

MILFORD PLANNING BOARD MEETING
October 18, 2011 Board of Selectmen's Meeting Room, 6:30 PM

Members present:

Janet Langdell, Chairperson
Tom Sloan, Vice chairman
Paul Amato
Kathy Bauer, BOS representative
Chris Beer
Steve Duncanson
Judy Plant

Alternates present:

Matt Sullivan

Staff:

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

MINUTES:

1. Approval of minutes from the 9/20/11 meeting/public hearing.

NEW BUSINESS:

2. **Alfred E. Vigneault – Melendy Rd – Map 47, Lots 5 & 6.** Public Hearing for a proposed lot line adjustment. (New application)

OTHER BUSINESS:

3. **Soiland, Inc/H2O Waste Disposal Services, LLC - Hayden Lane - Map 8, Lot 38.** Public Hearing for the continuation of a conditionally site plan to construct a private recycling facility with associated site improvements. (Revised plans submitted)

Chairperson Langdell called the meeting to order at 6:30PM, introduced the board members and reviewed the ground rules for the meeting.

MINUTES:

C. Beer made a motion to accept the minutes from the 9/20/11 meeting. K. Bauer seconded and all in favor.

NEW BUSINESS:

Alfred E. Vigneault – Melendy Rd – Map 47, Lots 5 & 6. Public Hearing for a proposed lot line adjustment.

No abutters were present.

Chairman Langdell recognized:

Alfred Vigneault

Jessica Hardwick

S. Duncanson made a motion to accept the application. P. Amato seconded and all in favor. J. Langdell noted that the application was complete according to the staff memo. C. Beer made a motion that this application did not pose potential regional impact. J. Plant seconded and all in favor. S. Wilson read the abutters list into the record.

A Vigneault presented plans dated 9/28/11 and described the previous revisions to Lots 5 and 6. This proposed lot line adjustment will shift the lot lines back to the former layout that was in place for more than fifty years. He has always kept the interests of his family in mind and would now like to sell Lot 5 to his daughter to keep the land in the family. The original thirteen acres will be split into eleven acres for Lot 5 and two acres for Lot 6. S. Marchant clarified the history through the use of colors on the plan.

P. Amato inquired if there were houses currently on both frontage lots. A. Vigneault replied yes. P. Amato noted that one area on Lot 5 looked fairly narrow. S. Marchant said her guestimate would be between fifteen and thirty ft in that area.

Chairperson Langdell opened the meeting to the public; there being no comment, the public portion of the hearing was closed.

J. Langdell reviewed the comments and recommendations from the Staff Memo dated 10/18/11.

J. Hardwick added that she spoke to the Assessor and clarified that there would be no change to the frontage and there are no issues with the current land tax.

P. Amato made a motion to grant conditional approval of the application subject to the one staff recommendation that note #8 be removed. J. Plant seconded and all in favor.

Soiland, Inc/H2O Waste Disposal Services, LLC - Hayden Lane - Map 8, Lot 38. Public Hearing for the continuation of a conditionally site plan to construct a private recycling facility with associated site improvements.

Abutters present:

Todd Morin, Steven Lane

Chairman Langdell recognized:

Dawn Tuomala, Monadnock Survey, Inc.

Ryan Hansen, H2O Waste Disposal Services, LLC

J. Langdell read the notice of hearing into the record. S. Wilson read the abutters list into the record as several had changed since the original application submittal.

S. Marchant noted that all stormwater was submitted to this office, but due to the recent flooding in the Town Hall it was shifted around, so it is still in review and we have apologized to the applicants. Also, the applicant was quick to respond to staff comments and has submitted revised plans dated 10/12/11.

D. Tuomala provided a brief history of the application that was conditionally approved in February, 2011. Since then, there have been several issues with the State due to the activities of previous owners and a lot line adjustment that was in process for over a year was completed in June. Mr. Trombly has purchased a piece of land from the State and also added a piece from 8/39 to bring the 11 acre parcel up to 18.5 acres. In doing so, we were able to relocate the building in an area not previously disturbed by the former owners which eliminated the need for test pits. The original building has been flipped and turned to fit into a depression in the new area. Mr. Trombly really wanted to save as many trees as possible and we can accomplish that and still drive around the facility. The trucks can drive in, empty their load and back out. D. Tuomala then compared the original submitted plan with the latest revision. Per the State regulations we have to now show what is happening on the inside of the building. One of the original plans used to show the applicants how the facility would work showed a truck and trailer incorrectly labeled as household waste. Unfortunately, this was an error and it is not the intent to do household waste only doing recyclable materials. The loading dock was enlarged and moved; it actually works better. The area marked for truck and trailer loading can be used to store the bailer when purchased and the skid steer can use the loading dock. There may also be some periodic storage inside a locked vehicle from time to time. The intent has not changed from the original plans and the facility size of 1.5 acres will remain the same.

D. Tuomala reviewed staff notes dated 10/18/11.

1. New plans have been submitted to NH DES for permitting.
2. Referencing Note #6 on Sheet 1; the subsurface system is not changing and we will do an amended plan when the tank is moved.
3. We do not need an access easement anymore. We have eliminated the two different owners with the lot line adjustment.
4. We don't mind having a note stating that we comply with NH DES requirements but the details fall under State jurisdiction.
5. There will be nothing working on the outside and there will be no open storage or containers outside the building.
6. Note #27 was intended for the State and has been removed. The state requires Town Planning Board approval and the Planning Board requires State approval.
7. The agreed upon area for Christmas trees is shown on the plan. The original detention basin remains same and we've added two more so there will be zero runoff.

D. Tuomala said a catch basin has been included to alleviate potential winter icing. All areas slope up away from the base of the building and she pulled as much drainage away as possible. Overall the drainage on the site has been reduced with the trees, loam and grass.

State comments:

1. The sanitation facility now shows a restroom in place of the office. A first aid station will be located just outside of the restroom. There are many specific requirements such as a phone, hose or reel for potential fires, and absorbent booms that are all addressed.
2. The monitoring wells on the site from previous activity had to be noted on the plan and there are four that may be potentially impacted. See Note #21 on Sheet #2.
3. Note #26 on Sheet #1 is incorrect and should be on Note #25. The intent was to put a general directional sign for all the businesses out on the main road, but this facility is not open to the general public. We are requesting to put a sign on the building itself to meet the state requirements. We had originally asked the State for no sign, but they will probably not go for that. J. Langdell said one of the ideas for the original plan was to have a small directional sign at the end of Hayden Ln for truck traffic. D. Tuomala explained the five criteria that must be listed on a recycling center sign.
4. The trailer is to be used for loading materials for transport. All goods and all workings are to be done inside the building and they don't take items like refrigerators or air conditioners that have CFCs on this site; white goods and metal items only.

5. The existing facility is now shown in relationship to the proposed facility and due to the lot line adjustment, it now goes through the State's parking lot. Also, the access road to the Trombly property will be cut off and all traffic will use Hayden Ln.
6. Typically one would gate and fence the entire facility, but because the applicant will be leasing the facility and only a portion of the site, we are proposing putting gates or overhead doors on the ends of the building to secure it. It will be locked in some fashion.
7. The hot load area is shown at the edge of the parking lot. This does not apply to this particular facility and we have asked for a waiver as we do not pick up ordinary household trash. A hot load is when ashes are thrown in with the household trash that sometimes smolder in the trucks and there has to be a designated area for the trucks to dump that load. We have booms that can be brought out to easily contain the area until the fire department gets there.
8. The State has changed their definition of facility so that the facility also includes the access drives. The State also requires a 50' setback from any property line. We have requested a waiver, but without that waiver we would lose this access drive. D. Tuomala described the access and reiterated that Mr. Trombly wanted to save as many trees as possible. We will actually have more trees than before.

K. Bauer inquired what the chances of obtaining that waiver would be. D. Tuomala said they are good, with the location and the distance from the pond. We should know in about a month as we have re-submitted the plans.

P. Amato said it appears that the corner of the property is very open to the State's property from the photo image. D. Tuomala agreed and added that the State may have come over the line; however, since this picture was taken, some scrub has grown up along the berm to prevent access between them. P. Amato said that would be an area you would want to clearly delineate the property line. D. Tuomala said it makes more sense to secure the building and a brief discussion on access and security for the property followed.

J. Langdell asked if there would be any potential traffic impact with the proposed changes in operation. D. Tuomala replied no, the activities will be the same as originally presented.

Chairperson Langdell opened the meeting to the public; there being no comment, the public portion of the hearing was closed.

J. Langdell reviewed the comments and recommendations from the Staff memo dated 10/18/11.

C. Beer made a motion to grant conditional approval of the application subject to State approval and stormwater review. S. Duncanson seconded and all in favor.

The meeting was adjourned at 7:20PM.

MINUTES OF THE OCTOBER 18, 2011 PLANNING BOARD MEETING APPROVED DEC 20, 2011