NOTES (CONT.)

14. WAIVERS HAVE BEEN REQUESTED TO THE SUBDIVISION REGULATIONS FOR:
SECTION 5.06.K, TO WAIVE WETLAND DELINEATION TO ENTIRE 34.88 ACS;
SECTION 5.06.L, TO WAIVE SHOWING OF 25% SLOPES ON THE ENTIRE 34.88 ACS;
SECTION 5.06.X, DESC. OF DRAINAGE UPSTREAM & DOWNSTREAM OF PROPERTY.

GENERAL NOTES

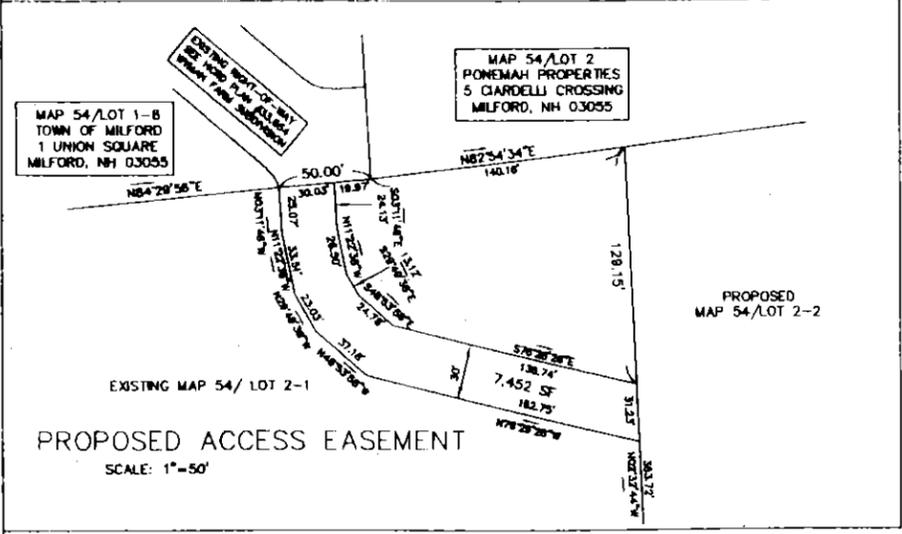
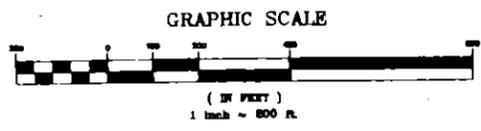
1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE MAP 54/LOT 2-1 INTO 2 LOTS.
2. MAP 54/LOT 2-1 CONTAINS 1,657,825 SF, 38.06 ACRES.
3. PARCEL IS ZONED RESIDENCE-R. MINIMUM BUILDING REQUIREMENTS ARE:
LOT SIZE-87,120 SF
FRONTAGE-200'
SETBACKS-FRONT-30'
SIDE & REAR-15'
WETLAND BUFFER-25'
ALL ADJUTING PARCELS ARE ZONED "R"
4. 5' CONTOUR INTERVALS FROM AN ON-SITE FIELD SURVEY, DATUM ASSUMED.
5. SEE REFERENCE PLAN #2 FOR BOUNDARY SURVEY.
6. NHDES SUBDIVISION APPROVAL HAS BEEN APPLIED FOR.
7. THIS LAND IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FIRM #33011004850, DATED SEPT. 25, 2008
8. ACCESS FOR MAP 54/LOT 2-2 IS OVER WYMAN LANE AND THE 50' R-O-W SHOWN ON PLAN REFERENCE #1 HEREON. SEE NOTE 18 ON SAID PLAN.
9. ACCESS OVER REMAINING MAP 54/LOT 2-1 IS BY THE 30' WIDE EASEMENT SHOWN HEREON.
10. THE MILFORD ZONING BOARD OF ADJUSTMENT APPROVED A VARIANCE TO ART. V, SECTION 3.04.4 TO ALLOW THIS LOT TO BE SUBDIVIDED WITH NO FRONTAGE. SEE CASE #18-11, DATED NOV. 3, 2011
11. TIMOTHY FERREDA, WETLAND SCIENTIST #39, OF MERIDIAN LAND SERVICES, INSPECTED THE PROPOSED 3.18 ACRE LOT FOR THE PRESENCE OF WETLAND. NO JURISDICTIONAL WETLANDS WERE FOUND. A WAIVER TO THE ENTIRE MAP 54/LOT 2-1 BEING INSPECTED FOR WETLANDS WILL BE REQUESTED.
12. TEST PIT DATA FROM WORK DONE IN 2006.
13. THE ISSUANCE OF BUILDING PERMITS FOR NEWLY CREATED OR ADJUSTED LOTS ARE SUBJECT TO ARTICLE XII OF ZONING ORDINANCE, GROWTH MANAGEMENT AND INNOVATIVE LAND USE CONTROL.

PLAN REFERENCES

1. "LOT LINE CONSOLIDATION/OPEN SPACE SUBDIVISION PLAN", WYMAN FARM, 294 & 326 PONEMAH HILL ROAD, MILFORD, NH BY SANDFORD SURVEYING AND ENGINEERING, DATED 12-10-03, REV. TO 12-10-04. PLAN IS #33,854 AT THE H.C.R.D.
2. "PLAN OF BOUNDARY SURVEY, TAX LOTS 54-2-1, 54-3, 54-6, 54-10 & 54-12, PONEMAH HILL ROAD, MILFORD, NH, DATED 6-8-05. PREPARED FOR MICHAEL R. CIARDELLI" BY THIS OFFICE.

LEGEND

FOUND IRON PIPE	○ (FIP)
FOUND STONE BOUND	○ (FSB)
FOUND DRILL HOLE	○ (FDH)
SET IRON PIN	○ (SIP)
SET STONE BOUND	○ (SSB)
SET DRILL HOLE	○ (SDH)
STONE WALL	—
WIRE FENCE	—
STORAGE FENCE	—
CHAIN LINK FENCE	—
CONTOUR INTERVAL	—
WETLAND BOLS LINE	—
SEE SOILS LINE (INTERPOLATED)	—
BROOK/DRAINAGE	—
TREE/FOLIAGE LINE	—
WELL	○
LIGHT POLE	○
FIRE HYDRANT	○
DRAIN CULVERT	—
UTILITY POLE	—



REVISIONS

NO.	DATE	DESCRIPTION	BY

OWNERS OF RECORD

MICHAEL R. CIARDELLI	DATE
HEATHER M. CIARDELLI	DATE
MICHAEL R. CIARDELLI HEATHER M. CIARDELLI 5 CIARDELLI CROSSING MILFORD, NH 03055 HCRO BOOK 6477, PAGE 587 DATED 8-24-01	

OWNERS OF RECORD

ANDREW CIARDELLI	DATE
MATTHEW CIARDELLI	DATE
ANDREW CIARDELLI MATTHEW CIARDELLI 5 CIARDELLI CROSSING MILFORD, NH 03055 HCRO BOOK 6554, PAGE 833, DATED 12-31-01 HCRO BOOK 6613, PAGE 712, DATED 3-27-02	

I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY.

DATE

PLANNING BOARD

TOWN OF MILFORD, NEW HAMPSHIRE
SUBDIVISION PLAN REVIEW #
APPROVED: DATE: _____

SIGNED: _____ DATE: _____
CHAIRMAN

SIGNED: _____ DATE: _____
MEMBER

TOWN OF MILFORD REC

DEC 08 2011

PB ZBA

PLAN OF SUBDIVISION
TAX LOT 54-2-1
OFF WYMAN LANE
MILFORD, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

SCALE: 1"= 200' DATE: NOV. 17, 2011

PREPARED FOR:
ANDREW CIARDELLI
5 CIARDELLI CROSSING
MILFORD, NEW HAMPSHIRE 03055

DAVID M. O'HARA & ASSOCIATES
LICENSED LAND SURVEYORS-LICENSED SEPTIC DESIGNERS
51 SCORE ROAD, NEW BOSTON, NH 03070 CELL-345-2438 e-mail-dmsurvey@ohoa.com
MIL04893.DWG

**Town of Milford
Zoning Board of Adjustment Minutes
November 3, 2011
Case #18-11
Michael R. Ciardelli, Heather M. Ciardelli, Andrew J. Ciardelli
Variance**

Present: Kevin Johnson, Chairman
Laura Horning
Fletch Seagroves
Zach Tripp - Alternate

Absent: Steve Winder
Steve Bonczar

Secretary: Peg Ouellette

The applicants, Michael R., Heather M. and Andrew J. Ciardelli, owners of Map 54, Lot 2-1, 0 Stable Road., in the Residence "R" district, are requesting a variance from Article V, Section 5.04.4 to create a new single family residential lot without the required 200ft. frontage on a Class V or better road.

MINUTES FOR CASE #18-11 NOVEMBER 3, 2011 MEETING WERE APPROVED ON DEC 1, 2011.

Kevin Johnson, Chairman, opened the meeting by stating that the hearings are held in accordance with the Town of Milford Zoning Ordinance and the applicable New Hampshire Statutes. He continued by informing all of the procedures of the Board; he then introduced the Board. He read the notice of hearing into the record as well as the list of abutters. Attorney Alexander S. Buchanan was present representing the applicants. Abutters present were:

Town of Milford –Bill Parker. Community Development Director/Zoning Administrator

K. Johnson informed the applicant that there are four members of the Board present and applicant has the right to be heard by a full five-member Board. If the applicant chooses to be heard by a four-member Board, three affirmative votes are still required for approval of the variance. The applicant may choose to have the application tabled, or be heard by the four-member Board. If the applicant chooses to be heard by the four-member Board, a waiver must be signed. The applicant chose to have the hearing heard by four members and signed the waiver.

Applicant's presentation: The applicant's representative stated he is Attorney Alexander Buchanan, an attorney with an office in Nashua who is representing the Ciardelli family. They are requesting a variance from the Zoning Ordinance so they may subdivide a small portion of a tract for a single family home where that new lot will not have adequate frontage according to the terms of the ordinance on a Class V or better road. He presented a site map which is a better view than that which was included in the application. He stated the map that was included in the application was a conceptual one as to where the new lot would be but the lot may be placed on the other side, depending on the surveyor's recommendation of the best use of the land.

K. Johnson asked whether, regardless of where the proposed lot is located, it would be accessed by the same easement.

Atty. Buchanan said that is correct. He just wanted to make the Board aware that the placement on the site map is not exactly where the lot may be, because there may be competing concerns making it not possible to place it there. He stated that the access comes through Wyman Way and through a deeded right of way to 54-18 and 54-15 to access the whole of 54-2-1. Essentially the proposal is to create a lot that is permitted within the zone. The variance requested is for the frontage requirement. He then went through the five criteria for a variance:

1. The proposed variance will not diminish surrounding property values: They do not believe it will because the use is consistent with the uses in the zone, there is nothing that would disturb the neighborhood in any manner. He submitted a letter from a qualified appraiser stating in his opinion that the use as proposed would not cause any diminishment of value of the surrounding properties. **2. Granting the variance would not be contrary to the public interest:** The public interest would be served because the use is allowed in the subject zone and the public interest sought to be maintained would not be impaired by the granting of the variance. Generally the concept of the public interest zoning is to segregate uses and have compatible uses with compatible uses. Applicants are asking to do exactly that in this zone.

3. Denial of the variance would result in unnecessary hardship: The attorney stated that the lynchpin of most variance requests is whether denial of the variance would cause unnecessary hardship on the applicant. They believe it does. Unnecessary hardship means that due to the special conditions of the property that distinguish it from other properties in the area and **i. there is no fair and substantial relationship between the general public purposes of the ordinance and the specific application of that provision to the property.** They maintain the property is different from others in its immediate area because it is an undeveloped parcel adjacent to an existing subdivision with granted access rights through the subdivision. There is no other property with that configuration and attributes in that area. The second prong of the test is there is no connection between the specific application of the provision "general public purposes" of the ordinance. In this case, the issue is frontage. The general purpose as stated in the ordinance is promoting public health, safety, morals, general welfare and civil rights of the Town of Milford. They feel the use of this land as a single-family home, abutting other similar homes,

would impair any of those general purposes. While not stated in the ordinance, the general consensus among planners is that frontage is a control for density and by having minimum frontage on roads the size of the lot is controlled, and therefore the density is controlled. They don't believe that is necessary in this case because the intent is for the lot to meet minimum acreage zoning requirements. The density is consistent with the Wyman Lane subdivision and may be more than two acres depending on what the Planning Board decides they want as to setting up a ratio of open space to the Wyman Road subdivision. Atty. Buchanan stated it is his understanding that when the Wyman Road subdivision was approved a thirty percent open space was required. If the Planning Board wants that, they can add that thirty percent into the lot size to keep the density the same. It is the applicants' position that use of this property as a single family house lot without frontage will in no way impair the purposes of the ordinance or create any problem. In addition, if the applicant has shown that there is no other effective use of the property without the variance, then it should be granted. In this case, in order to subdivide a lot to be used as a single family home or otherwise, there must be frontage. The applicants feel they meet the criteria for the first part of the ordinance test as well as that stated in the application.

4. Granting the variance would do substantial justice because: Applicants believe substantial justice will be achieved because the applicants will be able to use their property in a manner consistent with the zone without problems to the neighbors by not having frontage. The access way is wide enough and will be built to handle any public vehicles that need access.

5. The use is not contrary to the spirit of the ordinance because: The spirit of the ordinance relates to the public interest of the ordinance. Granting the variance is not going to cause substantial change. It will not change a residential neighborhood into an industrial neighborhood, which would be contrary to the spirit. In this case, it is being done with a compatible use and a permitted use and would not go against the orderly growth and appropriate use of the land. The subdivision could have been done with the lot added in and the acreage reconfigured, but it is already there and can't be redone.

K. Johnson disagreed on one point, that the specification of the frontage is to limit density. The limiting of density is by specification of lot size. The frontage requirement is more for health and safety, to allow safe ingress and egress etc. as well as to permit ease of emergency services. It appears that the parcel is a landlocked parcel and there are no existing streets to it, and that from the development of the Wyman Lane subdivision with the easement in place it is clear that the intention of placement of the easement was to allow access to this property. That is a considering factor in viewing access for a health and safety of the parcel from this viewpoint.

F. Seagroves had no questions at this time.

L. Horning said two of her questions regarding emergency vehicle access had been answered. She asked the width of the right of way.

Atty. Buchanan stated it is 50 ft wide but he is not sure of the length.

K. Johnson said it appears to be approximately 300 ft across parcel 54-1-5 and approximately another 300 ft across 54-1-8 which brings it up to 54-2-1, so there are approximate 600 ft of easement right of way across the Wyman Lane development. Then, however the lot is configured, with two or three acres, the Board's concern is that the minimum lot size for Residential "R" is met and the placement of the lot is accessed by that easement.

L. Horning asked the applicant's plan for surfacing the driveway.

Atty. Buchanan said it will probably be a gravel road wide enough to service emergency vehicles.

Z. Trapp referred to Lot 54-1-8 owned by Town of Milford and asked if that is common land for that subdivision.

Atty. Buchanan responded that it was done for having smaller physical lots but overall acreage is the same. A certain percentage had to be thirty percent dedicated to open space.

Z. Tripp asked if the easement is wooded or field.

Applicant stated it is currently wooded but there is a trail.

K. Johnson said that in the picture there is a trail that appears to follow the easement.

Z. Tripp asked if lot 54-1-5 is currently a housing lot. Is there a house there?

Applicant stated that is a lot and he believes there are houses on all the lots.

Z. Tripp asked if the driveway would be share.

Applicant stated It is shared.

Z. Tripp asked if 54-1-5 already has 50 ft of frontage.

Applicant said it is not their lot, but there would be 50ft of access from the applicant's lot to the town road.

F. Seagroves asked if it is known how the subdivision will be laid out.

Atty. Buchanan said no, only one lot is being subdivided at this point. He speculated that if it were to be further subdivided it would likely be subdivided with a road coming up from Stable Road.

F. Seagroves said if you subdivided, you could go across that property and then have frontage. If it were subdivided the road could come along the property in question.

Atty. Buchanan said they would have to acquire 54-15 to do that, but developing the property is not be contemplated. Only one lot is contemplated.

F. Seagroves said with the 50ft access is on the corner of the lot and it isn't known where the house will be located.

K. Johnson said the concern is, wherever the proposed new lot is placed, it is accessed through that easement.

K. Johnson opened the meeting for public comment. There was none.

K. Johnson closed the public portion of the meeting.

There was no correspondence received regarding the case.

The applicant having already read the application into the record in his presentation, K. Johnson read the Town of Milford Zoning Ordinance Article V, Section 5.04.4 Lot Sizes and Frontages: *A. The minimum lot size and frontage for a single-family dwelling or a single-family manufactured housing unit and all other permitted uses, unless stated otherwise, in the residence "R" District shall be two (2) acres (87,120SF), or greater, depending on soil and slope conditions, with a minimum two hundred (200) feet of frontage on a Class V or better road.*

K. Johnson also referred to ordinance relating to granting a variance: Town of Milford Zoning Ordinance Article X Section 10.0.1 Variances which is the administrative portion dealing with how applications are made, and Town of Milford Zoning Ordinance Article X, Section 10.01.2 : *Every variance granted by the Board of Adjustment shall be based upon and accompanied by a specific finding or findings that:*

A. there are special circumstances or conditions applying to the land or structure for which the variance is sought (such as, but not limited to, the exceptional narrowness, shallowness, or shape of the property in question, or exceptional topographical conditions), which are peculiar to such land or structure, and the application of the requirements of this Ordinance will deprive an owner of such property a reasonable use of it, and will impose upon such owner a hardship not shared by the owners of other property in the same district. B. The specific variance as granted is the minimum variance that will grant reasonable relief to the owner and is necessary for a reasonable use of the land or structure. C. The granting of the variance will be in harmony with the general purposes and intent of this Ordinance, and with the convenience, welfare and character of the district within which it is proposed, and will not be injurious or otherwise detrimental to the public welfare.

K. Johnson also stated that variances must meet five criteria as specified by the State of New Hampshire RSA 674:33 Section 1B: *(1) Variance will not be contrary to the public interest. (2) The spirit of the Ordinance is observed. (3) Substantial justice is done. (4) The values of surrounding properties are not diminished. (5) Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area; (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) The proposed use is a reasonable one. (B) If the*

criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

The definition of “unnecessary hardship” set forth in subparagraph (5) shall apply whether the provision is the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

The Board discussed the five criteria under the ordinance:

1. The variance would not be contrary to the public interest.

F. Seagroves said he did not see any adverse effects to the public interest.

L. Horning said it is not contrary to public interest. This is a 50ft wide access and she did not believe there have been any public safety issues with a 50ft wide street or side lane, of which there are several in Milford.

Z. Tripp said he did not believe granting the variance would alter the essential character of the neighborhood as other lots in the neighborhood have about 60 to 50 feet of frontage.

K. Johnson agreed. He did not see how granted the variance would be contrary to the public interest. It is proposed as a residential development in a residential district, adjacent to a residential development and it is clear that when the Wyman Way development was put in place with the easement that access to this property was intended.

2. The use is not contrary to the spirit of the ordinance.

F. Seagroves said he does not see any negative to the health, safety or general welfare of the community.

Z. Tripp said the spirit of the ordinance as mentioned by the applicant to prevent overcrowding and as the Chairman mentioned to control the lot size to prevent long narrow lots. Since it is landlocked and behind the other lots, the spirit of the ordinance is still observed.

L. Horning agreed and reiterated the Chairman’s comment regarding the first criteria that it would not be contrary to the public interest and the spirit of the ordinance is to keep the neighborhood as a residential neighborhood. Since this is a residential use in a resident zone, she saw no violation to the health, safety or general welfare of the community, or in direct contrast to the entire spirit of the ordinance.

K. Johnson concurred. He said looking at the published intent, which is usually seen as the spirit of the ordinance, it says “the intent of the Residential R District is to provide for low-density residential and agricultural land uses and other compatible land uses that are sensitive to the rural character and environmental constraints existing in the district. “ The intent is to create a lot within the residential size requirements and it meets the low density requirement of residential use, so granting the variance is within the spirit of the ordinance.

3. Granting the variance would do substantial justice.

F. Seagroves said yes, he can’t see where loss to the individual would not outweigh the gain of the general public. He didn’t see where the public would gain by refusing the variance.

L. Horning agreed. She read into the record regarding substantial justice being done that the guiding rule is that any loss to the individual is outweighed by gain to the general public is an injustice. She didn’t believe the public would gain anything over the individual if this were not passed.

Z. Tripp said granting would do substantial justice and there is very little gain to the public and the loss to the applicant would be great, as the lot is landlocked.

K. Johnson agreed and agreed with L. Horning’s reading the guideline provided by the State that loss to the individual must be outweighed by gain to the public. He saw no loss to the public. Bit a substantial gain to the individual in granting the variance; he can see gain to the public in granting it.

4. The values of surrounding property are not diminished.

F. Seagroves said he did not see where values would be diminished at all.

Z. Tripp did not believe values of surrounding properties would be diminished. A potentially shared driveway might diminish values, but with the lot tucked up so far behind the shared lot, any surrounding lots would probably not notice it. So there would be no reduction in property values.

L. Horning referred to a letter that was included with the applicant's information, certified by a general appraiser, that he does not see any diminution to anyone's property. In fact it may enhance the surrounding properties.

K. Johnson agreed, even without the opinion of the appraiser, he could not see that any of the properties – with the small exception of 54-1-5, the corner lot which has the easement across it, might experience some diminution of value. But the buyer of that lot would be aware of the easement at that point. He also could not see a single-family home on the property generating sufficient traffic to have any significant impact to the neighborhood. Then, looking at the appraiser's letter, there is sufficient evidence that there will be no diminution of values.

5. Literal enforcement of the ordinance would result in an unnecessary hardship.

F. Seagroves said that not granting the variance would create a hardship, as the owners would not get full use of the property.

Z. Tripp said reading from the handbook paragraph 5 describing hardship - that hardship is shared equally by all property owners. He previously stated that the lot that shares a driveway already has 50ft frontage and two adjacent lots are 50 ft & 60 ft so it would be equally shared. Regarding Paragraph 1, whether the variance can be granted without frustrating the purpose of the ordinance, it can. There will be no increase in density. Is the proposed use a reasonable one? Given that the parcel is landlocked, it is a reasonable way to attain access.

L. Horning agreed with Z. Tripp. She read the ordinance Paragraph 5 "Only when some characteristics of the particular land in question makes it different from others can unnecessary hardship be claimed." It can be seen that the location of the lot sets it apart, as it is in a precarious position. It is not technically landlocked, as it has right of way access, but nevertheless with a right of way can cause problems with certain uses of the land. She said that a literal enforcement would result in unnecessary hardship, based on the criteria previously discussed by the Board.

K. Johnson agreed that denying would create an unnecessary hardship, since without the right of way the property would be landlocked and would severely limit the applicant's use of the property. The development of the Wyman Way was to give access, this is the only way to get access, and denying the variance would be equivalent to denying the owner access to his property which would create an unnecessary hardship.

6. The specific variance is the minimum variance that would grant reasonable relief to the owner and is necessary for reasonable use of the land or structure.

F. Seagroves said yes.

Z. Tripp said yes.

L. Horning said yes.

K. Johnson said yes.

K. Johnson stated that after reviewing the petition and hearing all the evidence, and by taking into consideration the personal knowledge of the property in question, this Board of Adjustment has determined the following findings of fact.

1. Could the variance be granted without diminishing the value of abutting property?

F. Seagroves – yes.

L. Horning – yes

Z. Tripp – yes

K. Johnson – yes

2. Would granting the variance not be contrary to the public interest?

F. Seagroves – yes

L. Horning – yes

Z. Tripp – yes

K. Johnson – yes

3. Would denial of the variance result in unnecessary hardship taking the following into consideration: A (1) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (2) the proposed use is a reasonable one?

F. Seagroves – yes

L. Horning – yes

Z. Tripp – yes

K. Johnson – yes

4. Would granting the variance do substantial justice?

F. Seagroves – yes

L. Horning – yes

Z. Tripp – yes

K. Johnson – yes

5. Could the variance be granted without violating the spirit of the ordinance?

F. Seagroves – yes

L. Horning – yes

Z. Tripp – yes

K. Johnson – yes

K. Johnson asked for a motion to approve the variance requested in Case 18-11.

Z. Tripp made motion to approve.

L. Horning seconded the motion.

Final vote:

F. Seagroves – in favor

L. Horning – in favor

Z. Tripp – in favor

K. Johnson – in favor

Case #18-11 was approved by unanimous vote.

K. Johnson reminded the applicant of the 30 day appeal period.



STAFF MEMO

Planning Board Meeting

January 20, 2009

Agenda Item #4: Park Meadow, LLC/ Airmar Technologies Corp – Meadowbrook Dr – Map7, Lot 31 (SPA #2009-1)

Extension of an approved Site Plan

Background:

The applicant was granted Site Plan approval in January, 2009 to construct a 52,803 SF two-story building, with associated parking, landscaping and drainage on Meadowbrook Drive. In conjunction with the Planning Board approval the applicant received a variance to reduce the amount of open space on the property to less than 30%. The applicant also worked with the Conservation Commission, choosing to deed lot 6-39-1 to the Commission for parking and access to Tucker Brook.

The applicant recently renewed their Alteration of Terrain permit with the State of NH and is requesting a six month extension of approval as the Site Plan expires on January 20th. They are hoping to break ground this spring.

Attached is a copy of the site plan.

Staff Recommendation:

Staff has no issues with the request for a six month extension.





NON-RESIDENTIAL SITE PLAN
MAP 7, LOT 31
MILFORD, NEW HAMPSHIRE
 JUNE 3, 2008
 LAST REVISED: JANUARY 21, 2009

SHEET INDEX

- SHEET 1 - COVER SHEET
- SHEET 2 - SITE LAYOUT PLAN - 1"=40'
- SHEET 3 - GRADING AND DRAINAGE PLAN - 1"=40'
- SHEET 4 - UTILITY PLAN - 1"=40'
- SHEET 5 - LANDSCAPE PLAN - 1"=40'
- SHEET 6 - LIGHTING PLAN - 1"=40'
- SHEET 7 - GENERAL CONSTRUCTION DETAILS
- SHEET 8 - GENERAL CONSTRUCTION DETAILS
- SHEET 9 - EROSION CONTROL DETAILS

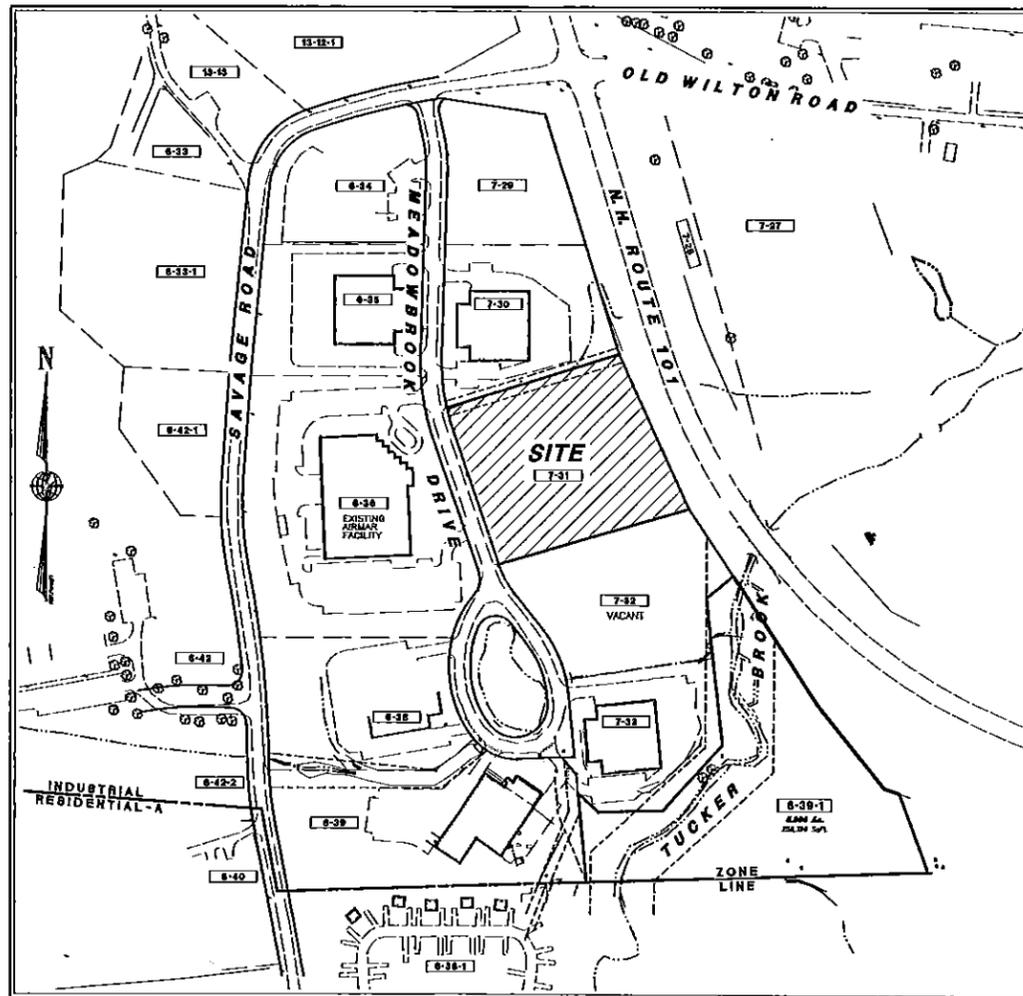
LEGEND

EXISTING FEATURES

- 2 FT. CONTOUR
- 10 FT. CONTOUR
- EDGE OF PAVEMENT
- EDGE OF WETLAND SOILS
- △ MAPPED WETLAND SOIL FLAG
- EDGE OF WATER
- EDGE OF FOLIAGE
- W --- WATER LINE
- S --- WATER LINE
- SW --- STORM WATER DRAINAGE
- G --- UNDERGROUND GAS LINE
- O/H --- OVERHEAD UTILITIES
- U --- UNDERGROUND UTILITIES
- STORM WATER CATCH BASIN
- UTILITY POLE
- ⊕ FIRE HYDRANT
- ⊙ POLE LIGHT
- ⊙ WELL
- ▨ BUILDING

PROPOSED FEATURES

- 2 FT. CONTOUR
- 10 FT. CONTOUR
- SPOT ELEVATION
- SPOT ELEVATION (CURB)
- EDGE OF PAVEMENT
- CURBING (AS NOTED)
- EDGE OF SHOULDER
- UGE --- UNDERGROUND ELECTRICAL SERVICE
- UWT --- UNDERGROUND TELECOMMUNICATIONS SERVICE
- W --- WATER SERVICE
- S --- SEWER SERVICE
- G --- GAS SERVICE
- SW --- STORM WATER FLOW
- ♿ HANDICAP PARKING DESIGNATION
- CB1 ○ STORM WATER CATCH BASIN
- WQ ○ WATER QUALITY INLET
- ⊕ FLARED END SECTION
- ⊕ PRECAST HEADWALL
- STORM WATER DRAINAGE
- ▨ BUILDING
- ▨ EROSION CONTROL BLANKETS
- ▨ RIPRAP
- TEMPORARY HAY BALE BARRIER
- TEMPORARY SILT FENCE



LOCUS PLAN
 SCALE: 1"=200'

PREPARED FOR:

AIRMAR TECHNOLOGY CORPORATION
 35 MEADOWBROOK DRIVE
 MILFORD, NEW HAMPSHIRE 03055

GENERAL CONSTRUCTION NOTES:

1. THE LOCATION OF THE UTILITIES SHOWN ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PRESERVE ALL UTILITY SERVICES.
2. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING AND COORDINATING WITH ALL UTILITY COMPANIES AND JURISDICTIONAL AGENCIES PRIOR TO AND DURING CONSTRUCTION.
3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND PROPOSED WORK PRIOR TO CONSTRUCTION.



REFERENCE PLANS:

"SUBDIVISION PLAN OF LAND -- MEADOWBROOK INDUSTRIAL PARK -- MILFORD, NH", SCALE: 1"=100', DATED NOVEMBER 15, 1983 AND LAST REVISED JANUARY 17, 1984, BY THOMAS F. MORAN, INC. H.C.R.D. PLAN NO. 16436.

NOTES:

1. THE OWNER OF RECORD OF TAX MAP LOT 7-31 IS PARK MEADOW LLC, C/O STEPHEN BOUCHER, 21 HEMLOCK HILL ROAD, AMHERST, NH 03031-2627. THE DEED REFERENCE IS VOL.5806 PG.1969 DATED APRIL 25, 1997 IN THE H.C.R.D.
2. TOTAL AREA OF THE LOT IS 3.916 ACRES OR 170,578 SQ.FT. TOTAL FRONTAGE OF THE LOT ALONG MEADOWBROOK DRIVE IS 361.04 FEET.
3. THE LOT IS LOCATED IN THE TOWN OF MILFORD, INDUSTRIAL ZONING DISTRICT AND HAS NO MINIMUM AREA OR FRONTAGE REQUIREMENTS. MINIMUM REQUIRED BUILDING SETBACK DISTANCES ARE 30 FT. FRONT AND 15 FT. SIDE AND REAR. MINIMUM OPEN SPACE AREA IS 30%. THE LOT IS SUBJECT TO THE AQUIFER PROTECTION OVERLAY DISTRICT AND IS SERVICED BY MILFORD MUNICIPAL SEWER AND WATER.
4. LOT 7-31 IS IN THE WETLANDS CONSERVATION OVERLAY DISTRICT. WETLANDS WERE DELINEATED IN ACCORDANCE WITH "CORP. OF ENGINEERS WETLANDS DELINEATION MANUAL", TECHNICAL REPORT Y-87-1, BY CHRISTOPHER A. GUIDA, C.W.S., OF THIS OFFICE, ON APRIL 30, 2008. THERE IS A 25 FT. WIDE WETLANDS BUFFER SURROUNDING ALL DELINEATED WETLANDS.
5. THE LOT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE "A", PER FIRM COMMUNITY PANEL NO. 330096 0004 B, EFFECTIVE DATE: MAY 1, 1980.
6. BOUNDARY INFORMATION FOR THE LOT WAS DEVELOPED ENTIRELY FROM THE REFERENCE PLAN CITED HEREON, H.C.R.D. PLAN NO.16436.
7. THE LOT IS SUBJECT TO THE FOLLOWING EASEMENTS AND RESTRICTIONS:
 A. NEW ENGLAND TELEPHONE AND TELEGRAPH CO. TRANSMISSION EASEMENT - VOL.3174 PG.293, DATED JUNE 18, 1984.
 B. SUBTERRANEAN SEWER LINE EASEMENT - VOL.3143 PG.427 DATED APRIL 4, 1984.
 C. DRAINAGE EASEMENT AS SHOWN ON H.C.R.D. PLAN NO. 16436.
 D. NEW ENGLAND TELEPHONE AND TELEGRAPH CO. EASEMENT - VOL.3388 PG.762, DATED SEPTEMBER 5, 1985.
8. ON NOVEMBER 8, 2008 THE MILFORD ZONING BOARD OF ADJUSTMENT GRANTED A VARIANCE FROM ARTICLE V, SECTION 5.066 TO PERMIT LESS THAN THE REQUIRED MINIMUM 30% OPEN SPACE.
9. STATE PERMITS:
 ALTERATION OF TERRAIN: WPS-8197, 8/13/2008 (EXPIRES 8/13/2010)
 DREDGE & FILL PERMIT: 2008-02159, 12/15/2008 (EXPIRES: 12/15/2013)

APPROVED

MILFORD, NH PLANNING BOARD
 SITE PLAN # SPA 2009-1
 DATE APPROVED: 1/20/09
 SIGNED: _____

OWNER'S SIGNATURE:

Stephen Boucher 1/23/09
 AIRMAR TECHNOLOGY CORPORATION DATE



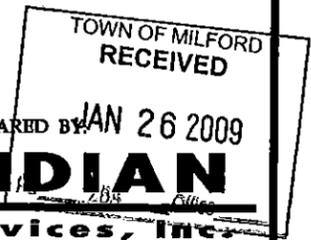
112109



MERIDIAN
 Land Services, Inc.
 OFFICE: 31 OLD NASHUA ROAD, AMHERST, NEW HAMPSHIRE 03051
 MAILING ADDRESS: PO BOX 118, MILFORD, NEW HAMPSHIRE 03055-0118
 TEL 603-873-1441 FAX 603-873-1584 MERIDIAN@MERIDIANLANDSERVICES.COM

ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS

FILE:1839102E.dwg PROJECT NO. 1839.03 SHEET NO. 1 OF 9

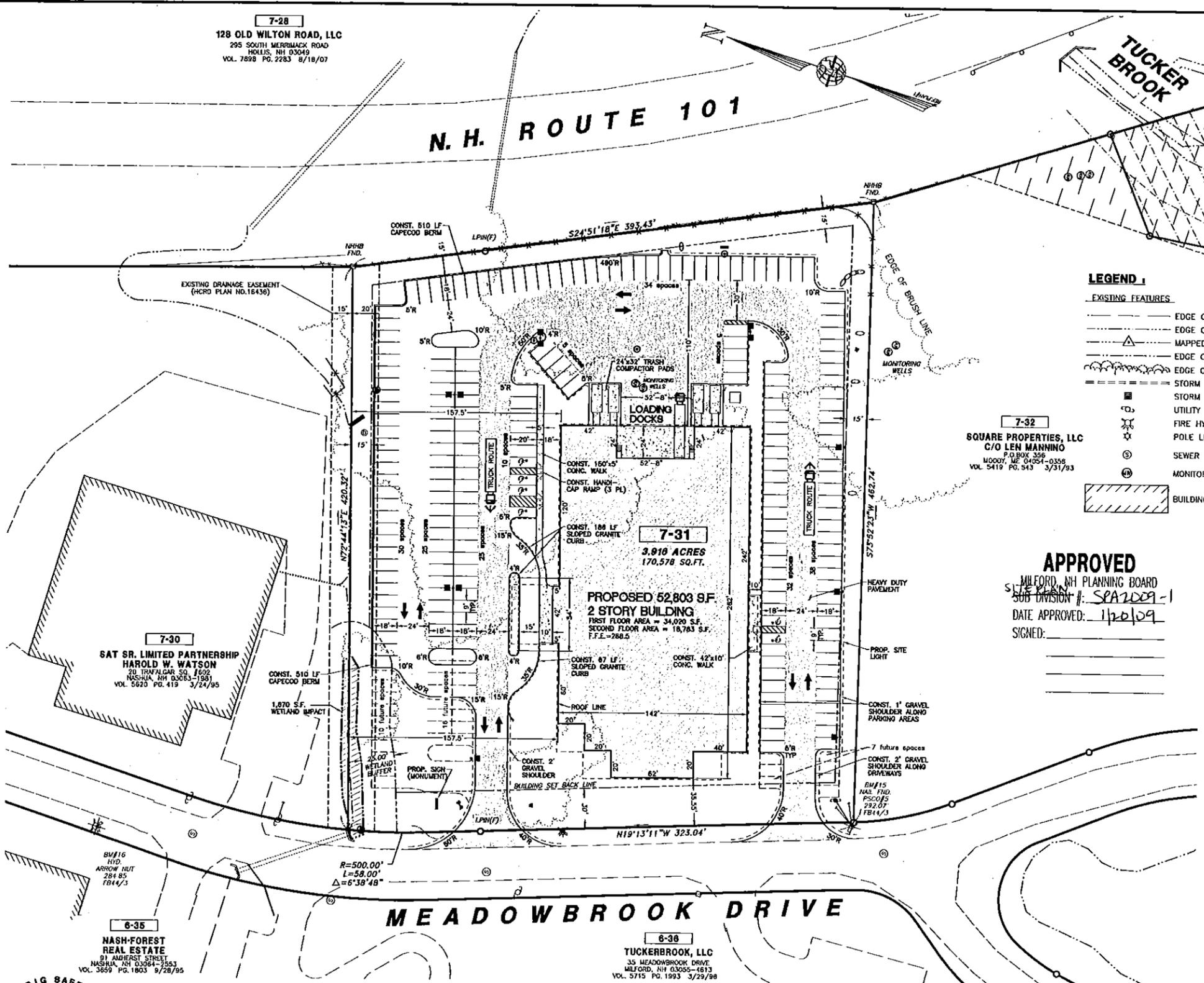
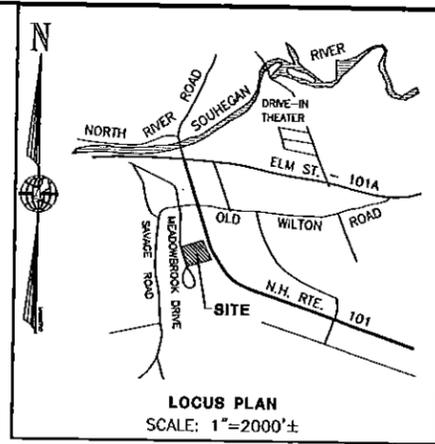


FINAL PLAN SET

7-28
128 OLD WILTON ROAD, LLC
295 SOUTH MERRIMACK ROAD
HELIUS, NH 03049
VOL. 7859 PG. 2283 8/18/07

N. H. ROUTE 101

TUCKER BROOK



LEGEND

- EXISTING FEATURES**
- EDGE OF PAVEMENT
 - EDGE OF WETLAND SOILS
 - △ MAPPED WETLAND SOIL FLAG
 - EDGE OF WATER
 - EDGE OF FOLIAGE
 - STORM WATER DRAINAGE
 - STORM WATER CATCH BASIN
 - UTILITY POLE
 - FIRE HYDRANT
 - POLE LIGHT
 - SEWER MANHOLE
 - MONITORING WELL
 - ▨ BUILDING
- PROPOSED FEATURES**
- EDGE OF PAVEMENT
 - EDGE OF SHOULDER
 - SLOPED GRANITE CURB
 - CAPE COD BERM
 - HANDICAP PARKING DESIGNATION
 - CBI
 - WQI
 - WATER QUALITY INLET
 - FLARED END SECTION
 - PRECAST HEADWALL
 - STORM WATER DRAINAGE
 - STANDARD DUTY PAVEMENT
 - HEAVY DUTY PAVEMENT
 - BUILDING
 - TEMPORARY HAY BALE BARRIER
 - TEMPORARY SILT FENCE

7-32
SQUARE PROPERTIES, LLC
C/O LEN MANNINO
P.O. BOX 356
WOODY, ME 04054-0356
VOL. 5419 PG. 543 3/31/93

APPROVED
MILFORD, NH PLANNING BOARD
SUB DIVISION #: SEA2009-1
DATE APPROVED: 1/20/09
SIGNED: _____

NOTES:

1. THE OWNER OF RECORD OF TAX MAP LOT 7-31 IS PARK MEADOW LLC, C/O STEPHEN BOUCHER, 21 NEWLOCK HILL ROAD, AMHERST, NH 03031-2627. THE DEED REFERENCE IS VOL.5806 PG.1968 DATED APRIL 25, 1997 IN THE H.C.R.D.
2. TOTAL AREA OF THE LOT IS 3.916 ACRES OR 170,578 SQ.FT. TOTAL FRONTAGE OF THE LOT ALONG MEADOWBROOK DRIVE IS 381.04 FEET.
3. THE LOT IS LOCATED IN THE TOWN OF MILFORD, INDUSTRIAL ZONING DISTRICT AND HAS NO MINIMUM AREA OR FRONTAGE REQUIREMENTS. MINIMUM REQUIRED BUILDING SETBACK DISTANCES ARE 30 FT. FRONT AND 15 FT. SIDE AND REAR. MINIMUM OPEN SPACE AREA IS 30%. THE LOT IS SUBJECT TO THE ACQUIFER PROTECTION OVERLAY DISTRICT AND IS SERVICED BY MILFORD MUNICIPAL SEWER AND WATER.
4. LOT 7-31 IS IN THE WETLANDS CONSERVATION OVERLAY DISTRICT. WETLANDS WERE DELINEATED IN ACCORDANCE WITH "CORP. OF ENGINEERS WETLANDS DELINEATION MANUAL", TECHNICAL REPORT Y-87-1, BY CHRISTOPHER A. GUIDA, C.W.S., OF THIS OFFICE, ON APRIL 30, 2008. THERE IS A 25 FT. WIDE WETLANDS BUFFER SURROUNDING ALL DELINEATED WETLANDS.
5. THE LOT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE 'A', PER FIRM COMMUNITY PANEL NO. 330096 0004 B, EFFECTIVE DATE: MAY 1, 1980.
6. BOUNDARY INFORMATION FOR THE LOT WAS DEVELOPED ENTIRELY FROM THE REFERENCE PLAN CITED HEREON, H.C.R.D. PLAN NO.16436.
7. THE LOT IS SUBJECT TO THE FOLLOWING EASEMENTS AND RESTRICTIONS:
A. NEW ENGLAND TELEPHONE AND TELEGRAPH CO. TRANSMISSION EASEMENT - VOL.3174 PG.293, DATED JUNE 18, 1984.
B. SUBTERRANEAN SEWER LINE EASEMENT - VOL.3143 PG.427 DATED APRIL 4, 1984.
C. DRAINAGE EASEMENT AS SHOWN ON H.C.R.D. PLAN NO. 16436.
D. NEW ENGLAND TELEPHONE AND TELEGRAPH CO. EASEMENT - VOL.3368 PG.762, DATED SEPTEMBER 5, 1985.
8. PROPOSED IS A 52,803 SQ.FT., 2 STORY LIGHT INDUSTRIAL/R&O/OFFICE FACILITY WITH 204 PARKING SPACES AND 33 FUTURE PARKING SPACES FOR A TOTAL OF 237 SPACES.
9. PROPOSED OPEN SPACE IS 44,400 SQ.FT. = 26%.
10. TOTAL PROPOSED WETLAND BUFFER DISTURBANCE IS 1,350 SQ.FT.
11. AT SUCH TIME THAT A TRAFFIC SIGNAL AT THE INTERSECTION OF MEADOWBROOK DRIVE AND PHELAN ROAD IS DEEMED WARRANTED BY THE TOWN OF MILFORD, A HEARING SHALL BE CONDUCTED TO ASCERTAIN FAIR-SHARE ASSESSMENTS TO BE APPORTIONED AMONG THE THEN CURRENT OWNERS OF LOT 7-31, OTHER BUSINESS AND PROPERTY OWNERS ON MEADOWBROOK DR., PHELAN RD., OLD WILTON RD., AND FERRY RD. AS APPROPRIATE. THE FAIR-SHARE COST PARTICIPATION TO BE ASSESSED TO ALL RELEVANT PROPERTY OWNERS SHALL BE EQUILIBRIALLY DETERMINED IN CONSIDERATION OF FACTORS INCLUDING BUT NOT LIMITED TO: THE NUMBER OF EMPLOYEES AT EACH SITE, THE HOUR OF OPERATION OF EACH SITE, TRAFFIC GENERATION, NUMBER OF RESIDENTS, AND OVERALL INCREASED TRAFFIC IMPACT JUSTIFYING THE NEED FOR A TRAFFIC SIGNAL. CONSIDERING OTHER FACTORS WHICH SUBSTANTIATE SAID NEED NOT RESTRICTED OR UNRELATED TO THE SPECIFIC RELEVANT PROPERTY OWNERS.
12. THE PARCEL IS LOCATED WITHIN THE LEVEL II GROUNDWATER PROTECTION DISTRICT AND WILL COMPLY WITH THE RULES AND REGULATIONS OF THAT DISTRICT.
13. THE PARCEL IS SUBJECT TO POLICE IMPACT FEES AND SEWER AND WATER HOOK-UP FEES.
14. AS-BUILT PLANS OF THE SITE AND BUILDING SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
15. ON NOVEMBER 6, 2008 THE MILFORD ZONING BOARD OF ADJUSTMENT GRANTED A VARIANCE FROM ARTICLE V, SECTION 5.06B TO PERMIT LESS THAN THE REQUIRED MINIMUM 30% OPEN SPACE
16. STATE PERMITS:
ALTERATION OF TERRAIN: WPS-8197, 8/13/2008 (EXPIRES 8/13/2010)
DREDGE & FILL PERMIT: 2008-02159, 12/15/2008 (EXPIRES: 12/15/2013)

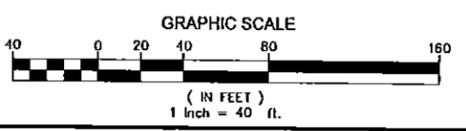
7-30
SAT SR. LIMITED PARTNERSHIP
HAROLD W. WATSON
20 TRAFALGAR SQ. 1602
NASHUA, NH 03063-1601
VOL. 5620 PG. 419 3/24/95

6-35
NASH-Forest
REAL ESTATE
91 ADHERST STREET
NASHUA, NH 03064-2553
VOL. 3699 PG. 1803 9/28/95

6-36
TUCKERBROOK, LLC
35 MEADOWBROOK DRIVE
MILFORD, NH 03055-4813
VOL. 5715 PG. 1933 3/29/88

GENERAL CONSTRUCTION NOTES:

1. THE LOCATION OF THE UTILITIES SHOWN ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PRESERVE ALL UTILITY SERVICES.
2. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING AND COORDINATING WITH ALL UTILITY COMPANIES AND JURISDICTIONAL AGENCIES PRIOR TO AND DURING CONSTRUCTION.
3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND PROPOSED WORK PRIOR TO CONSTRUCTION.



REFERENCE PLANS:

*SUBDIVISION PLAN OF LAND - MEADOWBROOK INDUSTRIAL PARK - MILFORD, NH. SCALE: 1"=100'. DATED NOVEMBER 15, 1983 AND LAST REVISED JANUARY 17, 1984, BY THOMAS F. MORAN, INC. H.C.R.D. PLAN NO. 16436.

OWNER'S SIGNATURE:

Stephen G. Bunker 1/23/09
AIRMAR TECHNOLOGY CORPORATION DATE

MERIDIAN
Land Services, Inc.
31 OLD NASHUA ROAD, AMHERST, NH 03031
MAILING ADDRESS: PO BOX 116, MILFORD, NH 03055-0116
TEL: 603-991-1141 FAX: 603-972-1184 MERIDIAN@MERRIMACKSURVEYORS.COM

ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS



121109

NO.	DATE	DESCRIPTION	BY	CHK
1	1/21/09	MINOR PARKING NOTE	NRC	NRC
2	1/21/09	MINOR UPDATE NOTES	NRC	NRC
3	1/21/09	DRAINAGE & GRADING	NRC	NRC
4	1/21/09	ADDRESS NOTES & COMMENTS	NRC	NRC
5	1/21/09	ADD HYDRANT & NOTES	NRC	NRC
6	1/21/09	INITIAL SUBMISSION	NRC	NRC
7	1/21/09	REV.	NRC	NRC

SITE LAYOUT PLAN

TAX MAP 7, LOT 31
MILFORD, NEW HAMPSHIRE
AIRMAR TECHNOLOGY CORP.
DATE: MAY 12, 2008
SCALE: 1" = 40'

SP-1
SHEET
FILE: 183902E.dwg
PROJECT: 1839.03
SHEET NO.: 2 OF 9



7-28
 128 OLD WILTON ROAD, LLC
 295 SOUTH MERRIMACK ROAD
 HOLLIS, NH 03049
 VOL. 7698 PG. 2283 8/18/07

N. H. ROUTE 101

GENERAL CONSTRUCTION NOTES:

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NOTES:

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2. TOTAL AREA OF THE LOT IS 3.918 ACRES OR 170,578 SQ.FT. TOTAL FRONTAGE OF THE LOT ALONG MEADOWBROOK DRIVE IS 381.04 FEET.
3. THE LOT IS LOCATED IN THE TOWN OF MILFORD, INDUSTRIAL ZONING DISTRICT AND HAS NO MINIMUM AREA OR FRONTAGE REQUIREMENTS. MINIMUM REQUIRED BUILDING SETBACK DISTANCES ARE 30 FT. FRONT AND 15 FT. SIDE AND REAR. MINIMUM OPEN SPACE AREA IS 30%. THE LOT IS SUBJECT TO THE AQUIFER PROTECTION OVERLAY DISTRICT AND IS SERVICED BY MILFORD MUNICIPAL SEWER AND WATER.
4. LOT 7-31 IS IN THE WETLANDS CONSERVATION OVERLAY DISTRICT. WETLANDS WERE DELINEATED IN ACCORDANCE WITH "CORP. OF ENGINEERS WETLANDS DELINEATION MANUAL", TECHNICAL REPORT Y-87-1, BY CHRISTOPHER A. GUIDA, C.E.S., OF THIS OFFICE, ON APRIL 30, 2008. THERE IS A 25 FT. WIDE WETLANDS BUFFER SURROUNDING ALL DELINEATED WETLANDS.
5. THE LOT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE 'A', PER FIRM COMMUNITY PANEL NO. 330096 0004 B, EFFECTIVE DATE: MAY 1, 1990.
6. BOUNDARY INFORMATION FOR THE LOT WAS DEVELOPED ENTIRELY FROM THE REFERENCE PLAN CITED HEREON, H.C.R.D. PLAN NO.18436.
7. THE LOT IS SUBJECT TO THE FOLLOWING EASEMENTS AND RESTRICTIONS:
 A. NEW ENGLAND TELEPHONE AND TELEGRAPH CO. TRANSMISSION EASEMENT - VOL.3174 PG.293, DATED JUNE 18, 1984.
 B. SUBTERRANEAN SEWER LINE EASEMENT - VOL.3143 PG.427 DATED APRIL 4, 1984.
 C. DRAINAGE EASEMENT AS SHOWN ON H.C.R.D. PLAN NO. 18436.
 D. NEW ENGLAND TELEPHONE AND TELEGRAPH CO. EASEMENT - VOL.3388 PG.762, DATED SEPTEMBER 5, 1985.

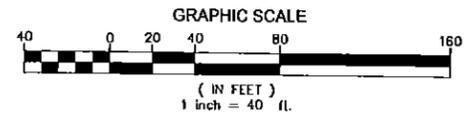
LEGEND I

EXISTING FEATURES

- 322 --- 2 FT. CONTOUR
- 320 --- 10 FT. CONTOUR
- EDGE OF PAVEMENT
- EDGE OF WETLAND SOILS
- △ MAPPED WETLAND SOIL FLAG
- EDGE OF WATER
- EDGE OF FOLIAGE
- W --- WATER LINE
- S --- WATER LINE
- STORM WATER DRAINAGE
- G --- UNDERGROUND GAS LINE
- O/H --- OVERHEAD UTILITIES
- UGE --- UNDERGROUND UTILITIES
- UTILITY POLE
- ⊕ FIRE HYDRANT
- ⊙ POLE LIGHT
- ⊙ WELL
- ▨ BUILDING

PROPOSED FEATURES

- 2 FT. CONTOUR
- 10 FT. CONTOUR
- SPOT ELEVATION
- SPOT ELEVATION (CURB)
- EDGE OF PAVEMENT
- CURBING (AS NOTED)
- EDGE OF SHOULDER
- STORM WATER FLOW
- ♿ HANDICAP PARKING DESIGNATION
- CB1 Ⓞ STORM WATER CATCH BASIN
- WQI Ⓞ WATER QUALITY INLET
- Ⓞ FLARED END SECTION
- I PRECAST HEADWALL
- Ⓞ --- STORM WATER DRAINAGE
- ▨ BUILDING
- ▨ EROSION CONTROL BLANKETS
- ▨ RIPRAP
- TEMPORARY HAY BALE BARRIER
- TEMPORARY SILT FENCE



7-32
 SQUARE PROPERTIES, LLC
 C/O LEN MANNINO
 P.O. BOX 358
 14000Y, ME 04054-0358
 VOL. 5418 PG. 643 3/31/93

7-31
 3.918 ACRES
 170,578 SQ.FT.

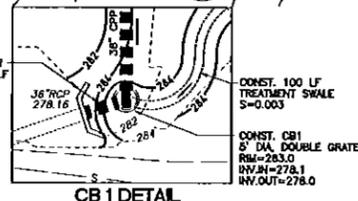
PROPOSED 52,803 SF.
 2 STORY BUILDING
 FIRST FLOOR AREA = 34,020 S.F.
 SECOND FLOOR AREA = 18,783 S.F.
 F.F.C. = 288.0

MEADOWBROOK DRIVE

7-30
 SAT SR. LIMITED PARTNERSHIP
 HAROLD W. WATSON
 20 TRAFALGAR SQ. #502
 NASHUA, NH 03063-1995
 VOL. 5520 PG. 419 3/24/95

6-35
 NASH-Forest REAL ESTATE
 91 AMHERST STREET
 NASHUA, NH 03064-2533
 VOL. 3859 PG. 1603 9/26/95

6-36
 TUCKERBROOK, LLC
 35 MEADOWBROOK DRIVE
 MILFORD, NH 03055-4613
 VOL. 5715 PG. 1993 3/29/96



MERIDIAN
 Land Services, Inc.
 35 OLD WASHUA ROAD, AMHERST, NH 03031
 MAINTENANCE: 603-875-1141 FAX: 603-875-1144
 603-875-1141
 ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS

STATE OF NEW HAMPSHIRE
 NOTARY PUBLIC
 CHRISTOPHER A. GUIDA
 12/21/08

NO.	DATE	DESCRIPTION	DR.	CHK.
1	12/21/08	MINOR UPDATE NOTES	NRC	NRC
2	12/21/08	DRAINAGE & GRADING	NRC	NRC
3	6/07/08	ADDRESS NOTES & COMMENTS	NRC	NRC
4	6/07/08	ADD HYDRANT & NOTES	NRC	NRC
5	6/12/08	INITIAL SUBMISSION	NRC	NRC
6	6/12/08	REV.	DR	CHK

GRADING and DRAINAGE PLAN
 TAX MAP 7, LOT 31
 MILFORD, NEW HAMPSHIRE
AIRMAR TECHNOLOGY CORP.
 DATE: MAY 12, 2009
 SCALE: 1" = 40'

SP-2
 SHEET
 FILE: 1839.03E.dwg
 PROJECT: 1839.03
 SHEET NO.: 3 OF 9

7-28
128 OLD WILTON ROAD, LLC
295 SOUTH MERRIMACK ROAD
HOLLIS, NH 03049
VOL. 7896 PG. 2883 8/18/07

N. H. ROUTE 101

TUCKER BROOK

GENERAL CONSTRUCTION NOTES:

1. THE LOCATION OF THE UTILITIES SHOWN ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PRESERVE ALL UTILITY SERVICES.
2. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING AND COORDINATING WITH ALL UTILITY COMPANIES AND JURISDICTIONAL AGENCIES PRIOR TO AND DURING CONSTRUCTION.
3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND PROPOSED WORK PRIOR TO CONSTRUCTION.

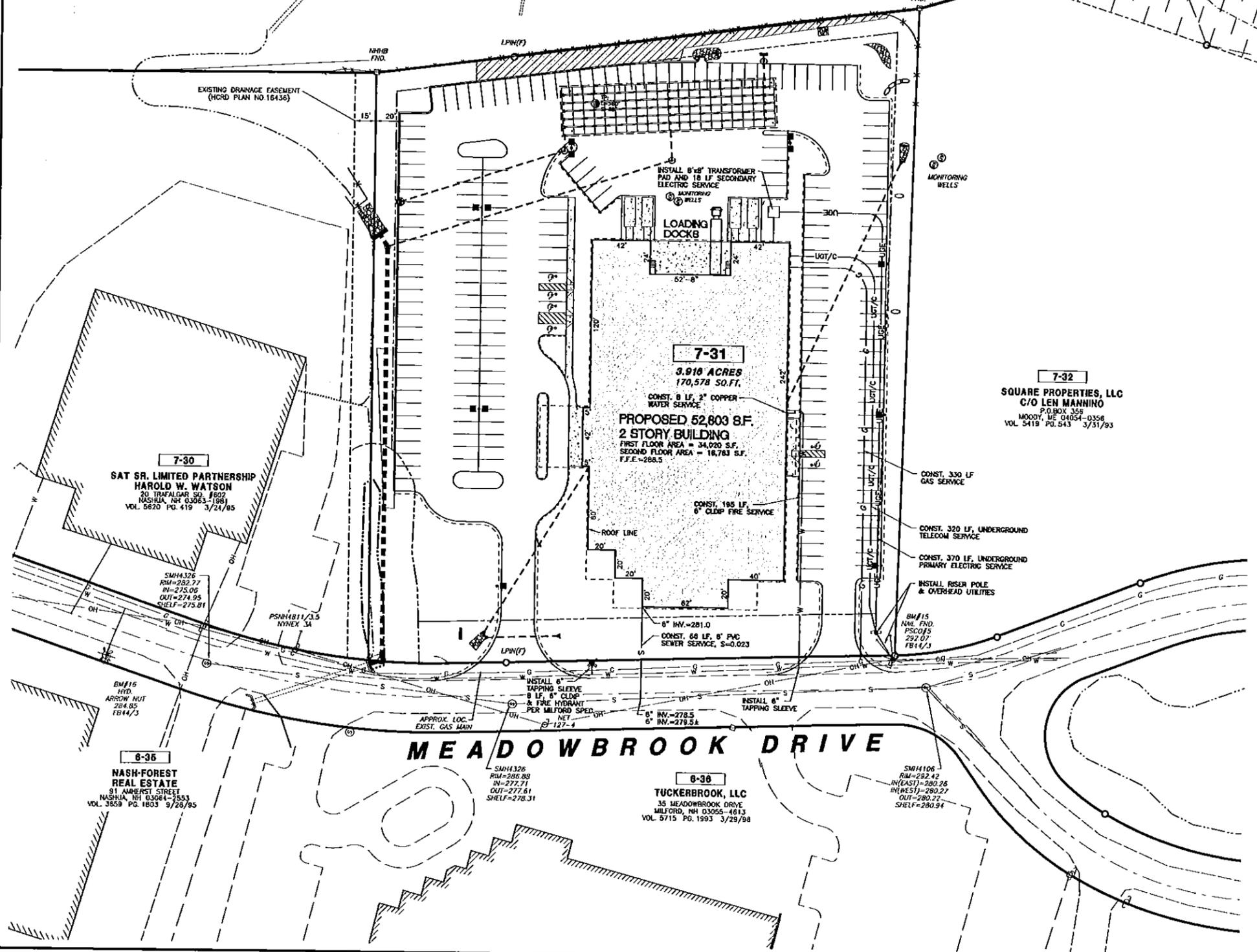
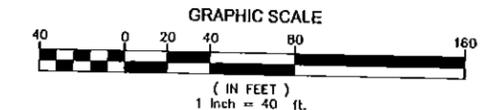


MERIDIAN
Land Services, Inc.
31 OLD NASHUA ROAD
NASHUA, NH 03031
MAILING ADDRESS: PO BOX 116, MILFORD, NH 03055
TEL: 603-875-1141 FAX: 603-873-1384 MERIDIAN@MERIDIANLANDSERVICES.COM
ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS



LEGEND :

- EXISTING FEATURES**
- EDGE OF PAVEMENT
 - EDGE OF WETLAND SOILS
 - ▲ MAPPED WETLAND SOIL FLAG
 - EDGE OF WATER
 - ~ EDGE OF FOLIAGE
 - W WATER LINE
 - S WATER LINE
 - STORM WATER DRAINAGE
 - UNDERGROUND GAS LINE
 - O/H OVERHEAD UTILITIES
 - UGE UNDERGROUND UTILITIES
 - STORM WATER CATCH BASIN
 - UTILITY POLE
 - ☆ FIRE HYDRANT
 - ☆ POLE LIGHT
 - ⊙ WELL
 - ▨ BUILDING
- PROPOSED FEATURES**
- EDGE OF PAVEMENT
 - CURBING (AS NOTED)
 - EDGE OF SHOULDER
 - UGE UNDERGROUND ELECTRICAL SERVICE
 - UGT/C UNDERGROUND TELECOMMUNICATIONS SERVICE
 - W WATER SERVICE
 - S SEWER SERVICE
 - G GAS SERVICE
 - STORM WATER FLOW
 - HANDICAP PARKING DESIGNATION
 - CB1 ○ STORM WATER CATCH BASIN
 - WOI ○ WATER QUALITY INLET
 - ▲ FLARED END SECTION
 - PRECAST HEADWALL
 - STORM WATER DRAINAGE
 - ▨ BUILDING
 - ▨ EROSION CONTROL BLANKETS
 - ▨ RIPRAP
 - TEMPORARY HAY BALE BARRIER
 - X TEMPORARY SILT FENCE



UTILITY PLAN

TAX MAP 7, LOT 31
MILFORD, NEW HAMPSHIRE

AIRMAR TECHNOLOGY CORP.

DATE: MAY 12, 2008

SCALE: 1" = 40'

SP-3	SHEET
FILE: 1839103C.dwg	PROJECT: 1839.03
SHEET NO.: 4 OF 9	

Nov. 03, 2008 - 10:36am NRC Land Desktop 2005 - LOTS
H:\m\101039\1839.03\

LANDSCAPE LEGEND:

	10	FRAXINUS PENNSYLVANICA SUMMIT / SUMMIT ASH	2.5' CAL / 848
	6	QUERCUS FALUSTRIS / PIN OAK	2.5' CAL / 848
	5	PYRUS CALLERYANA NEW BRADFORD / NEW BRADFORD PEAR	2.5' CAL / 848
	16	PICEA MUNGENS FAT ALBERTI / FAT ALBERT SPRUCE	6' HT. / 848
	15	PICEA MUNGENS BLUE SELECT / SELECT BLUE SPRUCE	6' HT. / 848
	75	JUN. HORIZONTALIS WILTONII / BLUE RUG JUNIPER	30' / 848
	34	JUNIPERUS CHINENSIS PRITZERIANA COMPACTA / COMPACT PRITZER	36' / 848
	9	JUNIPERUS CHINENSIS 'ANGELICA BLUE' / ANGELICA BLUE JUNIPER	2 1/2' - 3'
	47	TAXUS MEDIA EVER-LOW / EVERLOW YEW	30' / 848
	27	HYDRANGEA ARBORESCENS GRANDIFLORA HILLS OF SNOW HYDRANGEA	5 GAL.
	28	POTENTILLA ABBOTSWOOD / ABBOTSWOOD POTENTILLA	30"
	51	RHUS AROMATICAGROW LOW SUMAC	#2
	44	SPIRAEA JAPONICA LITTLE PRINCESS/LITTLE PRINCESS SPIRAEA	2.5-3' 848
	16	VIBURNUM TOMENTOSUM MARIENI / MARIENI DOUBLEDLE VIBURNUM	5' 848
	6	RHODODENDRON WILSONI / WILSON RHODODENDRON	36" 848
	11	LEUCOTHOE AXILLARISCOAST LEUCOTHOE	30" 848
	11	RHODODENDRON M. ROSELAMPINK ROSELAMP PINK	2-2 1/2' 848
	36	HOSTA BLUE ANGEL/BLUE ANGEL HOSTA	2 GAL.
	53	MICROBIOTA DECUSSATA / RUSSIAN CYPRESS	1 GAL.
	60	HEMEROCALLIS 'STELLA DORO' /STELLA DORO DAYLILY	1 GAL.

GROUND COVER

	VINCA MINOR / MYRTLE	12 PLATS
	PACHISANDRA TERMINALIS / PACHISANDRA (12" D.C.)	30 PLATS

PLANNING BOARD

TOWN OF MILFORD, NH
 SITE PLAN #:
 DATE APPROVED:
 SIGNED:



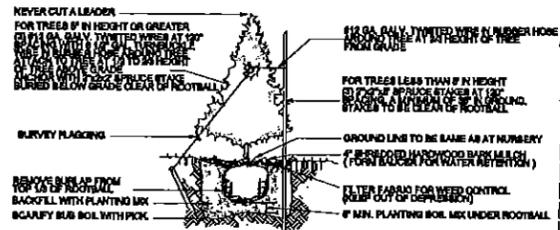
KNOWLES DESIGN

landscape architecture
 graphics, renderings & design solutions
 33A Lindsey Way, Goffstown, NH 03045 603-497-4212

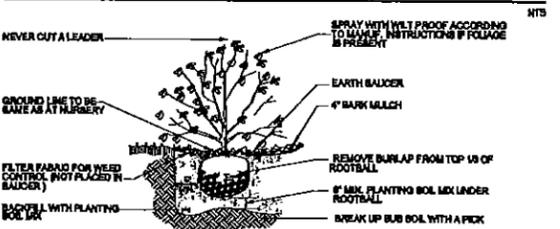
BASE INFORMATION SHOWN TAKEN ENTIRELY FROM PLAN BY OTHERS. THIS PLAN IS INTENDED FOR APPROVAL BY THE MILFORD PLANNING BOARD. FOR SITE DESIGN AND CONSTRUCTION SPECIFICATIONS SEE PLAN BY MERIDIAN LAND SERVICES INC.

LANDSCAPE NOTES:

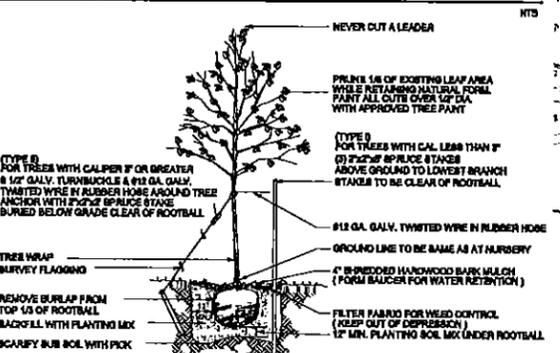
- LANDSCAPING SHOWN ON THIS PLAN HAS BEEN DESIGNED TO COMPLY WITH THE TOWN OF MILFORD LANDSCAPE REGULATIONS.
- LANDSCAPE CALCULATIONS:
 SECTION 4.025 - LANDSCAPE ALONG BUILDING FRONTAGE
 ONE SHRUB / 5' BUILDING FRONTAGE OR 1.447 5' 28 SHRUBS REQUIRED 92 SHRUBS PROPOSED ALONG BUILDING FRONT
 SECTION 4.024 - LANDSCAPE ADJOINING PARKING LOTS
 ONE TREE / 30 T.F. PAVEMENT OR 984' / 30' 33 TREES REQ. 53 TREES SHOWN (THESE TREES SHALL BE PLANTED WITH SUITABLE SHRUBS AND GROUND COVER)
 SECTION 4.025 - LANDSCAPING WITHIN PARKING LOTS
 ONE TREE / 15 PARKING SPACES OR 203 / 15 = 14 TREES REQ. 14 TREES SHOWN
- ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED WITH A MINIMUM OF 4" SUITABLE LOAM, EXCEPT UNDER THE MULCH BEDS. SLOPES GREATER THAN 3:1 SHALL BE PROTECTED WITH AN EROSION CONTROL BLANKET. (SEE PLANS BY ENGINEER)
- DECIDUOUS TREES SHALL BE A MINIMUM OF 2.5' CALIPER AT TIME OF PLANTING.
- PLANTS SHALL NOT BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED WITHIN THE IMMEDIATE AREA OF THE PLANTING.
- THE CONTRACTOR IS RESPONSIBLE FOR THE VERIFICATION OF ALL UTILITIES AND SHALL NOTIFY THE OWNERS REPRESENTATIVE OF ANY CONFLICTS.
- ALL TREES SHALL BE BALLED AND BURLAPPED UNLESS OTHERWISE NOTED.
- ALL PLANT MATERIALS INSTALLED SHALL MEET OR EXCEED THE SPECIFICATIONS OF THE AMERICAN STANDARDS FOR NURSERY STOCK BY THE AMERICAN ASSOCIATION OF NURSERMEN.
- ANY PROPOSED PLANT MATERIAL SUBSTITUTIONS SHALL BE APPROVED BY THE OWNERS REPRESENTATIVE, THE TOWN OF MILFORD AND THE LANDSCAPE ARCHITECT.
- ALL PLANTS SHALL BE GUARANTEED BY THE INSTALLER FOR ONE YEAR FOLLOWING DATE OF ACCEPTANCE.
- WHERE APPLICABLE THE CONTRACTOR SHALL HAVE ALL FALL TRANSPLANTING HAZARD PLANTS DUG IN THE SPRING.
- SEE SITE PLAN BY MERIDIAN LAND SERVICES FOR LIGHT POLE LOCATIONS AND LIGHTING DESIGN.
- THE PURPOSE OF THIS PLAN IS FOR LANDSCAPE PURPOSES ONLY. FOR SITE DESIGN AND SITE LAYOUT SEE PLANS BY MERIDIAN LAND SERVICES INC.



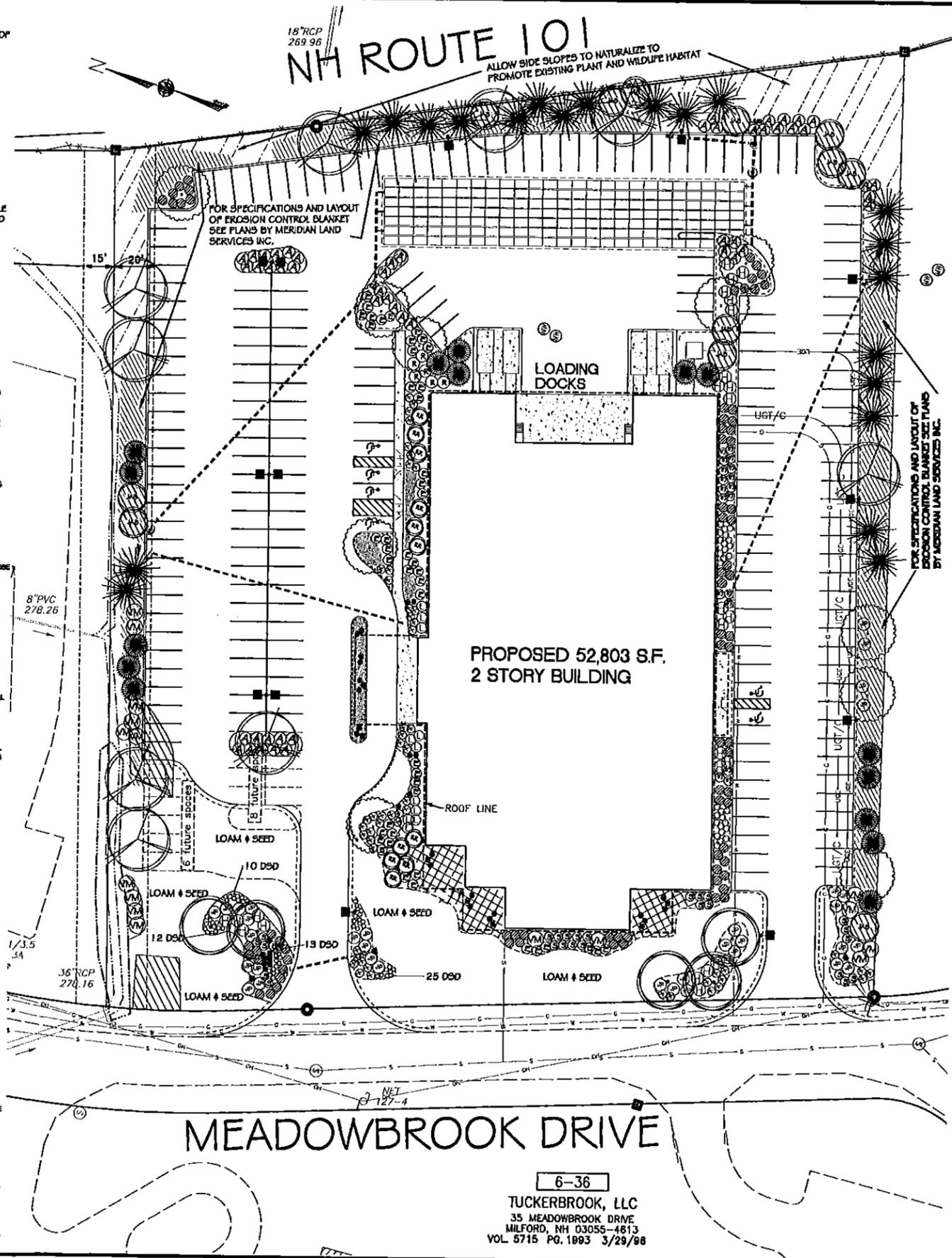
EVERGREEN PLANTING DETAIL



SHRUB PLANTING DETAIL



DECIDUOUS TREE PLANTING DETAIL



MERIDIAN Land Services, Inc.
 31 OLD MASSA ROAD, SUITE 100, WEST MILFORD, NH 03095
 MAILING ADDRESS: P.O. BOX 114, WEST MILFORD, NH 03095
 TEL: 603-672-1141 FAX: 603-672-1141 WWW.MERIDIANLANDSERVICES.COM
 ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS

STATE OF NEW HAMPSHIRE
 NATHAN CHAMBERLAIN
 PROFESSIONAL LANDSCAPE ARCHITECT
 01/08

REV.	DATE	DESCRIPTION	DR	CK
A	7/22/08	REV. SPEEDS PER PLANNING BOARD		

LANDSCAPE PLAN
 TAX MAP 7, LOT 31
 MILFORD, NEW HAMPSHIRE
AIRMAR TECHNOLOGY CORP.
 DATE: JUNE 17, 2008
 SCALE: 1" = 30'
LS-1
 SHEET
 FILE:
 PROJECT: 1839.02
 SHEET NO.:

6-36
 TUCKERBROOK, LLC
 35 MEADOWBROOK DRIVE
 MILFORD, NH 03055-4613
 VOL 5715 PG. 1893 3/29/98