

MILFORD CONSERVATION COMMISSION

Minutes of Meeting of October 13, 2011

Present:

Audrey Fraizer- Chair
Andy Seale, Hub Seward, Becky Lorette- Full Members
Chris Costantino - Alternate Members
Fred Elkind - Conservation Coordinator

Excused:

Diane Fitzpatrick, Wayne Hardy, Kim Rimalover, Andy Hughes, Rodney DellaFelice

Also Present:

Kathy Bauer - Board of Selectmen, Samantha Brown – Intern, Sarah Marchant – Town Planner,
Chris Jones, Melissa Jones, Brenda Santiago, Sarah Jackson, Janet Urquhart

Call to Order:

The public meeting of the Milford Conservation Commission was called to order by Audrey Fraizer at 7:05 PM.

Approval of Minutes:

1. Minutes of the September 8 meeting were considered and Becky L. moved and Chris C. seconded a motion that the minutes of the August 11 meeting be accepted as presented. The vote was in the affirmative by Audrey, Chris, Becky, and Hub with Andy S. abstaining.

Appointments:

1. Sarah Marchant, Milford Town Planner, presented an outline of the proposed Commerce and Community District. About 1.5 years ago the Board of Selectmen entered into discussion with Eecotech to purchase and develop the Brox property. To accomplish this, the property would need to have a competitive edge over competing properties in other communities. Master planning the property and developing a means of efficient and quicker approval of permits could provide this edge. Thus the Commerce and Community Development District was conceived. It would cover the 125 acres of the Brox property as well as additional land on Perry Rd., and Elm St. in the vicinity of the old police station.

The decision was made to utilize a zoning methodology relatively unique in this part of the country known as form based code. This methodology identifies detailed development options that might be applied within districts. The building types and uses, transportation pathways, open space and public areas, etc., are master planned and are aimed at incorporating comprehensive utility and environmental planning and engineering upfront.

The developer would be responsible for master planning tracts of at least 50 acres at a time.

Andy S. asked why we would want an expedited review process. Sarah indicated that this would provide the competitive edge that could make the property more marketable.

Andy S. questioned who would be responsible for developing the infrastructure. Sarah indicated that the developer would be allowed to sell the old police station to raise the funds to develop the infrastructure. The developer would have to pay the town back for the value of the property.

Sarah discussed open space and trails. The district incorporates several sub-districts with specific open space requirements. These would result in more open space than existing open space requirements. There is a plan to incorporate a 300' buffer around wetlands. Trails would become an integral part of the plan.

Chris questioned whether the trails would become part of a larger transportation network. Sarah suggested this would be an important component of the master planning.

Audrey questioned Sarah about tying the plan into the Oval. Sarah indicated that consideration had to be given to non-competing uses. Typically, the oval is viewed as a village center – small shop area while the new district would be more industrial, larger commercial in nature (not big box stores)

Chris asked about encouragement of permeable pavement, etc. Is encouragement sufficient or should there be more of an incentive? Sarah explained that many of the future MS4 requirements will require green options and these are being encouraged and even required as part of this district's planning.

Andy S. questioned whether the uses would be intermixed. Sarah answered in the affirmative.

Hub provided Sarah with some written comments. He noted that 75 watt bulb requirements may not result in what was intended given the newer lighting options. He also identified some potential discrepancies between abutting sub-districts.

Sarah requested comments as soon as possible since the Planning Board has to have the final product for Town Meeting.

2. Public Hearing – Land Acquisition – Map 45 Lot 2

Audrey called the public hearing to order at 7:45 pm. She read the notice into the record and explained the location and value of the property. It is located just north of the Sherburne lot purchased last year. It abuts a greater than 7000 acre unfragmented tract. The lot is steep but includes old foundations and high-value wetlands. The lot was auctioned and the Russell Piscataquog River Foundation succeeded with a bid of \$30,000. The purchase agreement can be transferred to the Conservation Commission and the Commission would be responsible for \$25,000 plus closing costs – the balance to be covered by the foundation and the New England Forestry Foundation. A conservation easement would be required to be placed on the property and this would be held by the Souhegan Valley Land Trust.

Becky indicated support for the purchase but was uncomfortable that she did not see the easement wording. Audrey explained that the Russell Foundation, which required the easement,

was comfortable with working out the language after the property closed. This is a typical approach. Becky underscored that she felt it would be better to see the entire package when deliberating.

Hub moved and Andy S. seconded the following: Motion to approve the expenditure of 25,000 from the conservation fund for the purpose of carrying out the acquisition of the Pratt property to be used for conservation purposes, and that the Town agree also to convey a conservation easement on this property, on terms satisfactory to the Russell Piscataquog River Foundation, to the Souhegan Valley Land Trust or other duly qualified organization within one year, this latter condition, however, being subject to the town meeting in March of 2012 providing such authorization as may be required to facilitate the conveyance of such easement.

The vote was unanimous.

Unfinished Business

1. Conservation Commission Goals- Audrey indicated that the prior work session highlighted the need to continue working on natural resource inventory items in order to guide the Commission in its decisions regarding future land purchases and easements. The wet and dry maps that Diane had drafted were a good starting point. However, there would not be time during this meeting to work on the maps. Audrey tabled further work on this item until a work session. The session was set for October 27th at 7:00 pm.

2. Halstead Map 52 Lot 18-1 – The ZBA denied the application as a result of insufficient information regarding several of the items enumerated in section 6.02.7 of the Zoning Ordinance. Fred indicated that some of the concerns of the ZBA seemed to be that the Conservation Commission had not specifically responded to some of the items. Typical memos from the Commission to ZBA have been general in nature. The question was whether we should supplement our memos. Fred noted that neither the applicant nor ZBA has requested anything further from the Commission on this case.

Kathy Bauer discussed some of the decision processes of the ZBA based upon her experience and indicated that every case is different and requires different types of information.

Discussion included the specific needs of the ZBA and what the Commission could do to help. The issue was left that Audrey would discuss the needs with the ZBA and we can revise our approach to accommodate their needs. In the past, a Commission member attended the ZBA meetings. This may need to be reinstated.

Interdepartmental Reviews:

1. H2O Waste Disposal – A revised plan was submitted. The lot lines have been reconfigured to allow the movement of the structure to an area where digging would be allowed. This resulted in a change in the drainage plan. The drainage from the southwestern portion of the site seems to be untreated and may flow onto the property of

others. The Commission questioned whether the building could be moved or reconfigured to avoid this issue. Fred noted that the drainage concerns have been brought to the attention of the Planning Board and will also be reviewed as part of the Stormwater Permitting process.

2. Vigneault – Map 47 Lots 5&6 – The owner is proposing to do a lot line adjustment to move the land in current use to an abutting lot he owns. The land would remain in current use. Becky had spoken with the owner who indicated he wanted to construct a home to the rear of where his mobile home is now. There was some confusion about the plans and value in moving the open space. However, no action was proposed within the land in current use that would change its use or configuration. The Commission had no concerns relative to issues within its purview.

Reports:

1. Melendy Rd. Contract – Fred reported that the borings had been completed. No bridge abutments in the vicinity of the future pedestrian tunnel were found and the fill identified was 20+ feet of sand.

2. Buffer Violation – 159 Purgatory Rd. – The landscaper has removed the fill from the buffer, loamed the disturbed area, and planted conservation mix. This area will not be lawn, which was the original intent.

3. Pumpkin Festival – Audrey reported that there was very good attendance at the booth and that more than 100 dollars had been raised. More than 40 names were added to the trails/hiker lists as well as contacts with some folks who might be interested in assisting and/or joining the Commission.

4. Chris reported on the Recreation Master Plan development. The trails are being incorporated as linear parks. These may supplement the remainder of the recreation facilities in meeting existing needs leading to the possibility of obtaining fees from developers for future needs. Fred mentioned that Osgood Pond and the Souhegan River will also be added to the plan.

5. Speakers Bureau – Audrey spoke with the bat person at Normandeau Associates. She would not be available until, perhaps, February. Chris discussed some options. Kathy Bauer indicated that bees might be an interesting topic as well.

6. – 4th Saturday Hikes. Audrey has spoken to the CLMC and suggested that some of the trails stewards could lead some future hikes. She also discussed coordinating with the Recreation Department. Perhaps they can distribute hike information through their publications and social media contacts.

Audrey will lead the Mayflower hike.

Chris will lead the November 26 hike at Brox.

Announcements:

None

Communications:

None

There being no other business to come before the Conservation Commission, Audrey adjourned the meeting at 9:15 pm.

Audrey Fraizer

Hub Seward

Rod DellaFelice

Chris Costantino

Wayne Hardy

Diane Fitzpatrick

Becky Lorette

Andy Hughes

Andy Seale

Kim Rimalover