



AGENDA

October 16, 2012

Town Hall BOS Meeting Room - 6:30 PM

PUBLIC HEARING:

1. **2013-2018 Capital Improvements Plan.**

MINUTES:

2. Approval of minutes from the 09/18/12 meeting.

OLD BUSINESS:

3. **Dudley Family Trust / Professional Offices at 388 Nashua St - Nashua St – Map 31, Lot 12;** Minor site plan for a change of use from residential to office in the Residence “A” District.
(Tabled from 9/18/12)

NEW BUSINESS:

4. **Brenda L Danforth – Young Rd – Map 51, Lot 17;** Public Hearing for a subdivision creating two (2) new residential lots.
(Meridian Land Services, Inc.)
5. **Buchanan Construction Corp/Carole M Colburn Revocable Trust – Nye Dr & Osgood Rd – Map 51/1 and 51/1-2;** Public Hearing for a lot line revision and subdivision creating one new residential lot.
(Meridian Land Services, Inc.)

OTHER BUSINESS:

6. **Proposed Retail – Elm St and West St;** Discussion for proposed retail at the southeast corner of West St and Elm St.
(Tropic Star Development, LLC.)
7. **Ducal Development LLC – North River and Mont Vernon Roads – Map 8, Lot 52;** Discussion for Senior Housing Development, North River Road and Mont Vernon Road.
(Meridian Land Services, Inc.)

Future meetings:

- 10/23/12 *Worksession*
10/30/12 *Worksession*
11/13/12 *Worksession*
11/20/12 *Regular Meeting*

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

MILFORD PLANNING BOARD PUBLIC HEARING ~ DRAFT ~
September 18, 2012 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
Malia Ohlson, Alternate member

Staff:

Jodie Levandowski, Town Planner
Shirley Wilson, Recording Secretary
Dan Finan, Videographer

Excused:

Judy Plant

Susan Robinson, Alternate member

PRESENTATION:

1. **2012 Distinguished Site Award.**
2. **Town of Milford – 66 Elm St – Map 25, Lot 125.** Proposed Ambulance Facility plans.

MINUTES:

3. Approval of minutes from the 08/21/12 meeting.

OLD BUSINESS:

4. **Walter Seigny – Elm St – Map 25, Lot 11;** Amendment to a previously approved site plan to allow for the storage of no more than six (6) recreational vehicles. *(Tabled from 8/21/12)*
5. **Park Meadow, LLC / Airmar Technology Corporation – Meadowbrook Dr – Map 7, Lot 31.** Extension request for an approved site plan. Request to withdraw received *(Tabled from 8/21/12)*
Withdrawal request submitted.
6. **Ashwood Development, LLC/Whiting Hill Realty Trust – Falcon Ridge Development – Maple St & Falcon Ridge Rd – Map 3, Lots 5 through 5-45.** Request for an amendment to the Falcon Ridge Development Agreement. *(Tabled from 8/21/12)*

NEW BUSINESS:

7. **Valerie E. McLeod & Joan M Tierney – North River Rd – Map 3, Lot 9;** Public Hearing for a minor subdivision creating one new residential lot and a request for a waiver from the Milford Development Regulations Article V, Section 5.06, Submittal requirements. *(Meridian Land Services, Inc.)*
8. **Dudley Family Trust / Professional Offices at 388 Nashua St - Nashua St – Map 31, Lot 12;** Public Hearing for a minor site plan for a change of use from residential to office in the Residence “A” District. *(Kim & Steve Roberge)*

OTHER BUSINESS:

9. **Park Meadow, LLC / Airmar Technology Corporation – Meadowbrook Dr – Map 7, Lot 31.** Waiver request from the Milford Development Regulations, Article IV, Section 4.07 Site Plan Extension and Expiration of Approval. *(In reference to SPA# 2009-01)*

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

PRESENTATION:

2012 Distinguished Site Award.

Chairperson Langdell gave a brief history of the award and explained that the Board wanted to recognize businesses with thoughtful site design elements who contributed to the vibrancy of the local business community. She acknowledged past winners, Ciardelli Fuel and Milford Veterinary Hospital, and listed the past nominees.

This year there were several nominations; JP Pest Services, United Auto Body, and Merrill's Convenience Center and French House at 80 South St, whom the 2012 Award goes to for doing a phenomenal job with the design and site layout. It is gorgeous and we are very pleased to present this award to Bob Grunbeck of Grunbeck Enterprises. The French House is an historic property that needed a little TLC. Bob and his partner David Hall rejuvenated the building and site to accommodate twelve (12) professional offices with an affordable price point for growing businesses, so not only do we have a wonderful contribution to the aesthetics in town but also to economic development.

Bob Grunbeck thanked everyone on behalf of Grunbeck Enterprises and recognized Meridian Land Services, Inc. He also thanked the Planning Board, Bill McKinney and the Building Department, for their help and assistance with this project.

Town of Milford – 66 Elm St – Map 25, Lot 125. Proposed Ambulance Facility plans.
J. Langdell recused herself as she is on the Board of Directors for Share, a direct abutter.

Vice Chairman Sloan recognized:

Steve Sareault, Vice-chairman of the Building Committee
Greg White, Milford Ambulance and Building Committee
Bob Duval, T. F. Moran

T. Sloan read the staff comments dated 9/18/12.

S. Sareault began by stating that the town is not subject to its own rules and as much as we can debate that, it not necessarily our point. There are several areas of conflict with our zoning ordinance and site plan regulations. We come to the table in the spirit of trying to meet as many of the Town's land use requirements and to construct a building to meet a fairly critical need. That being said, throughout the design process, we have discussed two critical items. Trying to stay consistent with what voters approved which drives a lot of the physical presence of the building, and trying to maintain the character which also drove the Facilities Committee when they chose this site.

We moved the building forward and parking to the rear. Neither of the direct abutters' buildings meets the front setback requirements; the auto parts store is 14ft off the ROW and the apt/office building to the east is 20ft off. There are also many other buildings across the street that are all within the setbacks, and even closer to the ROW. This proposed building sits at 15ft from the ROW.

The proposed plan was circulated to town staff and we have a variety of comments that we will try to come to resolution on, as part of the normal process. One of the comments was to switch the site around but we feel that parking in front would be more detrimental, visually. To the east, we are within 5ft of the setback line and Mark Fougere has been in very close communication with the abutter to obtain an easement for site work on their property. We have a positive relationship and we will provide plantings along the property line as well as on their property for screening.

The open space is less than 30%. Columbus Ave is a private road and the Town has worked with the owner to get an access easement. Share, which also has an access easement, the auto parts store who is the owner of the road and the Town are all in agreement. The plan is to re-pave Columbus Ave and to do some drainage work in the center. The committee has been trying to deal with how emergency traffic will be leaving the site, which will be

our strongest generator of traffic. The plan is to have preemption on the signal at West and Elm Streets. This would turn all lights red except for westbound Elm St. The ambulances will have a stop condition when they enter onto Elm St but this would have the least amount of conflicts for westbound traffic and leave more room to for an ambulance turning west. It doesn't fully control the right turns on red, but Eric feels that this is a workable solution, given the size of the ambulance and the bells and whistles that come with them. The BOS has discussed this facility and are willing to accept this building in that it doesn't meet our own regulations.

B. Duval presented the details of the project situated on the 21,000SF lot. Three (3) parties, the ambulance facility, Share and Robbins Auto will share access to Columbus Ave from Elm St. The existing driveway on Elm St will be removed and essentially this building will have a pleasing appearance with the proposed plantings.

S. Sareault said the existing tree may not be able to be saved due to root disturbance, the trimming for both PSNH and building construction and the current building location, so the best approach would be to take it at the outset and plant two new trees to give some balance.

B. Duval said described the proposed plantings. He also described the drainage saying that the soils are very suitable for infiltration. We intend to take advantage of the fast sands and gravels to reduce post construction stormwater flow through an infiltration system and we will add new catch basins for drainage during the Columbus Ave reconstruction. To answer one DPW comment about why are we putting the catch basins in the middle of the street, this is a very flat site and we didn't want to raise the building or change the grade of the street. This is essentially a low volume private way that that basically serves access and parking needs; there's not much traffic. The stray oils will be collected in standard catch basins with sumps and hoods before it leaves the site and pipes that will connect to the closed system in the street will only be for larger storms and overflow. We also submitted a stormwater management plan to staff before going to final construction plans so that we could get input from this Board.

S. Sareault added that the building is very similar to what was presented to the voters, noting that the gable end was added over the ambulance bays to primarily keep the rain water from splashing down on the doors and creating ice problems in winter. It is a balance that we are trying to strike but we have kept true to the intent of the style, building materials and the area. Final details are pending.

Vice-chairman Sloan opened the presentation to Board questions.

K. Bauer inquired about snow storage. S. Sareault replied that we will have to remove it from the site as we are fairly constrained. There is a public training room in the facility and we anticipate pushing the snow aside and stacking it until DPW could coordinate with Eric should there be an event. There is not much room with the transformer and proposed generator. We are also not showing a dumpster on the plan. There is an internal room for trash accommodations until collected and taken away by DPW. K. Bauer asked if the construction would still be concrete forms. S. Sareault said the plan is to still use the insulated concrete forms and we are delaying our start to good weather. The former building is already down and we can get a quick start in spring. The anticipated timeframe will be six months, so if we start on April 1st we'll be done October 1st. We're working very hard to keep this within the allotted budget and one of the reasons for the delay was not to work with the insulated forms in winter. We are expecting the first round of budgeting from our construction manager, Eckman Construction, within the next week or two and the intent of the committee is to aggressively pursue this. We anticipate sending this out to bid in December or January so that we get the best pricing and our construction manager will also do a local open house for vendors and subcontractors who would be interested.

P. Amato said the front placement of the building fits with the neighborhood but if you're going to ignore the setbacks, why not move the building further east and give yourselves more room to pull the ambulance out onto Columbus Ave. S. Sareault said we've looked at the turning radiuses and the new ambulances should fit within the private way easement. It's tight, but the first bay is for the paramedic response vehicle which is a smaller vehicle and there will be additional swing space in bays two through four. We don't want to move the building further east because we don't want the roof water to drain on the abutter's property. We're also trying to keep all of the structure within our property. P. Amato said that was one reason for requiring 30% open space. You'd have room for the water to go, but not when you are down to 19% open space. S. Sareault said there will be an

infiltration system there put in along the back that will connect into the catch basins. P. Amato inquired when it would flow to the street. B. Duvall said the calculations were not finalized yet, but we're going to maximize infiltration and post runoff will be less than pre-construction. P. Amato asked if the runoff would be less with paving and putting that much hard surface on the site. B. Duvall said yes, we'll be taking advantage of a fast infiltration rate there for treatment purposes as well as pre versus post matching. S. Sareault added that they did geotechnical and infiltration testing and the rough numbers showed that the soils can received up to 90" per hour, so we're confident they can take the water. There were a lot of comments from staff about stormwater management and we will work those out to meet the stormwater requirements.

Vice-Chairman Sloan opened the discussion to the public.

J. Langdell inquired about the width of Columbus Ave at the intersection with Elm St and if that was modified in this plan. B. Duval responded that the existing width is quite narrow, maybe twenty (20') ft or less at Elm St because of the sign; however, the easement is twenty-five (25') ft and we will open it up to that full width. J. Langdell said there are currently concerns that there is not enough room for two cars exiting and entering.

Vice-chairman Sloan closed the public portion of the meeting.

P. Amato inquired about the concrete pad in the back. S. Sareault said that area is envisioned for staff to BBQ and we're hoping to use some of the salvaged materials from the Harvey's Music building. P. Amato asked if Share had been approached to see if any of their parking could be utilized. You could remove some of the parking and potentially provide more green space. S. Sareault said they are aware that Share loans a certain portion of the parking to the nursing home, but we haven't formally talked to them regarding this matter. It is a valid idea and he can certainly take this to the building committee. J. Langdell confirmed that there is a contract with the nursing home for parking. There has been some past discussion with the Town, but she would encourage this committee to bring it to the Share Board of Directors. K. Bauer said she felt the parking should not be reduced because if you have something going on in the community room with ambulance staff there, that lot is going to fill up quickly and it would be nice to know that overflow could go on the Share property. Also, you've got to look to the future. No one knows what the future might hold for the Share property and this facility will be there for a long time. It outgrew the Town Hall many years ago and you will need those eighteen (18) spaces. S. Sareault the committee will discuss this further.

T. Sloan inquired about the shrubbery on the southeast portion of the lot. S. Sareault said it was existing and there has been some discussion as to the best approach to deal with that. We will work collectively with Share. T. Sloan said it sounds like Mark had worked diligently with the property owners on the east and the west but that there has been much communication with Share to the south. It would seem that you might be able to incorporate some efficiencies in that overgrown area to facilitate some access way to the potential parking. T. Sloan inquired if any thought had been given to incorporating some of the leftover granite from the old school into this project. S. Sareault responded that there has been some thought. He said he also served on the police station building committee and explained that we went to great expense to incorporate some in the building which was probably more appropriate because it had more of a community attachment. If we do use that granite, we see using more of the irregular pieces that are stored at DPW for landscaping type features and accents. The architectural style of this building doesn't lend itself to easy incorporation. T. Sloan brought up the trees and noted that a sugar maple might be more desirable than a red maple. B. Duvall stated that the red maple was more salt tolerant and there is a survivability issue for an exposed location. A brief discussion ensued.

J. Langdell said she wanted to make sure the Board doesn't think there is active discussion about the parking currently.

T. Sloan stated that it has been requested for the Planning Board to voice their opinion on this project; however, there are still a number of unresolved issues. There will probably be no resolution to the setbacks, but the committee has shown sensitivity to the abutting properties. This is a small site and the committee is trying to maximize the town's dollars and work within the constraints of this parcel. Overall, the general plan is appropriate. B. Duvall stated that, other than the setbacks and moving the bays, it is the committee's intention to meet or accomplish all the staff requests. S. Sareault added that they will seek resolution to all staff comments

and he would hope to not have to come back before the Board. He would like to suggest that the final plans could be reviewed through Planning Staff.

K. Bauer said she feels really good about this but would like answers to some of the questions and has concern with decreasing the number of parking spaces. P. Amato disagreed saying that he understands the town doesn't have to meet its own regulations, but in the past the town has done everything it could to do so. If you can accommodate parking within ten (10') ft of the proposed spaces on this very small site, why not. We have many people come in that want to do more than what their site allows, and they have to live with our zoning. It's hard to sit here, for as many years as I have, and just ignore the fact that you're building way too big a building for the size of the site, as it is, according to our zoning when we have applicants coming up later in the meeting with expired plans because they took longer than the allowed time, that are creating jobs and paying taxes in town so that we can build this. I don't want to take that lightly and if there is a way you can do this and accomplish what Kathy is looking for and increase the green space, then we should at least look at those things. S. Sareault reiterated that, as a whole, there is a balance we have to strike. The fact that the town is not subject to its own regulations is a philosophical problem, but it is a fact. Obviously, the setbacks aren't going to change. If we can't afford this conflict, then we probably can't afford this building on this lot. We would have to go to a two-story with elevator; it would be a different project and we are back to the drawing board. Things like plants and a walkway between this site and Share and how to handle that berm could be dealt with. K. Bauer gave a history of this project and stated that the facilities committee looked at many, many locations that had to be within a specific response time. We looked at every possible location, some that weren't yet for sale and some that didn't work out. The first choice was a large parcel on Cottage St but environmental issues were found and it didn't work out. This was the second choice and yes it is a small lot, but remember the ambulance staff have been waiting for a facility that meets their needs and is up to code. This is the site we have and we're lucky to be as close to the center of town as we are. It is easy for me to see why we can waive the setback requirements for this emergency facility; I don't see any choice.

T. Sloan requested that staff submit the final plan to this Board after all resolutions have been worked out and thanked the committee for the presentation.

MINUTES:

K. Bauer made a motion to approve the minutes from the 8/21/12 meeting. C. Beer seconded and all in favor.

OLD BUSINESS:

Walter Sevigny – Elm St – Map 25, Lot 11; Amendment to a previously approved site plan to allow for the storage of no more than six (6) recreational vehicles. *(Tabled from 8/21/12)*

No abutters were present.

Chairman Langdell recognized Walter Sevigny, owner of 51 Elm St.

W. Sevigny gave a history of his property and presented a plan dated 7/26/12. The reason he is before the Board was that in 1992 he hired a contractor to level the steep areas in the rear portion of his lot who was unfortunately a better landscaper than being knowledgeable with the town's regulations. He was supposed to have taken care of everything with the town, but apparently there was some conflict with his proposal and he didn't. Recently, there was a complaint reported that he had been parking boats on his property, which he had been doing for many years. Now he is just trying to get things straightened out so that they are in compliance with the Town's regulations and the Planning Board's recommendations.

J. Langdell inquired if the proposed boats and vehicles to be stored were his personal vehicles or if they belonged to someone else. W. Sevigny replied that he purchased all, including the one boat trailer that was sold last summer. Now there are four (4) boats and a storage vehicle that looks like a travel trailer. It was the camper from the back of his old pickup truck that he no longer has. There are two (2) storage buildings on the lot; a garden building and the camper. J. Langdell asked if these would be rental spaces. W. Sevigny replied no.

W. Sevigny said that he has two (2) tenants that have one (1) parking space per tenant and if the chiropractor office is using all their spaces, there is no place for overflow parking or guests especially in the winter without the parking on Elm St. He would like to be able to have guest parking or overnight parking in the storage area as well but there would be no more than six (6) spots. He is getting to the age where he isn't able to do the boat work that he used to do as a hobby and he would like to get these boats ready to sell and not replace them. He would like to have open land back there or just guest parking. J. Langdell said the original application requested parking for six (6) recreational vehicles; would the additional parking be included?

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

J. Langdell then reviewed the interdepartmental comments. J. Levandowski clarified that the retaining wall mentioned by the Building Inspector was only waist high and no permits would be needed.

P. Amato made a motion to grant approval subject to the condition listed in staff recommendations. T. Sloan seconded for discussion. J. Langdell inquired if note recommended by staff would meet the request of temporary parking of overnight guests. T. Sloan asked if the parking would be temporary. W. Sevigny said yes, typically in the winter they can't park on the street so this would offer a place to park. T. Sloan said the plan detailed three (3) parking lanes for six (6) recreational vehicles and the note could be changed to include temporary overnight parking not to exceed six vehicles and offer more flexibility. J. Langdell explained that the six (6) spots could be used for recreational vehicles or guests. W. Sevigny said that would meet his needs. P. Amato amended the motion to reflect the inclusion of temporary tenant and guest parking. T. Sloan seconded and all in favor.

Park Meadow, LLC / Airmar Technology Corporation – Meadowbrook Dr – Map 7, Lot 31. Extension request for an approved site plan. Request to withdraw received
No abutters were present.

J. Langdell noted that this item had been tabled from 8/21/12 and since that time, the applicant has submitted a letter dated 9/5/12, asking to withdraw the request.

T. Sloan made a motion to accept the withdrawal. P. Amato seconded and all in favor.

Park Meadow, LLC / Airmar Technology Corporation – Meadowbrook Dr – Map 7, Lot 31. Waiver request from the Milford Development Regulations, Article IV, Section 4.07 Site Plan Extension and Expiration of Approval. *(In reference to SPA# 2009-01)*
No abutters were present.

Chairperson Langdell recognized:
Steve Christensen; Airmar Technology, Inc,
Matt Boucher; Park Meadow, Inc.
Kent Worden; Arenco, Inc.

T. Sloan made a motion to accept the application. S. Duncanson seconded and all in favor. S. Wilson read the abutters list into the record.

M. Boucher referenced the waiver request letter dated 8/28/12 and said the project which was approved in 2009, was put on hold due to economic uncertainties but as of late there has been record growth and their sales are back to pre-recession levels, so there is a very good chance that they will start construction this fall.

T. Sloan inquired why they were asking for a nine (9) month extension. M. Boucher replied that construction would take more than six (6) months due to winter conditions and they are giving themselves two building opportunities; either start the site work before winter or wait until the ground thaws the spring. T. Sloan clarified that active and substantial work would have to be completed within nine (9) months.

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

P. Amato made a motion to grant the waiver allowing a nine (9) month extension. T. Sloan seconded for discussion. It was noted that the nine months would be from the expiration of 7/20/12. All voted in favor.

Ashwood Development, LLC/Whiting Hill Realty Trust – Falcon Ridge Development – Maple St & Falcon Ridge Rd – Map 3, Lots 5 through 5-45. Request for an amendment to the Falcon Ridge Development Agreement. (*Tabled from 8/21/12*)

Chairperson Langdell recognized:
Carl Kasierski, Ashwood Development/Whiting Hill Realty LLC

C. Kasierski explained that the original amendment to the Falcon Ridge Development Agreement was presented and approved by the Board in June, 2012. The document was prepared and they got consent from MaRick Land Development, but not from Falcon Ridge LLC, so they came back to the Board in August, 2012 to remove that reference and signature. He stated that Whiting Hill Realty, LLC is willing to provide the additional security required for the remaining improvements. Falcon Ridge, LLC is only involved with Phase III of the project and not with the current bonding. He referenced the Revised Resolution document dated 9/18/12 and said we have reviewed the agreement and are fine with it.

J. Langdell noted that one of the reasons this was tabled from the last meeting was that the Board hadn't seen the actual revised document.

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

P. Amato asked why Whiting Hill Realty was willing to do the improvements when they did not own any of the lots. C. Kasierski replied that they were obligated through existing bonds to complete the improvements secured by those bonds and we hope to be back in there building on some of those lots. P. Amato said the original agreement allows two years from the end of October for Phase I completion and three years for Phase II. We spent a lot of time and money on this, our first development agreement, and nobody expected the economy to get as bad as it did. That said, the town assumed that certain off-site improvements would be done in a timely manner. Do you see any reason why they couldn't be completed within the next two years? C. Kasierski said most of the off-site work has been done and there is no reason why it can't be done in two years; there is not that more to do. P. Amato asked even if no more lots sold. C. Kasierski said he'd have to reconsider that.

J. Langdell read the revised section of the Resolution into the record. C. Kasierski added that he would coordinate the additional bonding with Jodie.

T. Sloan made a motion to grant approval of the Revised Resolution dated 9/18/12 that outlines the appropriate and necessary amendments to the Falcon Ridge Development agreement to insure successful completion of the on-site and off-site improvements for Phases I and II. S. Duncanson seconded and all in favor.

NEW BUSINESS:

Valerie E. McLeod & Joan M Tierney – North River Rd – Map 3, Lot 9; Public Hearing for a minor subdivision creating one new residential lot and a request for a waiver from the Milford Development Regulations Article V, Section 5.06, Submittal requirements.

No abutters were present.

Chairperson Langdell recognized:
Mike Hammer, Meridian Land Services, Inc.
Valerie McLeod and Joan Tierney, Owners
Richard and Kristine Mossey, Applicants

J. Langdell asked if the application was complete. J. Levandowski replied yes. C. Beer made a motion to accept the application. T. Sloan seconded and all in favor. T. Sloan made a motion that this application did not present potential regional impact. C. Beer seconded and all in favor. S. Wilson read the abutters into the record.

M. Hammer presented the plan dated 9/11/12 and explained that the sole purpose was subdivide off a two (2) acre piece of land with the existing farmhouse to complete a family transaction. There are no further plans to develop the active orchard. The existing garage on the large parcel will remain as it supports the orchard. We have submitted for state subdivision approval, redesigned a replacement septic system although the existing system is still in working order and will have to record a well release as part of the state approval process. A waiver has also been requested from surveying the balance of the 153 acre parcel as it is an unrealistic cost for the owners without any other plans for that land and no change of use proposed.

P. Amato brought up the comment from the Heritage Commission regarding the Indian Burial Grounds. M. Hammer said that this subdivision would not trip any threshold for archeological review. J. Langdell said it was good that this was brought forward because it serves as a good reminder about areas in town that may have a greater historical significance.

Chairperson Langdell opened discussion to the public; there being none, the public hearing was closed.

J. Langdell read the staff recommendations from the Memo dated 9/18/12.

M. Hammer noted that the unidentified structure was actually a cesspool cover for the septic tank and would be noted on the final plan. He referenced note #13 and requested that the subdivision be approved and signed without the state subdivision number as this would create an additional delay for the applicants who are hoping to settle this family matter. There has already been a delay due to the required well release documentation and it might be thirty or more days to get approval. A test pit has been done and the existing septic is passing so it doesn't need to be replaced.

J. Langdell stated the Board does not normally allow that but the family wants to complete everything within the week.

P. Amato said since there is already a functioning system and the new design would be for the potential failure of the system at a later date, this is a relatively minor technicality and they could submit an amended plan when approved. M. Hammer explained that they could do that but the deed will be conveyed on whatever iteration is signed and the new plan would not be called. A septic system with a cesspool that gets pumped isn't likely to fail and the design is only good for four (4) years and we don't anticipate failure. It is a formality to satisfy requirements. J. Langdell suggested that as there is an operating system and due to the time constraints, the applicant could provide a letter or documentation of the approval to staff. K. Bauer agreed that it would be good to have something in writing. T. Sloan added that the rules presume that a new system is going to be installed and don't take existing systems into consideration.

T. Sloan ended a brief discussion on the waiver request saying that the two (2) acres have been surveyed and the remaining boundaries have been called out in other surveys, so justice has been done in that the applicant does not have to expend more cost when the use will not be changing.

T. Sloan made a motion grant approval for the waiver from Development Regulations Section 5.06. P. Amato seconded and all in favor.

T. Sloan made a motion approve the application subject to staff recommendations from the Memo dated 9/18/12 and that the applicant submit a letter or a copy of state subdivision approval to staff when obtained. P. Amato seconded for discussion. S. Duncanson inquired if there was a time limit on receipt of state approval. M. Hammer said NH DES is in the driver's seat and explained the delays causing documentation to be resubmitted, so they anticipate approval within forty-five or so days. J. Langdell said she did not feel a timeframe was necessary; a longstanding family in town will give us the paperwork we're requesting and staff can keep on top of it. Chairperson Langdell called for a vote; all in favor.

Dudley Family Trust / Professional Offices at 388 Nashua St - Nashua St – Map 31, Lot 12; Public Hearing for a minor site plan for a change of use from residential to office in the Residence “A” District.

Abutters present:

Judy Cole-Bower, Nashua St

Chairperson Langdell recognized:
Steve and Kim Roberge, owners

J. Langdell asked if the application was complete. J. Levandowski replied yes. C. Beer made a motion to accept the application. S. Duncanson seconded and all in favor. C. Beer made a motion that this application did not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters into the record.

J. Langdell noted that this property is also known at the Dutton House. She also stated that we are prefacing this discussion knowing that the applicant is going to the Zoning Board on Thursday for two special exceptions; one for the actual use and one to add the handicapped ramp to a non-conforming structure.

K. Roberge distributed revised plans dated 8/7/12 and explained that they are seeking a change of use, going from residential to the proposed office in the Residence A District in accordance with Sections 5.02.2 and 10.02.7 of the Milford Zoning Ordinance. This property also falls in the Nashua and Elm Street Corridor District and we think this will be a beautiful site for a small professional office.

J. Langdell inquired about the number of required parking spaces and the area marked “12 ft.” K. Roberge said that six (6) spaces are required. J. Levandowski confirmed that six (6) spaces and one (1) handicapped space are required. J. Langdell suggested that the note be revised to reflect that. K. Roberge said that the 12ft paved area was not intended to be called out to meet the parking needs at this point and the area next to it could be used for snow storage. Currently I manually mow the grass out there and I may be shoveling until we can afford a snow blower or get to a plow standpoint. C. Beer noted that the plan would need to be updated to add one (1) more parking space. K. Roberge stated that the handicapped spot was next to the 12ft area in front of the garage; however, she hasn’t spoken to DPW regarding the striping and doesn’t know how that will affect the parking. T. Sloan added that neither of those two spaces would comply due to the inability to back out, if the other spaces were full. P. Amato asked how one entered the garage. S. Roberge replied straight in from the road. A couple of options were suggested for the additional parking spaces that included using the 12ft area. J. Langdell inquired if there was a rule or limitation related to the distance from the doorway for handicap parking spaces. M. Ohlson said it was the closest available, but no specific distance. K. Roberge said she feels she was thrown for a loop because she thought she went through all the Development Regulations for the Office Use and we thought we were meeting the parking requirements. J. Levandowski clarified that six (6) spaces would be required for an 1,800 SF office based on three (3) spaces per 1,000SF plus one (1) handicap space for every twenty-five (25) spaces. S. Roberge said that they could add another space next to the other six as they do have the area for more parking.

J. Langdell inquired as to what type of office use was planned because staff comments mention that there will be no retail services or deliveries to the proposed professional office. K. Roberge said that they wanted to keep the building within the architecture and design of the home and don’t feel it would be suited for anything such as that. We are currently in negotiations with a financial company. Our thought is to have something conducive to the neighborhood. We don’t want to have a dumpster outside and plan on picking up the trash ourselves. We also own the house next to the Allstate building and we want to stay within the character of the area.

S. Duncanson inquired about the previous use because he thought the kitchen had been removed from the building. K. Roberge agreed that the kitchen was taken. J. Langdell said her recollection was that this was a residence that went to foreclosure and the people walked away; there was not a business use in there. K. Bauer asked why the kitchen was removed. K. Roberge answered that there is no kitchen, no cabinets, no counter, and no piping; no nothing. K. Bauer asked if anyone would be living in the house in addition to the office. K. Roberge replied no although they did consider that but she doesn’t want to change much in the house. Someday she would like it to go back to its original state. S. Roberge added that the space works very well for offices, but someone could easily live there.

P. Amato noted that if this were on the other side of Nashua St, they would not need a special exception. J. Langdell said that was right and this is similar to Joe Raczek's optometry office, and the architectural firm next door.

T. Sloan asked about the screening requirements for buffers and said there may have to be some substantial plantings added to bring it up to regulations. J. Levandowski stated that the plan shows the existing landscaping. P. Amato said the GIS picture shows a lot of mature foundation plantings and asked if Dr. Raczek was asked to do this. J. Langdell brought up the rhododendrons that were cut back to do the repair work on the house. K. Bauer suggested that the applicant work with staff on the landscaping requirements. J. Langdell said it was a question on what is required and what we will allow, so we should be clear on what the expectations are. J. Levandowski read the regulations; Section 6.08.6 states a minimum of one (1) shrub for every five (5') feet of building frontage shall be provided and Section 6.08.5 states that A landscaped buffer shall be at least ten (10') feet in width and six (6') feet in height to effectively screen from adjacent properties and may consist of evergreens, berms, mounds, fencing or combinations thereof in conjunction with complimenting shrubs and perennials. K. Roberge said the entire property is fenced, but we don't have ten (10) ft to the house and asked for clarification if they would have to come back before the Board for a waiver because the house sits nine (9) ft from the property line. J. Langdell noted that there appears to be some hedges along the back line and asked who owned the hedges on the east side. K. Roberge said we do and inquired if they had to buffer to a private way. J. Levandowski said the regulations don't specify. P. Amato said he thinks it is more important to make it fit with the established neighborhood than to meet the letter of the ordinance, because they wouldn't have a side yard with all the required plantings. Our landscape ordinance should give the flexibility to make sure the abutters are protected and it's not there to just penalize the applicant. J. Langdell said personally she didn't think all the required screening would be needed here; we're not constructing a new building and this isn't a clean lot. T. Sloan said that we are changing the use to a professional office building in a residential area and it needs to look different while taking some consideration for the neighboring properties. The landscape ordinance is trying to provide an aesthetic there and it is very important to specify what is required. K. Roberge said she understood that but felt an office building is less impactful than residential and used the patio as an example. They are not looking to impact the abutters in any manner. T. Sloan said that since the applicant will have to come back after ZBA approval, they can work on the landscaping with staff and a brief discussion pertaining to process followed.

P. Amato said we are changing the use from abandoned to useful. K. Bauer said the use is changing to commercial with a parking lot, in a residential neighborhood and asked if there were any requirements for the Nashua and Elm Street Corridor for screening in the front for the parking lot. J. Levandowski said the Ordinance does not specify anything for the frontage, and then read Development Regulations Section 6.08.7. J. Langdell added that this plan is consistent with the overlay district because we do look for side parking as opposed to the front and was an issue that was brought up with the proposed ambulance facility which is also in the Nashua/Elm Street Corridor.

J. Langdell brought up DPW comments regarding sight distance and said that existing and proposed plantings should take that into consideration. It is very difficult to see coming out of Laurel St with the hedges. DPW just wanted to make sure we are all cognizant of the busy street and intersection and to make sure sight distance is appropriate; however, he also suggested things such as a stop sign, stop line and striping the driveway. T. Sloan said while those were good suggestions, he didn't think the burden should be on the applicant to incorporate those because there are no requirements to do so. J. Langdell said safety at that intersection is important, but in looking at the location in the context of the Nashua and Elm Street Corridor Overlay District and trying to help the applicant come up with the best practice and what fits the best, does a stop sign fit the best within the bigger picture? We are trying to balance and meet a multitude of different needs. S. Duncanson said none of the other professional buildings along that corridor have stop signs or even stop lines. The Board could only come up with a few examples of special directional requirements, two of which, Milanos and the Stonehouse, were due to special circumstances. P. Amato ended a brief discussion saying that the intention here is to keep the aesthetic look of a residential property and hopefully do a tasteful sign fits and doesn't deter from that. He doesn't see any

issues exiting the property, especially when people used to back out of that driveway when it was a residence. T. Sloan also noted that according to DMV regulations, one is required to stop before a sidewalk.

J. Langdell said that the Heritage Commission did say this was a good adaptive re-use of site and building plus in keeping with the changing neighborhood.

K. Bauer said she grew up in this town and she is so glad that you have taken this on; it is a big project, but it will be beautiful, so thank you. K. Roberge said that as she sat through the presentation of the Site Award, she hoped that maybe next year it would be us that you are giving it to. Even the design for the handicap ramp will be done conducive to the house so that it won't be noticeable. We really put a lot of thought into this and we will take good care of this property.

M. Ohlson said she would like to ensure that parking space #2 is a full 9'x 18' spot, especially if they are going to use that side 12ft, because a large car could take up that whole space. She would also like to make sure that the handicap space meets the required dimensions as there are none shown and that a sign would be required. P. Amato clarified that we require a wider space, but do not require a van accessible space. K. Roberge stated that space #2 was a 9'x18' space because it is paved to the left of the dotted line; existing conditions versus proposed site.

Chairperson Langdell opened discussion to the public;

J. Bower said she is the abutter across the street and has concerns with the number of parking spaces. Even though the seven (7) spots meet the regulations, what will happen when those spots are full and where will those people go? There is no parking on Nashua St and parking on Powers St is a nightmare. She went into detail about an ongoing civil matter with the three-family building next door at 395-397 Nashua St that has the required number of parking spots but her parking lot has become a communal parking lot for them because the tenants just park in her lot when those spaces are full. It's great that this building is going to be used but reiterated her concerns about the parking. What happens in the future, when this may not be a financial office, and the use changes or two businesses go in there and the traffic and parking increases?

P. Amato said if that other owner is not in compliance with their site plan, why can't we ask Code Enforcement to have them come back before us and discussion followed. J. Langdell suggested that Ms. Bower pursue this with the Community Development Office. K. Roberge added that while the proposed tenant may want to move on at some point, this is a long-term investment for us; we are grounded in this general area and plan on being here for a long time. We do have quite a bit of green space that if it came to it, we probably could add more parking.

J. Langdell stated that the parking, traffic and the business model are all valid concerns. K. Bauer added that the owner of this building just can't change the use. An office is permitted by special exception, but retail in not and that would require a variance from the ZBA.

Chairperson Langdell closed the public portion of the meeting.

P. Amato made a motion to table the application to the October 16, 2012 meeting. T. Sloan seconded and all in favor.

K. Roberge asked for some guidance with the landscaping. J. Langdell said that she should work with Jodie.

OTHER BUSINESS:

There was no other business and the meeting was adjourned at 9:00PM.

MINUTES OF THE SEPT 18, 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

October 16, 2012

Agenda Item #3: Dudley Family Trust / Professional Offices at 388 Nashua St – Map 31, Lot 12

**Minor site plan for a change of use from residential dwelling to office in the Residence
“A” District.**

Background:

The applicant is back before the Board seeking approval for a change of use from a residential dwelling to a professional office in the Residence “A” District in accordance with Section 5.02.2 of the Milford Zoning Ordinance. In accordance with the Milford Zoning Ordinance Section 10.02.7, offices are a special exception use in the “A” District.

At the September 20, 2012 Planning Board Meeting the Board tabled the application pending ZBA approval and to allow time to work with staff regarding the landscaping and parking requirements.

The applicant will go before the Zoning Board of Adjustment at their October 18, 2012 meeting seeking a variance to allow a change of use to a nonconforming structure for the construction of a handicap accessible ramp as required meeting the ADA specifications for small professional offices.

(See attached memo from Bill Parker, Community Development Director/Zoning Administrator)

Property Information:

The property is located within the Nashua and Elm Streets Corridor District at 388 Nashua Street in the Residence “A” Zoning District. The site is currently improved with an existing 2-story single-family dwelling, driveway and single stall detached garage.

The site is located in a high traffic area making this a more suitable location for a professional office. There is a mix of multi-family dwellings and professional offices in the area such as an architectural design firm, optometrist, insurance agent and physician’s office that surround this subject lot. The existing structure is in poor condition and the new owners would like to restore the structure to its original state.

There will be no retail services or deliveries to the proposed professional office.

Please find the attached revised site plan.

Landscaping:

See attached

Staff Recommendations:

If the Board decides to approve the Subdivision application Staff would recommend the following conditions of approval:

- A note be added to the plan stating the ZBA approval dates and case #'s.



October 10, 2012

MEMO

TO: Jodie Levandowski, Town Planner
FROM: Bill Parker, Community Development Director/Zoning Administrator
RE: Roberge Change of Use, 388 Nashua Street (31/12) – Zoning

On September 21, 2012 The Zoning Board granted two special exceptions for the Roberge application to convert the existing residential structure at 388 Nashua Street to an office use in the Residence A district and for the expansion of a non-conforming structure (due to setbacks) to accommodate the construction of a required handicapped ramp. Subsequent to the ZBA's decisions, ZBA Chairman Kevin Johnson noted a technicality in the Zoning Ordinance relative to non-conforming uses and asked for follow-up from the Town Attorney.

This technicality stems from Article II, 2.03.0 Non-Conforming Use and Structure Section 2.03.1.C .1 which states:

C. Alterations: Alteration, expansion or change of a non-conforming use or structure shall only be permitted by Special Exception by the Zoning Board of Adjustment if it finds that:

- 1. The proposed alteration, expansion or change **will not change the nature of the original use** (italics and bold added)*

Since converting the residence to an office will change the nature of the original use, a variance is required to allow this change of use. The Zoning Board, when considering a special exception as it did with the original applications which were approved on the 21st, must hold to the special exception criteria and these can be modified only by a variance. This was confirmed by Town Attorney Drescher.

Thus, Staff worked with the Roberge's to file for a variance which will be heard on October 18th, two days after the return of the Roberge's to the Planning Board.

Because of this technicality, and the presumed appropriate approvals of the September 21st special exceptions, my recommendation is that the Planning Board approve the Roberge site plan on October 16th subject to the variance approval on the 18th. This will allow the Roberge's to move forward on their beneficial redevelopment immediately after the Zoning Board hearing.

6.08 Landscaping Standards

6.08.1 General

Where an applicant proposed leaving a significant portion of healthy non-invasive trees and other vegetation within the proposed construction area, the Board may consider alternative landscaping designs.

Maximum effort is being made by the applicant to preserve a majority of the existing vegetation on site.

6.08.5 Landscaping Buffers

Landscaping plans shall be designed to provide buffers [...]

A. Along the periphery of a property, buffers are required in the following instances:

1. Where a proposed non-residential use abuts a residential zoning district
 2. Where a proposed non-residential use abuts an existing residential use
- [...]

There is a substantial amount of existing vegetation along the easterly property boundary, exceeding the town requirements. However, given the restrictive size of the property a 10 foot planting buffer is impossible

B. On the periphery of a property:

1. A landscaped buffer shall be at least ten (10') feet in width and six (6') feet in height to effectively screen from adjacent properties and may consist of evergreens, berms, mounds, fencing or combinations thereof in conjunction with complimenting shrubs and perennials.
2. Where appropriate existing trees and vegetation shall be incorporated into landscape buffers.

Applicant will be incorporating existing vegetation in conjunction with shrubs and perennials.

There is an existing chain link fence located along the rear and side lot line. The Fence is to remain and applicant is proposing the planting of flower bushes along the fence for an enhanced buffer area.

C. Within a property, buffers are required to provide visual screens in the following instances:

1. Outdoor storage areas
2. Utility installations
3. Loading areas
4. Refuse and recycling collection areas

Applicant is proposing no outdoor storage areas, utility installations, loading areas or refuse and recycling collection areas.

6.08.6 Landscaping along building frontages

Landscaping shall be provided along all building frontage. A minimum of one (1) shrub for every five (5') feet of building frontage shall be provided.

Applicant has 6 existing mature rhododendron and arborvitae bushes located along the building front. 2 more than are required by the Town Development Regs.

A. Peripheral landscaping shall be required along all sides of a parking lot or access way that abuts adjoining property or a public right-of-way as follows:

1. A landscaped strip at least ten feet (10') in width shall be located between the paved area and the abutting property lines or public right-of-way except where driveways or other openings may be required; and
2. At least one (1) tree for each thirty feet (30') of landscaped strip shall be provided. These trees shall be complemented by suitable ground cover and shrubs.

As discussed during the September Planning Board Meeting, there is a significant issue in this area with site distance from hedge rows located on an adjacent property.

As shown on the landscaping plan, there is a mature spruce tree located on the southeast corner of the lot along the parking area and Nashua Street.

Town of Milford
ZONING BOARD OF ADJUSTMENT

September 21, 2012

Kim & Steve Roberge
PO Box 164
Mont Vernon, NH 03057

ZBA Case #2012-17



Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0620
Fax (603) 673-2273
www.milford.nh.gov
TDD Access:
Relay NH 1-800-735-2964

You are hereby notified that a motion to grant a special exception for Case #2012-17, Kim & Steve Roberge, along with the owner, Dudley Family Trust, of 388 Nashua St, Map 31, Lot 12, in the Residence "A" district, from Article II, Section 2.03.1:C, to alter an existing non-conforming structure by constructing a handicap ramp, was unanimously approved on September 20, 2012 as the request met all the criteria for a special exception.

In accordance with NH RSA 677:2, application for a rehearing in this matter must be received by the Board of Adjustment prior to close of business (4:30 p.m.) on October 22, 2012.

This special exception is subject to expiration, in accordance with Article X, Section 10.06.0,if within one (1) year after the granting of a variance or special exception by the Board of Adjustment, none of the work required by a building permit covered by the variance or special exception has been executed, then such variance or special exception shall become null and void except in any case where legal proceedings relative to the variance or special exception shall have caused an undue delay in the execution of the required building permit. Only one, six-month extension may be granted for any variance or special exception. The applicant may apply for the extension at a regularly scheduled Zoning Board meeting.

Sincerely,

Mindy Lavallee
Mindy Lavallee
Office of Community Development

CC: Dudley Family Trust
Bill McKinney, Building Inspection/Code Enforcement/Zoning

Town of Milford
ZONING BOARD OF ADJUSTMENT

September 21, 2012

Kim & Steve Roberge
PO Box 164
Mont Vernon, NH 03057

ZBA Case #2012-16



Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0620
Fax (603) 673-2273
www.milford.nh.gov
TDD Access:
Relay NH 1-800-735-2964

You are hereby notified that a motion to grant a special exception for Case #2012-16, Kim & Steve Roberge, along with the owner, Dudley Family Trust, of 388 Nashua St, Map 31, Lot 12, in the Residence "A" district, from Article V, Section 5.04.2:A.15, in accordance with Article X, Section 10.02.07, for an office in the Residence "A" district, was unanimously approved on September 20, 2012 as the request met all the criteria for a special exception.

In accordance with NH RSA 677:2, application for a rehearing in this matter must be received by the Board of Adjustment prior to close of business (4:30 p.m.) on October 22, 2012.

This special exception is subject to expiration, in accordance with Article X, Section 10.06.0,if within one (1) year after the granting of a variance or special exception by the Board of Adjustment, none of the work required by a building permit covered by the variance or special exception has been executed, then such variance or special exception shall become null and void except in any case where legal proceedings relative to the variance or special exception shall have caused an undue delay in the execution of the required building permit. Only one, six-month extension may be granted for any variance or special exception. The applicant may apply for the extension at a regularly scheduled Zoning Board meeting.

Sincerely,

Mindy Lavallee
Office of Community Development

CC: Dudley Family Trust
Bill McKinney, Building Inspection/Code Enforcement/Zoning

Minor Site Plan for a change from Residential to office in the Residential "A" District

PROFESSIONAL OFFICES AT 388 NASHUA STREET
 PLAN BY S. ROBERGE CONSTRUCTION LLC. MONT VERNON, N.H.

DATE: 8/7/12

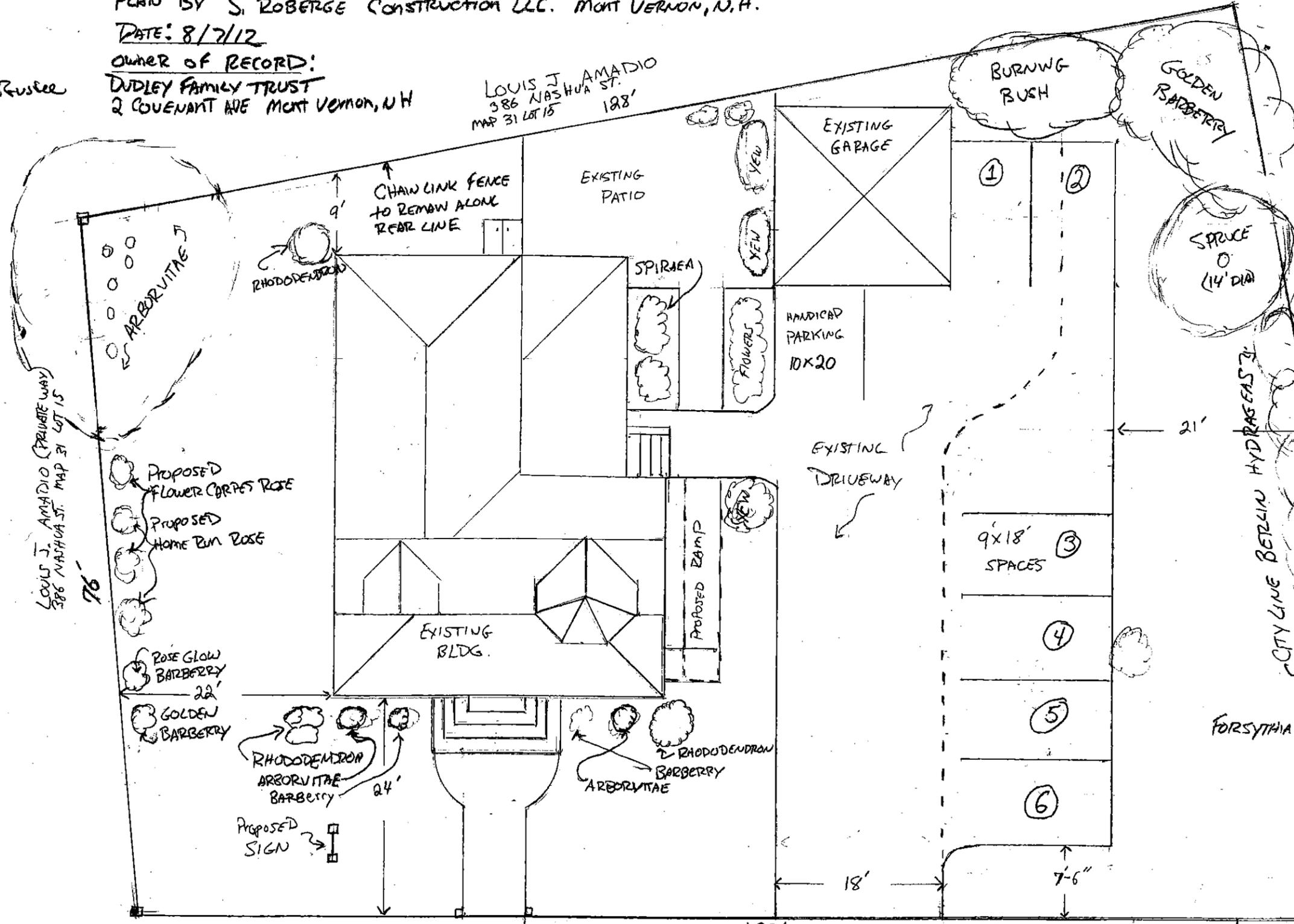
OWNER OF RECORD:
 DUDLEY FAMILY TRUST
 2 COVENANT AVE MONT VERNON, NH

SDR Review
 8/9/12

NOTES

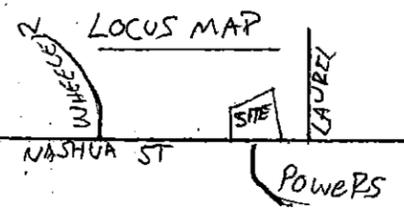
- MAP 31 LOT 12
- ZONING RESIDENTIAL A
- 6 PARKING SPACES REQUIRED
- LOT SQ FOOT 11,743 SF
- BLDNGS - 1,878 (16%)
- PAVEMENT - 2,712 (23%)
- PATIO/WALKS - 681 (6%)
- GREEN SPACE - 6,472 (55%)

This site is located in a high traffic area making this a more suitable location for a professional office. There is a mix of multi-family dwellings and professional offices in the area such as an architectural design firm, optometrist, insurance agent and physician's office that surround this subject lot. The existing structure is in poor condition and the new owners would like to restore structure to original state.

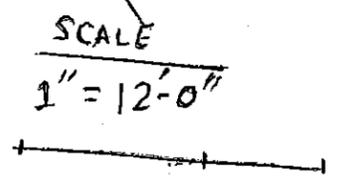


100' 100' 100'
 51 LOT 15 MAP 31
 EVELYN, RONALD G. MAP 31 LOT 13
 PO, BOX 7468
 NASHUA, NH 03060

- Abutting Property Owners**
- 31-15 Louis J. Amadio 386 Nashua St Milford, NH 03055
 - 31-13 Ronald G. Evelyn PO Box 7468 Nashua, NH 03060
 - 31-11 Cole-Bower, Judy Lynn Trustee 110 Robin Dr Hudson, NH 0305
 - 30-40 Parkkaew, Pismai Trustee 2 Vine St Milford, NH 03055
 - 30-37 Scott Cornet Jr. 384 Nashua St Milford, NH 03055



388 NASHUA STREET
 (PROPERTY LOCATED WITHIN THE
 NASHUA & ELM ST CORRIDOR DISTRICT)





STAFF MEMO

Planning Board Meeting

October 16, 2012

Agenda Item #4: Brenda L Danforth – Young Rd – Map 51, Lot 17

Public Hearing for a subdivision creating two (2) new residential lots.

Background:

The applicant is proposing to subdivide 2 additional lots off of a 15.763 acre parcel on Young Rd. The subdivision would create a lot of 2.007 acres, and one lot of 2.013 acres, leaving the original parcel with 11.743 acres and approximately 500 ft. of frontage. Both of the new lots meet the frontage requirements in the Residence R district of 200 ft.

Portions of the remainder lot lie within the Wetlands Conservation Overlay District with a 25 foot non-disturbance buffer. The parcel is within the groundwater protection district and a portion of the parcel is located outside of the 100 year flood zone.

The Planning Office has received the applicant's State Subdivision Approval for the proposed subdivision with the new driveway locations. State Subdivision Approval determines the minimum suitability of lots less than 5 acres in size for septic systems.

The new lots will be served by on-site private well and septic systems.

The application is complete and ready to be accepted at this time. The Board will need to make a determination of regional impact. Please find the attached plan set.

Interdepartmental Review:

Heritage Commission has no issues with the proposed subdivision.

Fire Department has no issues with the proposed subdivision.

Code enforcement has no issues with the proposed subdivision plan.

DPW has no issues with the proposed subdivision plan.

Ambulance, Police, Water Utilities and Assessing had no comments as of September 12, 2012.

Staff Recommendation:

If the Board decides to approve the Subdivision application Staff would recommend the following conditions of approval:

- A note be added stating the new lots 51/17-1 and 51/1 are subject to Police and Library Impact fees (to be determined at time of building permit application).
- Note #9 be updated with State Subdivision approval numbers once approved by DES.
- Plan title block references 52/17 and should be listed as 51/17.
- Abutter listed as 51-3-13 should be changed to 51/3 on both plans.
- A note be added to the plan stating that Young Rd is a scenic road and a Senic Road Public Hearing may be necessary to obtain a driveway permit should there be any site disturbance as per RSA 231:158.
- Disturbance to stonewalls shall be minimized. Any disturbed areas shall be reincorporated into the remaining stonewalls.
- Prior to signing of the plan all monumentation must be set, or a security provided to the town.



REFERENCE PLANS:

1. "TAX MAP 51 LOT 3 - SUBDIVISION PLAN - PREPARED FOR & LAND OF: - CADRAN PROPERTY SERVICES LLC - OSGOOD ROAD - MILFORD, NEW HAMPSHIRE" SCALE: AS SHOWN, DATED NOV. 24, 2008 BY BEDFORD DESIGN CONSULTANTS, HCRD PLAN #36856.
2. "HARRY F. & CELIA F. MELENDY - BALL HILL ROAD - MILFORD, N.H. - SUBDIVISION ONE LOT INTO 4 LOTS" SCALE: 1"=100', DATED MAY 26, 1975, BY AUSTIN PARKHURST, HCRD PLAN #8718.
3. "SUBDIVISION - PLAN OF LAND - DOUGLASS R. ANNAND - MILFORD, NEW HAMPSHIRE" SCALE: AS SHOWN, DATED NOV. 3, 1986 REVISED THROUGH 12/9/86 BY MONADNOCK SURVEY, INC., HCRD PLAN #20065.
4. "SUBDIVISION - PLAN OF LAND - DOUGLASS R. ANNAND - MILFORD, NEW HAMPSHIRE" SCALE: AS SHOWN, DATED FEB. 20, 1985 BY MONADNOCK SURVEY, INC., HCRD PLAN #17677.
5. "HARRY F. MELENDY, JR. - BALL HILL ROAD - MILFORD, N.H. - SUBDIVISION 1 LOT INTO 2 LOTS" SCALE: 1"=50', DATED APRIL 27, 1981, BY AUSTIN PARKHURST, HCRD PLAN #14342.

LEGEND:

- RIGHT-OF-WAY SIDELINE
- PROPERTY LINE
- ABUTTING LOT LINE
- - - FORMER TRACT LINE
- - - EASEMENT LINE
- - - BUILDING SETBACK LINE
- - - EDGE OF PAVEMENT
- - - EXISTING GRAVEL ROAD
- - - EDGE OF WETLANDS
- CMB --- SOILS BOUNDARY
- STONE WALL
- - - 10' CONTOUR INTERVAL
- - - 2' CONTOUR INTERVAL
- 2-23 TAX MAP AND LOT NUMBER
- ▨ EXISTING BUILDING
- TEST PIT WITH DATA
- 4000 SQ.FT. SEPTIC AREA
- EXISTING TREE LINE
- ⊙ GRANITE OR FIELDSTONE BOUND FND.
- ⊙ EXIST. DRILL HOLE FOUND OR SET
- ⊙ EXIST. IRON PIPE FOUND
- GRANITE BOUND TO BE SET
- IRON PIN OR DRILL HOLE SET 9/29/04

Brenda L. Danforth
OWNER'S SIGNATURE

9/6/12
DATE

CERTIFICATION:

"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 (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY."

DATE: 9-7-12



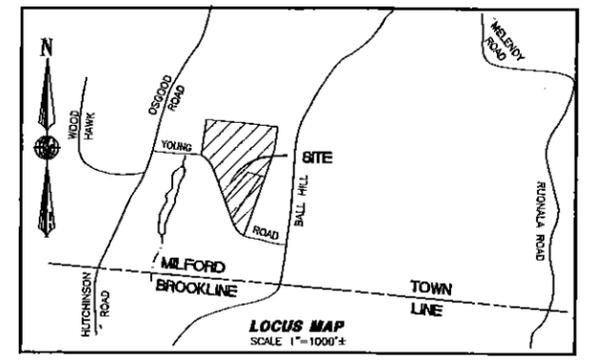
GRAPHIC SCALE

100' 0 100' 200' 300'

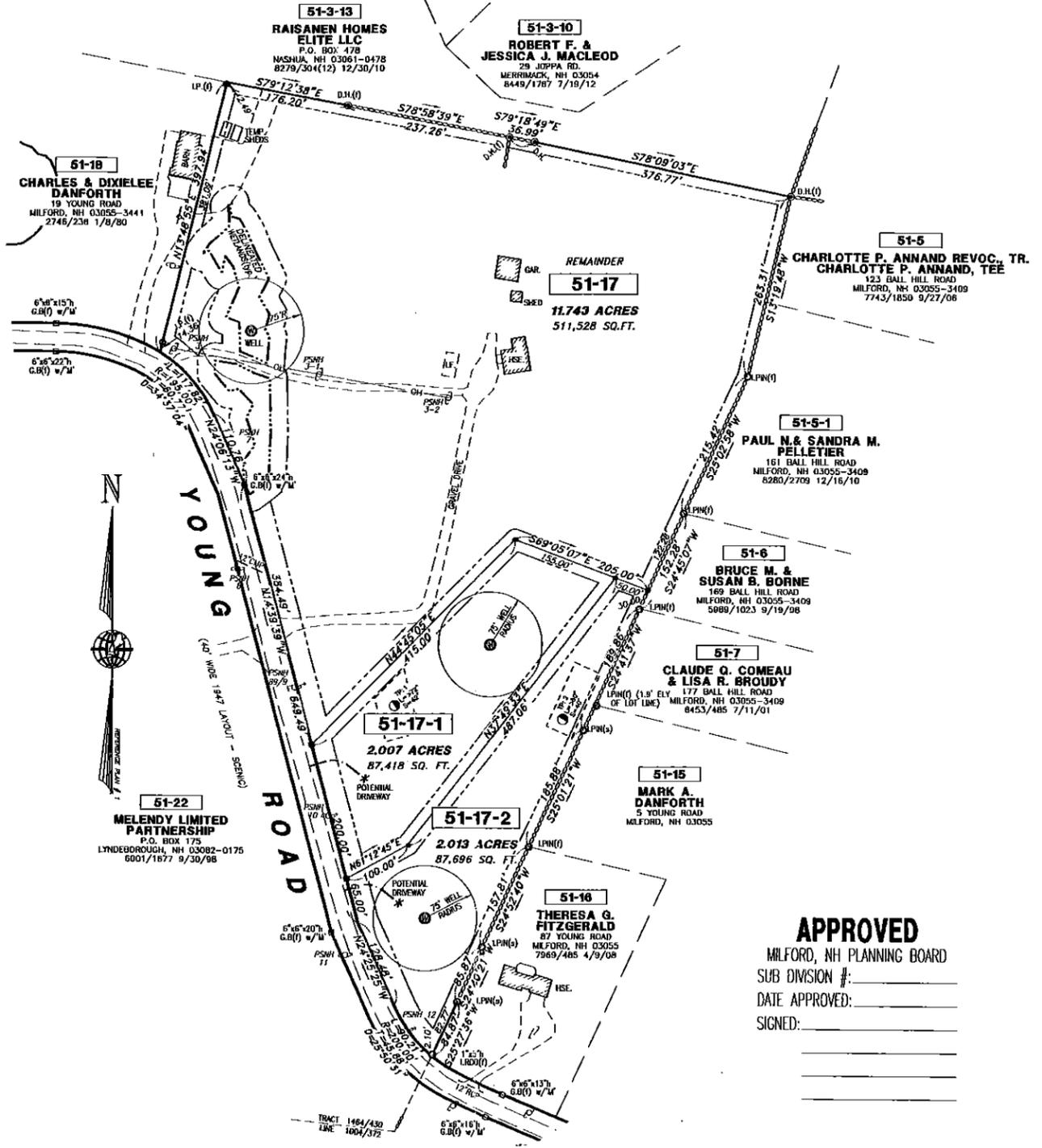
REV	DATE	DESCRIPTION	C/O	DR	CK

AREA CHART

LOT NO.	EXISTING	PROPOSED	FINAL
51-17	15.783 ACRES 688,642 S.F.	11.743 ACRES 511,528 S.F.	11.743 ACRES 511,528 S.F.
51-17-1	---	2.007 ACRES 87,418 S.F.	2.007 ACRES 87,418 S.F.
51-17-2	---	2.013 ACRES 87,696 S.F.	2.013 ACRES 87,696 S.F.



- NOTES:**
1. THE OWNER OF RECORD OF TAX MAP 51 LOT 17 IS BRENDA L. DANFORTH, 55 YOUNG ROAD, MILFORD, NH 03055. DEED REFERENCES ARE VOL. 5305 PG. 1792 DATED 12/30/91 & VOL. 5305 PG. 1794 DATED 10/24/91 IN THE H.C.R.D.
 2. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE TAX MAP LOT 51-17 (15.783 ACRES OR 688,642 SQ.FT.) INTO 2 NEW RESIDENTIAL LOTS WITH THE REMAINDER LOT.
 3. ZONING FOR THE SITE AND ABUTTING PARCELS IS RESIDENCE R ZONING DISTRICT. LOT REQUIREMENTS ARE 2 ACRES WITH 200' OF ROAD FRONTAGE. BUILDING SETBACKS ARE 30' FRONT, 15' SIDE & REAR WITH A 25' WETLANDS BUFFER AS SHOWN.
 4. THE BOUNDARY INFORMATION SHOWN IS THE RESULT OF A PRECISE FIELD SURVEY PERFORMED BY THIS OFFICE IN AUGUST, 2012. THE TOPOGRAPHY DEVELOPED FROM THE MILFORD GIS DATA.
 5. WETLANDS WERE DELINEATED IN ACCORDANCE WITH THE ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1, DATED JAN. 1987 BY THOMAS E. CARR C.W.S. OF THIS OFFICE IN AUGUST 2012. TEST PITS WERE LOGGED BY THOMAS E. CARR LICENSED SEPTIC DESIGNER.
 6. THE LAYOUT AND WIDTH OF YOUNG ROAD IS PER THE GRANITE R.O.W. MONUMENTS FOUND TOGETHER WITH HCRD VOL. 1161 PG. 208 AND VOL. 1161 PG. 209 BOTH DATED 6/9/47.
 7. THE SITE LIES OUTSIDE OF THE 100 YEAR FLOOD ZONE PER FIRM COMMUNITY PANEL NO. 33011C0470D, EFFECTIVE: SEPT. 25, 2009.
 8. ALL LOTS ARE OR WILL BE SERVICED BY INDIVIDUAL WELLS & SEWAGE DISPOSAL SYSTEMS AND OVERHEAD UTILITIES FROM YOUNG ROAD. SA2012009987
 9. NHDES SUBDIVISION APPROVAL #SA2012XXXXXX, DATED: XX/XX/12.
 10. ANY NEW CONSTRUCTION ON THE PROPOSED LOTS SHALL BE SUBJECT TO APPLICABLE TOWN FEES SUCH AS POLICE AND LIBRARY IMPACT FEES.
 11. THE PROPOSED LOTS WILL REQUIRE APPROVAL OF A STORMWATER MANAGEMENT PERMIT PRIOR TO COMMENCEMENT OF SITE WORK IF OVER 5000 SQ. FT. OF AREA WILL BE DISTURBED.
 12. THE SITE IS LOCATED WITHIN THE LEVEL 1 PROTECTION AREA OF THE GROUNDWATER PROTECTION DISTRICT.
 13. PORTIONS OF THE SITE LIE WITHIN THE WETLANDS CONSERVATION OVERLAY DISTRICT WITH A 25 FOOT NON-DISTURBANCE BUFFER FROM ALL DELINEATED WETLANDS PER SECTION 6.02.3D OF THE MILFORD ZONING ORDINANCE.
 14. THE PROPOSED DRIVEWAY LOCATIONS WILL MEET THE MILFORD SIGHT DISTANCE REQUIREMENTS WITH MINOR GRADING AT THE TIME OF DRIVEWAY CONSTRUCTION.



APPROVED

MILFORD, NH PLANNING BOARD

SUB DIVISION #:

DATE APPROVED:

SIGNED:

TOWN OF MILFORD RECEIVED

SEP 06 2012

PB ZBA Office

SUBDIVISION PLAN
LAND OF
BRENDA L. DANFORTH
TAX MAP PARCEL 52-17
55 YOUNG ROAD
MILFORD, NEW HAMPSHIRE

SCALE: 1" = 100' AUGUST 17, 2012

MERIDIAN
Land Services, Inc.

OFFICE: 31 OLD MASSIVA ROAD, AMHERST, NEW HAMPSHIRE 03031
MAILING ADDRESS: PO BOX 118, MILFORD, NEW HAMPSHIRE 03055-0118
TEL 603-673-1441 FAX 603-673-1584 MERIDIAN@MERIDIANLANDSERVICES.COM

ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS

FILE: 5872D02.dwg PROJECT NO. 5872 02 SHEET NO. 1 OF 2

REFERENCE PLANS.

1. "TAX MAP 51 LOT 3 - SUBDIVISION PLAN - PREPARED FOR & LAND OF: - CADRAN PROPERTY SERVICES LLC - OSGOOD ROAD - MILFORD, NEW HAMPSHIRE" SCALE: AS SHOWN, DATED NOV. 24, 2008 BY BEDFORD DESIGN CONSULTANTS, HCRD PLAN #36856.
2. "HARRY F. & CELIA F. MELENDY - BALL HILL ROAD - MILFORD, N.H. - SUBDIVISION ONE LOT INTO 4 LOTS" SCALE: 1"=100', DATED MAY 26, 1975, BY AUSTIN PARKHURST, HCRD PLAN #8718.
3. "SUBDIVISION - PLAN OF LAND - DOUGLASS R. ANNAND - MILFORD, NEW HAMPSHIRE" SCALE: AS SHOWN, DATED NOV. 3, 1986 REVISED THROUGH 12/9/86 BY MONADNOCK SURVEY, INC., HCRD PLAN #20065.
4. "SUBDIVISION - PLAN OF LAND - DOUGLASS R. ANNAND - MILFORD, NEW HAMPSHIRE" SCALE: AS SHOWN, DATED FEB. 20, 1985 BY MONADNOCK SURVEY, INC., HCRD PLAN #17677.
5. "HARRY F. MELENDY, JR. - BALL HILL ROAD - MILFORD, N.H. - SUBDIVISION 1 LOT INTO 2 LOTS" SCALE: 1"=50', DATED APRIL 27, 1981, BY AUSTIN PARKHURST, HCRD PLAN #14342.

LEGEND:

- RIGHT-OF-WAY SIDELINE
- PROPERTY LINE
- ABUTTING LOT LINE
- FORMER TRACT LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- EDGE OF PAVEMENT
- EXISTING GRAVEL ROAD
- EDGE OF WETLANDS
- SOILS BOUNDARY
- STONE WALL
- 10' CONTOUR INTERVAL
- 2' CONTOUR INTERVAL
- TAX MAP AND LOT NUMBER
- EXISTING BUILDING
- TEST PIT WITH DATA
- 4000 SQ.FT. SEPTIC AREA
- EXISTING TREE LINE
- GRANITE OR FIELDSTONE BOUND FND.
- EXIST. DRILL HOLE FOUND OR SET
- EXIST. IRON PIPE FOUND
- GRANITE BOUND TO BE SET
- IRON PIN OR DRILL HOLE SET 9/29/04

SOILS LEGEND:

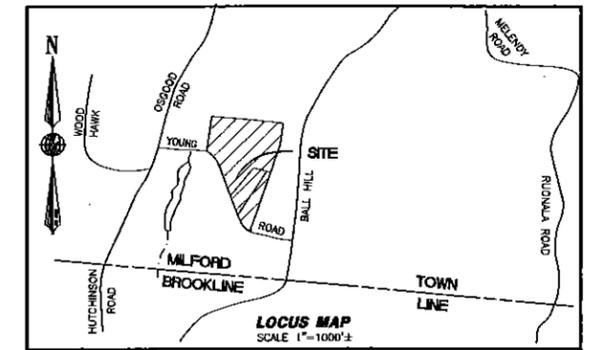
- CcC - CANTON FINE SANDY LOAM, 8-15% SLOPES
- CpC - CHATFIELD-HOLLIS-CANTON COMPLEX, 8-15% SLOPES
- PbB - PAXTON FINE SANDY LOAM, 3-8% SLOPES
- WdB - WOODBRIDGE LOAM, 3-8% SLOPES
- LvB - LEICESTER WALPOLE COMPLEX STONY, 3-8% SLOPES

SOILS INFORMATION SHOWN WAS DEVELOPED FROM THE USDS SCS SOIL SURVEY OF HILLSBOROUGH COUNTY, EASTERN PART, NEW HAMPSHIRE, SHEET 21 ISSUED OCTOBER 1981. THE WETLANDS SHOWN WERE DELINEATED BY THOMAS E. CARR, CWS OF THIS OFFICE IN AUGUST 2012, IN ACCORDANCE WITH THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL TECHNICAL REPORT Y-87-1 (1987)



AREA CHART

LOT NO.	EXISTING	PROPOSED	FINAL
51-17	15,763 ACRES 686,642 S.F.	11,743 ACRES 511,528 S.F.	11,743 ACRES 511,528 S.F.
51-17-1	-----	2,007 ACRES 87,418 S.F.	2,007 ACRES 87,418 S.F.
51-17-2	-----	2,013 ACRES 87,696 S.F.	2,013 ACRES 87,696 S.F.



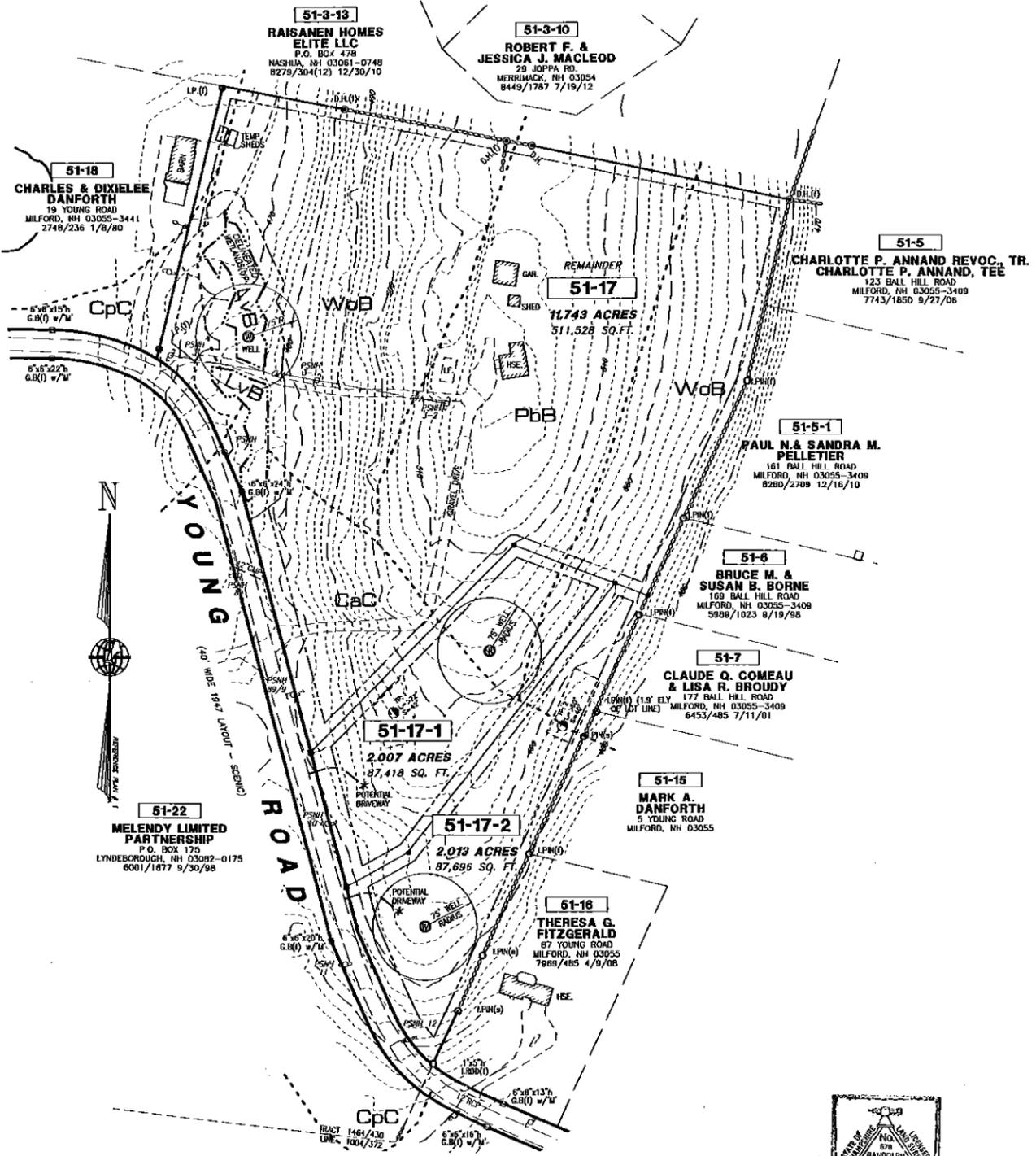
- NOTES:**
1. THE OWNER OF RECORD OF TAX MAP 51 LOT 17 IS BRENDA L. DANFORTH, 55 YOUNG ROAD, MILFORD, NH 03055. DEED REFERENCES ARE VOL. 5305 PG. 1792 DATED 12/30/91 & VOL. 5305 PG. 1794 DATED 10/24/91 IN THE H.C.R.D.
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 3. ZONING FOR THE SITE IS RESIDENCE R ZONING DISTRICT. LOT REQUIREMENTS ARE 2 ACRES WITH 200' OF ROAD FRONTAGE. BUILDING SETBACKS ARE 30' FRONT, 15' SIDE & REAR WITH A 25' WETLANDS BUFFER AS SHOWN.
 4. THE BOUNDARY INFORMATION SHOWN IS THE RESULT OF A PRECISE FIELD SURVEY PERFORMED BY THIS OFFICE IN AUGUST, 2012. THE TOPOGRAPHY DEVELOPED FROM THE MILFORD GIS DATA.
 5. WETLANDS WERE DELINEATED IN ACCORDANCE WITH THE ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1, DATED JAN. 1987 BY THOMAS E. CARR C.W.S. OF THIS OFFICE IN AUGUST 2012. TEST PITS WERE LOGGED BY THOMAS E. CARR LICENSED SEPTIC DESIGNER.
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 7. THE SITE LIES OUTSIDE OF THE 100 YEAR FLOOD ZONE PER FIRM COMMUNITY PANEL NO. 33011C0470D, EFFECTIVE: SEPT. 25, 2009.
 8. ALL LOTS ARE OR WILL BE SERVICED BY INDIVIDUAL WELLS & SEWAGE DISPOSAL SYSTEMS AND OVERHEAD UTILITIES FROM YOUNG ROAD.
 9. NHDES SUBDIVISION APPROVAL #SA2012XXXXXX, DATED: XX/XX/12.
#A2012009987

APPROVED
MILFORD, NH PLANNING BOARD
SUB DIVISION #: _____
DATE APPROVED: _____
SIGNED: _____

**SOILS & TOPOGRAPHY
SUBDIVISION PLAN
LAND OF
BRENDA L. DANFORTH
TAX MAP PARCEL 52-17
55 YOUNG ROAD
MILFORD, NEW HAMPSHIRE**
SCALE: 1" = 100' AUGUST 17, 2012

MERIDIAN
Land Services, Inc.
OFFICE: 31 OLD NASHUA ROAD, AMHERST, NEW HAMPSHIRE 03031
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ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS
FILE: 5872D02.dwg PROJECT NO. 5872.02 SHEET NO. 2 OF 2



GRAPHIC SCALE

0	5x	0	5x	2x	3x
REV.	DATE	DESCRIPTION	C/O	DR	CK



STAFF MEMO

Planning Board Meeting

October 16, 2012

Agenda Item #5: Carole M Colburn, trustee for Carole M Colburn Rev Trust – Osgood Rd – Map 51, Lot 1

Public Hearing for a lot line revision and subdivision creating one new residential lot

Background:

The applicant is proposing a lot line revision and subdivision creating one new residential lot on Osgood Rd. The purpose of the lot line adjustment is to revise the common lot line between lots 51-1 and 51/1-2 by exchanging parcels “A” and “B” to create a more even lot. The subdivision would create a lot of 2.514 acres (109,493 sq. ft.), leaving the original parcel with 85.366 acres (3,718,606 sq. ft.). The new lot meets the 200’ frontage and 2 acre zoning minimums on a Class V or better roadway. The large (85.366 acre) remainder lot would be left with less than 200 feet of frontage on a Class V or better road. The Planning Board has in the past approved subdivisions which create a non-buildable lot (example: Phillipsen on Ponemah Hill Rd and Creative Investments on Mile Slip Rd) with the requirement that the plan conditions the lot is a non-buildable lot until such time as zoning relief is granted or, in this case, a new roadway is constructed.

The Planning Board will likely recognize this plan from the Design Review phase of an application to subdivide the parcel into 32 open space residential lots, with a through road connecting to Woodhawk Dr and one cul-de-sac. That application made it through Design Review phase in May of 2008, but never returned for Final Application as the economy stalled and the money for outside engineering review was not available.

The site is entirely wooded with a predominant drainage pattern of draining into the site’s central wetlands area and then flowing northerly and southerly off site. The parcel is within the groundwater protection district and lies outside of the 100 year flood hazard area.

New Hampshire State Subdivision approval is pending for the proposed subdivision. The new lot would be served by on-site private well and septic systems.

The application is complete and ready to be accepted at this time. The Board will need to make a determination of regional impact. Please find the attached plan set.

Interdepartmental Reviews:

Heritage Commission- Conservation and restoration of existing stone walls should be maintained.

Code enforcement has no issues with the proposed subdivision plan.

Fire Department has no issues with the proposed subdivision plan.

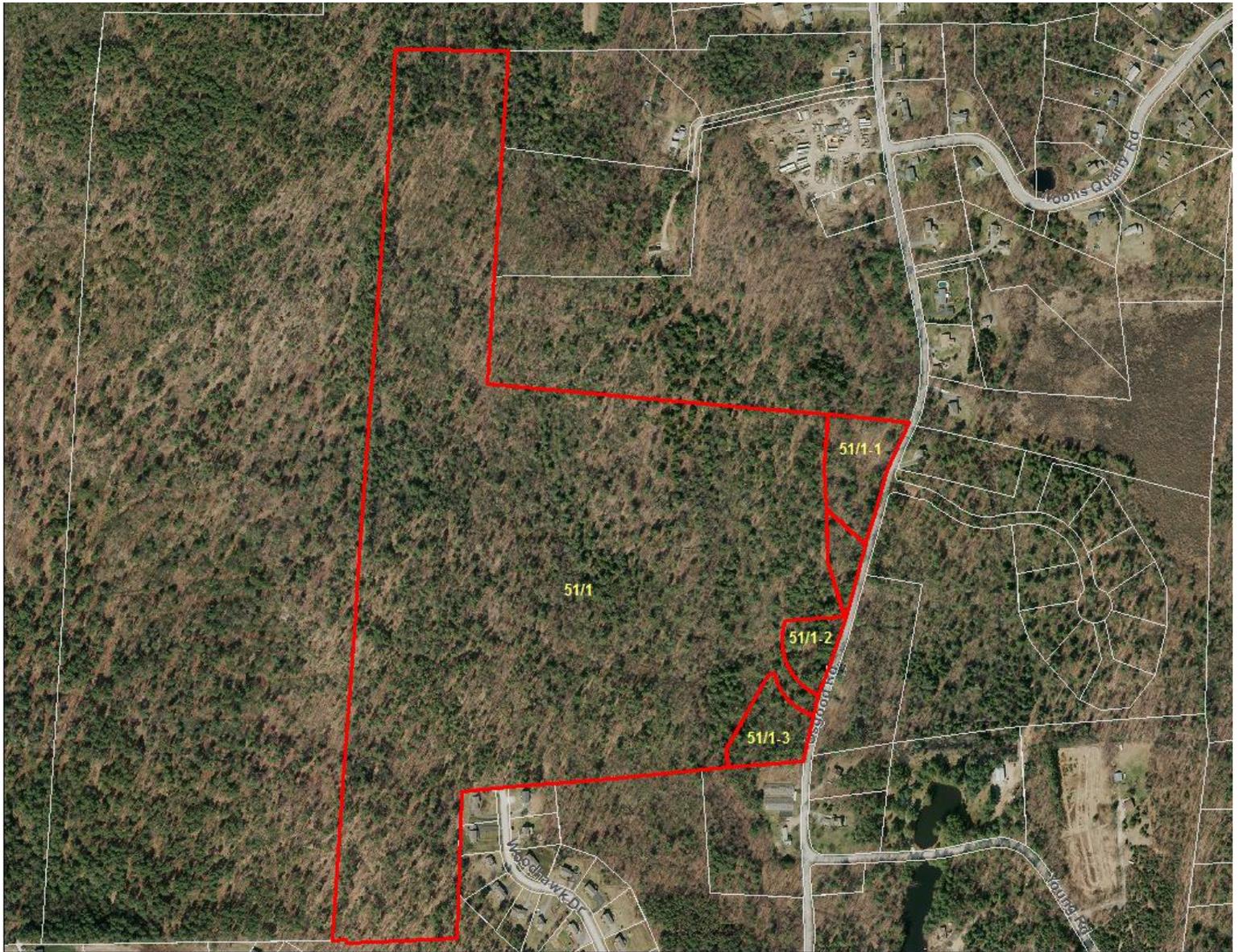
DPW has no issues with the proposed subdivision plan.

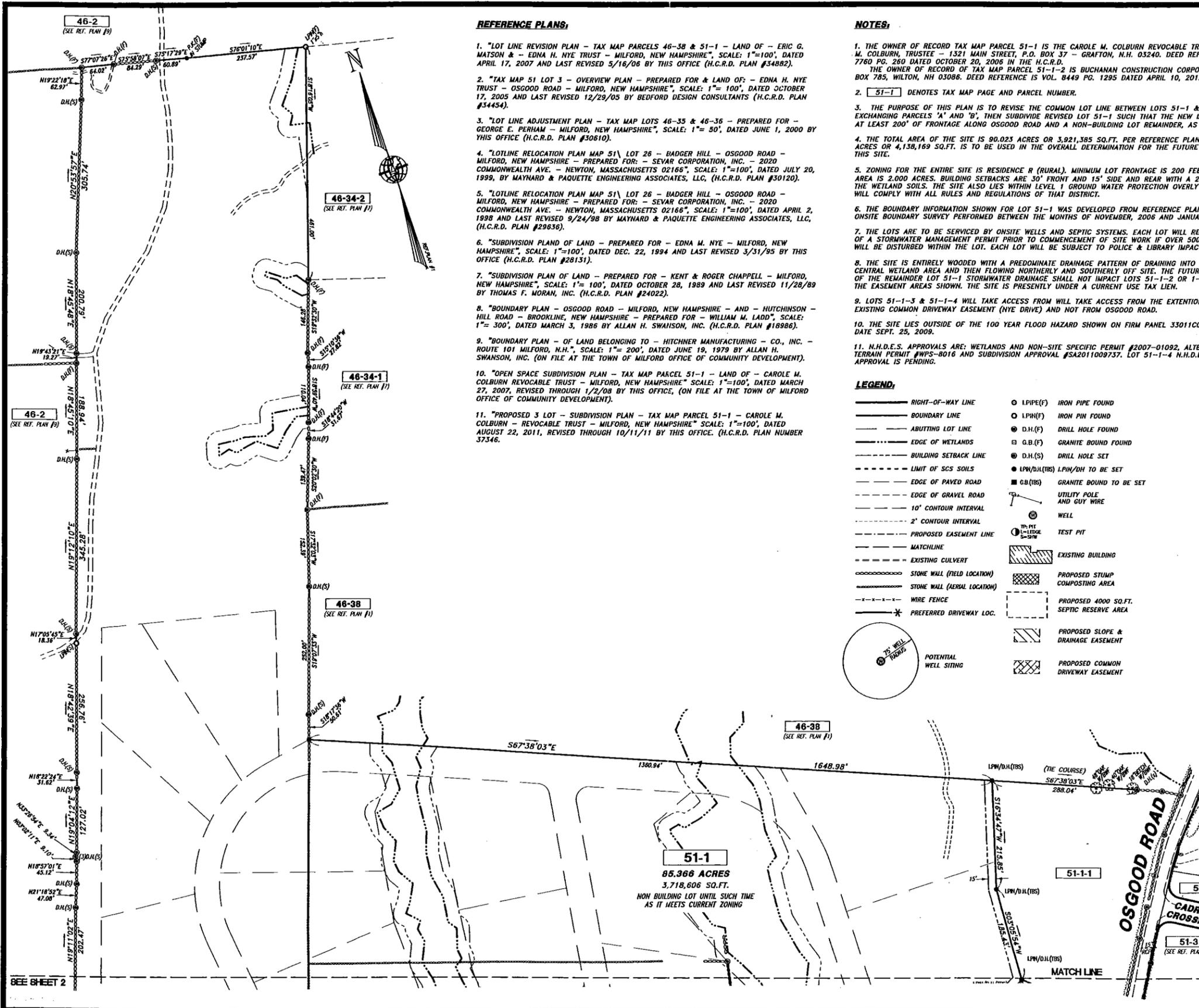
Ambulance, Police, Water Utilities and Assessing had no comments as of September 12, 2012.

Staff Recommendations:

If the Board decides to approve the Subdivision application Staff would recommend the following conditions of approval:

- The locus map is labeled incorrectly. The road running east west from Osgood Rd to Ball Hill Rd should be labeled as Young Rd.
- Prior to signing the plan, note #11 be updated with State Subdivision approval numbers once approved by DES.
- A driveway plan and profile for the proposed lot (51/1-4) shall be submitted for review and determination of driveway slope.
- A note be added to the plan stating that should there be any disturbance to the site along Osgood Road as per RSA 231:158, a Scenic Road Public hearing shall be required.
- Will lot 51/1-2 retain the same square footage following the lot line adjustment? If the area of the lot is to change the new square footage/acreage shall be updated on the plan.
- A note be added stating the new lot (51/1-4) is subject to include Police and Library Impact fees (to be determined at time of building permit application).
- Add a note stating each lot will require approval of a Stormwater Management Permit prior to commencement of site work if over 5,000 SF of area will be disturbed.
- Prior to the signing of the plan, all property taxes must be paid or an agreement reached with the Town to assure all taxes will be paid, per the Development Regulations.

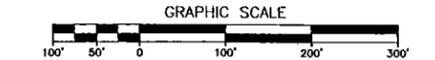
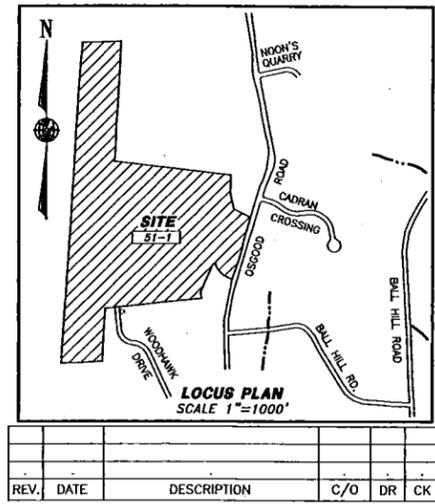




- REFERENCE PLANS:**
- "LOT LINE REVISION PLAN - TAX MAP PARCELS 46-38 & 51-1 - LAND OF - ERIC G. MATSON & - EDNA H. NYE TRUST - MILFORD, NEW HAMPSHIRE", SCALE: 1"=100', DATED APRIL 17, 2007 AND LAST REVISED 5/16/06 BY THIS OFFICE (H.C.R.D. PLAN #34882).
 - "TAX MAP 51 LOT 3 - OVERVIEW PLAN - PREPARED FOR & LAND OF: - EDNA H. NYE TRUST - OSGOOD ROAD - MILFORD, NEW HAMPSHIRE", SCALE: 1"= 100', DATED OCTOBER 17, 2005 AND LAST REVISED 12/29/05 BY BEDFORD DESIGN CONSULTANTS (H.C.R.D. PLAN #34454).
 - "LOT LINE ADJUSTMENT PLAN - TAX MAP LOTS 46-35 & 46-36 - PREPARED FOR - GEORGE E. PERHAM - MILFORD, NEW HAMPSHIRE", SCALE: 1"= 50', DATED JUNE 1, 2000 BY THIS OFFICE (H.C.R.D. PLAN #30610).
 - "LOTLINE RELOCATION PLAN MAP 51\ LOT 26 - BADGER HILL - OSGOOD ROAD - MILFORD, NEW HAMPSHIRE - PREPARED FOR: - SEVAR CORPORATION, INC. - 2020 COMMONWEALTH AVE. - NEWTON, MASSACHUSETTS 02166", SCALE: 1"=100', DATED JULY 20, 1999, BY MAYNARD & PAQUETTE ENGINEERING ASSOCIATES, LLC, (H.C.R.D. PLAN #30120).
 - "LOTLINE RELOCATION PLAN MAP 51\ LOT 26 - BADGER HILL - OSGOOD ROAD - MILFORD, NEW HAMPSHIRE - PREPARED FOR: - SEVAR CORPORATION, INC. - 2020 COMMONWEALTH AVE. - NEWTON, MASSACHUSETTS 02166", SCALE: 1"=100', DATED APRIL 2, 1998 AND LAST REVISED 9/24/98 BY MAYNARD & PAQUETTE ENGINEERING ASSOCIATES, LLC, (H.C.R.D. PLAN #29636).
 - "SUBDIVISION PLAN OF LAND - PREPARED FOR - EDNA M. NYE - MILFORD, NEW HAMPSHIRE", SCALE: 1"=100', DATED DEC. 22, 1994 AND LAST REVISED 3/31/95 BY THIS OFFICE (H.C.R.D. PLAN #28131).
 - "SUBDIVISION PLAN OF LAND - PREPARED FOR - KENT & ROGER CHAPPELL - MILFORD, NEW HAMPSHIRE", SCALE: 1"= 100', DATED OCTOBER 28, 1989 AND LAST REVISED 11/28/89 BY THOMAS F. MORAN, INC. (H.C.R.D. PLAN #24022).
 - "BOUNDARY PLAN - OSGOOD ROAD - MILFORD, NEW HAMPSHIRE - AND - HUTCHINSON HILL ROAD - BROOKLINE, NEW HAMPSHIRE - PREPARED FOR - WILLIAM M. LADD", SCALE: 1"= 300', DATED MARCH 3, 1986 BY ALLAN H. SWANSON, INC. (H.C.R.D. PLAN #18986).
 - "BOUNDARY PLAN - OF LAND BELONGING TO - HITCHNER MANUFACTURING - CO., INC. - ROUTE 101 MILFORD, N.H.", SCALE: 1"= 200', DATED JUNE 19, 1979 BY ALLAN H. SWANSON, INC. (ON FILE AT THE TOWN OF MILFORD OFFICE OF COMMUNITY DEVELOPMENT).
 - "OPEN SPACE SUBDIVISION PLAN - TAX MAP PARCEL 51-1 - LAND OF - CAROLE M. COLBURN REVOCABLE TRUST - MILFORD, NEW HAMPSHIRE" SCALE: 1"=100', DATED MARCH 27, 2007, REVISED THROUGH 1/2/08 BY THIS OFFICE, (ON FILE AT THE TOWN OF MILFORD OFFICE OF COMMUNITY DEVELOPMENT).
 - "PROPOSED 3 LOT - SUBDIVISION PLAN - TAX MAP PARCEL 51-1 - CAROLE M. COLBURN - REVOCABLE TRUST - MILFORD, NEW HAMPSHIRE" SCALE: 1"=100', DATED AUGUST 22, 2011, REVISED THROUGH 10/11/11 BY THIS OFFICE. (H.C.R.D. PLAN NUMBER 37346).

- NOTES:**
- THE OWNER OF RECORD TAX MAP PARCEL 51-1 IS THE CAROLE M. COLBURN REVOCABLE TRUST c/o CAROLE M. COLBURN, TRUSTEE - 1321 MAIN STREET, P.O. BOX 37 - GRAFTON, N.H. 03240. DEED REFERENCE IS VOL. 7760 PG. 260 DATED OCTOBER 20, 2006 IN THE H.C.R.D. THE OWNER OF RECORD OF TAX MAP PARCEL 51-1-2 IS BUCHANAN CONSTRUCTION CORPORATION - P.O. BOX 785, WILTON, NH 03096. DEED REFERENCE IS VOL. 8449 PG. 1295 DATED APRIL 10, 2012 IN THE H.C.R.D.
 - 51-1 DENOTES TAX MAP PAGE AND PARCEL NUMBER.
 - THE PURPOSE OF THIS PLAN IS TO REVISE THE COMMON LOT LINE BETWEEN LOTS 51-1 & 51-1-2 BY EXCHANGING PARCELS 'A' AND 'B', THEN SUBDIVIDE REVISED LOT 51-1 SUCH THAT THE NEW LOT 51-1-4 HAS AT LEAST 200' OF FRONTAGE ALONG OSGOOD ROAD AND A NON-BUILDING LOT REMAINDER, AS SHOWN.
 - THE TOTAL AREA OF THE SITE IS 90.023 ACRES OR 3,921,385 SQ.FT. PER REFERENCE PLAN 11, 94,999 ACRES OR 4,138,169 SQ.FT. IS TO BE USED IN THE OVERALL DETERMINATION FOR THE FUTURE SUBDIVISION OF THIS SITE.
 - ZONING FOR THE ENTIRE SITE IS RESIDENCE R (RURAL). MINIMUM LOT FRONTAGE IS 200 FEET, MINIMUM LOT AREA IS 2,000 ACRES. BUILDING SETBACKS ARE 30' FRONT AND 15' SIDE AND REAR WITH A 25' SETBACK FROM THE WETLAND SOILS. THE SITE ALSO LIES WITHIN LEVEL 1 GROUND WATER PROTECTION OVERLY DISTRICT AND WILL COMPLY WITH ALL RULES AND REGULATIONS OF THAT DISTRICT.
 - THE BOUNDARY INFORMATION SHOWN FOR LOT 51-1 WAS DEVELOPED FROM REFERENCE PLANS CITED AND AN ONSITE BOUNDARY SURVEY PERFORMED BETWEEN THE MONTHS OF NOVEMBER, 2006 AND JANUARY, 2007.
 - THE LOTS ARE TO BE SERVICED BY ONSITE WELLS AND SEPTIC SYSTEMS. EACH LOT WILL REQUIRE APPROVAL OF A STORMWATER MANAGEMENT PERMIT PRIOR TO COMMENCEMENT OF SITE WORK IF OVER 5000 SF OF AREA WILL BE DISTURBED WITHIN THE LOT. EACH LOT WILL BE SUBJECT TO POLICE & LIBRARY IMPACT FEES.
 - THE SITE IS ENTIRELY WOODED WITH A PREDOMINATE DRAINAGE PATTERN OF DRAINING INTO THE SITE'S CENTRAL WETLAND AREA AND THEN FLOWING NORTHERLY AND SOUTHERLY OFF SITE. THE FUTURE DEVELOPMENT OF THE REMAINDER LOT 51-1 STORMWATER DRAINAGE SHALL NOT IMPACT LOTS 51-1-2 OR 1-4 EXCEPT WITHIN THE EASEMENT AREAS SHOWN. THE SITE IS PRESENTLY UNDER A CURRENT USE TAX LIEN.
 - LOTS 51-1-3 & 51-1-4 WILL TAKE ACCESS FROM WILL TAKE ACCESS FROM THE EXTENTION OF AN EXISTING COMMON DRIVEWAY EASEMENT (NYE DRIVE) AND NOT FROM OSGOOD ROAD.
 - THE SITE LIES OUTSIDE OF THE 100 YEAR FLOOD HAZARD SHOWN ON FIRM PANEL 33011C0470D, EFFECTIVE DATE SEPT. 25, 2009.
 - N.H.D.E.S. APPROVALS ARE: WETLANDS AND NON-SITE SPECIFIC PERMIT #2007-01092, ALTERATION OF TERRAIN PERMIT #W06-8016 AND SUBDIVISION APPROVAL #SA2011009737. LOT 51-1-4 N.H.D.E.S. SUBDIVISION APPROVAL IS PENDING.

- LEGEND:**
- RIGHT-OF-WAY LINE
 - BOUNDARY LINE
 - ABUTTING LOT LINE
 - EDGE OF WETLANDS
 - BUILDING SETBACK LINE
 - LIMIT OF SCS SOILS
 - EDGE OF PAVED ROAD
 - EDGE OF GRAVEL ROAD
 - 10' CONTOUR INTERVAL
 - 2' CONTOUR INTERVAL
 - PROPOSED EASEMENT LINE
 - MATCHLINE
 - EXISTING CULVERT
 - STONE WALL (FIELD LOCATION)
 - STONE WALL (AERIAL LOCATION)
 - WIRE FENCE
 - PREFERRED DRIVEWAY LOC.
 - IRON PIPE FOUND
 - IRON PIN FOUND
 - DRILL HOLE FOUND
 - GRANITE BOUND FOUND
 - DRILL HOLE SET
 - L.P.M./D.H.(TBS) L.P.M./D.H. TO BE SET
 - GRANITE BOUND TO BE SET
 - UTILITY POLE AND GUY WIRE
 - WELL
 - TEST PIT
 - EXISTING BUILDING
 - PROPOSED STUMP COMPOSTING AREA
 - PROPOSED 4000 SQ.FT. SEPTIC RESERVE AREA
 - PROPOSED SLOPE & DRAINAGE EASEMENT
 - PROPOSED COMMON DRIVEWAY EASEMENT
 - POTENTIAL WELL SITING



REV.	DATE	DESCRIPTION	C/O	DR	CK

CERTIFICATION:

"I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND PER THE PRECISION AND ACCURACY STANDARDS FOR AN URBAN CLASSIFICATION SURVEY AS SPECIFIED IN THE NEW HAMPSHIRE LAND SURVEYOR'S ADMINISTRATIVE RULES (LAN503.04) AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY."

DATE: 9-21-12

OWNER'S SIGNATURES:

CAROLE M. COLBURN, TRUSTEE _____ DATE _____

BUCHANAN CONSTRUCTION CORP. _____ DATE _____

APPROVED

MILFORD, NH PLANNING BOARD

SUB DIVISION #: _____

DATE APPROVED: _____

SIGNED: _____

LOT LINE REVISION & SUBDIVISION PLAN
TAX MAP PARCELS 51-1-3 & 51-1
 LAND OF
BUCHANAN CONST. CORP.
 AND
CAROLE M. COLBURN
REVOCABLE TRUST
 OSGOOD ROAD
 MILFORD, NEW HAMPSHIRE
 SCALE: 1" = 100' SEPTEMBER 20, 2012

MERIDIAN
Land Services, Inc.
 OFFICE: 31 OLD HASHUA ROAD, AMHERST, NEW HAMPSHIRE 03031
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 TEL 603-673-1441 FAX 603-673-1584 MERIDIAN@MERIDIANSERVICES.COM

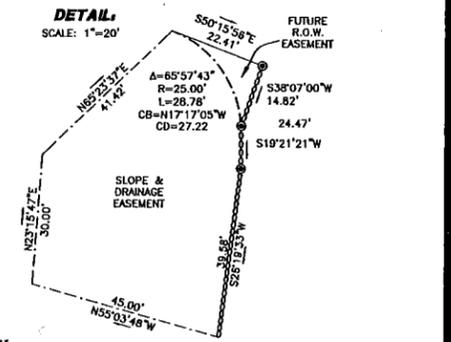
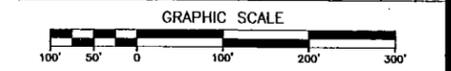
ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS

FILE:965D02A1.dwg PROJECT NO. 965.02 SHEET RECEIVED 2

SEP 21 2012

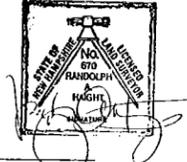
PB ZBA Office

REV.	DATE	DESCRIPTION	C/O	DR	CK



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 "I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND PER THE PRECISION AND ACCURACY STANDARDS FOR AN URBAN CLASSIFICATION SURVEY AS SPECIFIED IN THE NEW HAMPSHIRE LAND SURVEYOR'S ADMINISTRATIVE RULES (LAN903.04) AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY."

DATE: 9-21-12

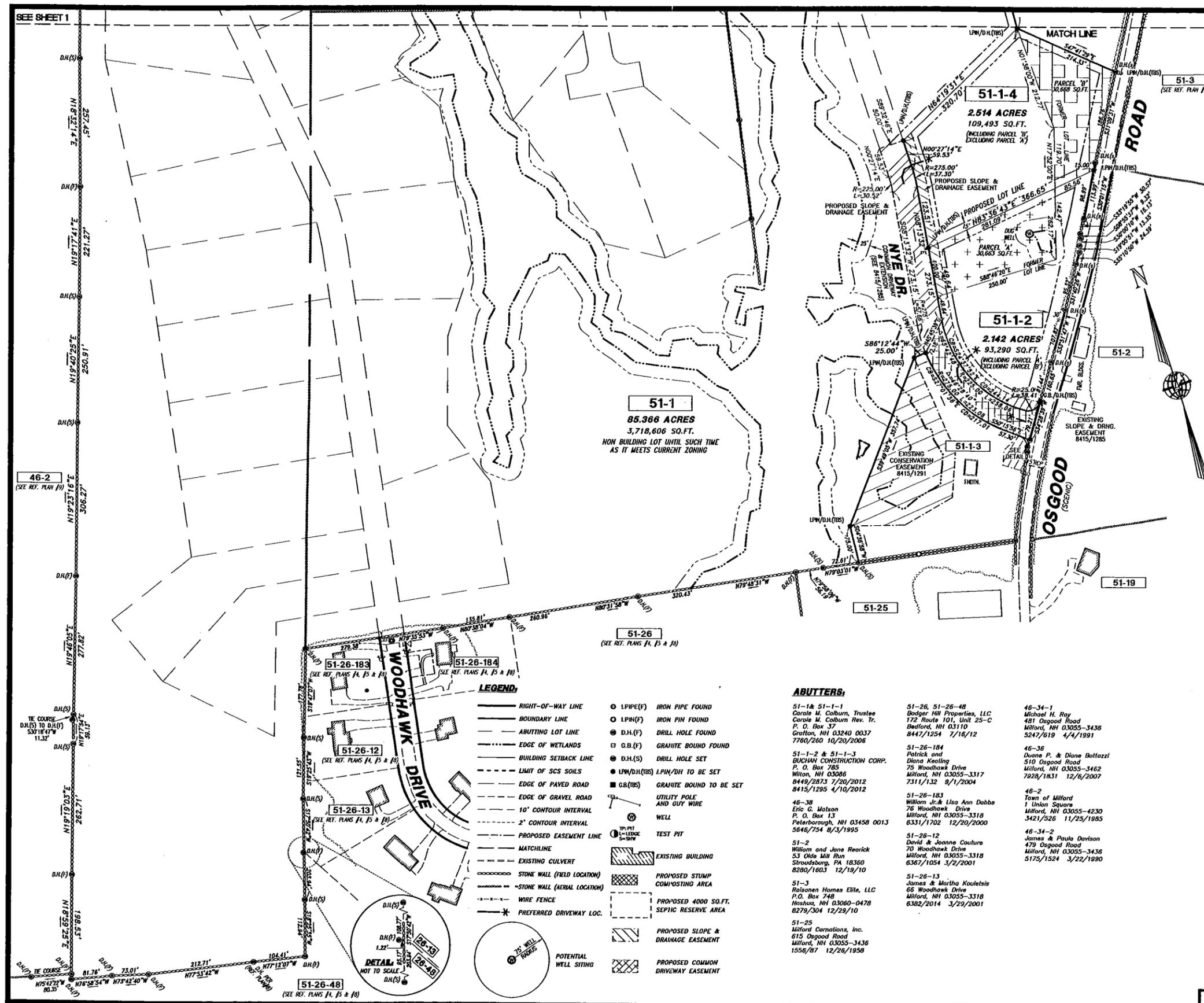


OWNER'S SIGNATURES:
 CAROLE M. COLBURN, TEE DATE _____
 BUCHANAN CONSTRUCTION CORP. DATE _____

APPROVED
 MILFORD, NH PLANNING BOARD
 SUB DIVISION # _____
 DATE APPROVED: _____
 SIGNED: _____

LOT LINE REVISION & SUBDIVISION PLAN
TAX MAP PARCELS 51-1-3 & 51-1
 LAND OF
BUCHANAN CONST. CORP.
 AND
CAROLE M. COLBURN
REVOCABLE TRUST
 OSGOOD ROAD
 MILFORD, NEW HAMPSHIRE
 SCALE: 1" = 100' SEPTEMBER 20, 2012

MERIDIAN
Land Services, Inc.
 OFFICE: 31 OLD NASHUA ROAD, AMHERST, NEW HAMPSHIRE 03031
 MAILING ADDRESS: PO BOX 118, MILFORD, NEW HAMPSHIRE 03055-0118
 TEL 603-673-1441 FAX 603-673-1584 MERIDIAN@MERIDIANLANDSERVICES.COM
ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS
 FILE: 965D02A1.dwg PROJECT NO. 965.02 SHEET NO. 2 OF 2



- LEGEND:**
- RIGHT-OF-WAY LINE
 - BOUNDARY LINE
 - ABUTTING LOT LINE
 - EDGE OF WETLANDS
 - BUILDING SETBACK LINE
 - LIMIT OF SCS SOILS
 - EDGE OF PAVED ROAD
 - EDGE OF GRAVEL ROAD
 - 10' CONTOUR INTERVAL
 - 2' CONTOUR INTERVAL
 - PROPOSED EASEMENT LINE
 - MATCHLINE
 - EXISTING CULVERT
 - STONE WALL (FIELD LOCATION)
 - STONE WALL (AERIAL LOCATION)
 - WIRE FENCE
 - PREFERRED DRIVEWAY LOC.
 - IRON PIPE FOUND
 - IRON PIN FOUND
 - DRILL HOLE FOUND
 - GRANITE BOUND FOUND
 - DRILL HOLE SET
 - L.P.M./D.H.(TS) L.P.M./D.H. TO BE SET
 - GRANITE BOUND TO BE SET
 - UTILITY POLE AND GUY WIRE
 - WELL
 - TEST PIT
 - EXISTING BUILDING
 - PROPOSED STUMP COMPOSTING AREA
 - PROPOSED 4000 SQ.FT. SEPTIC RESERVE AREA
 - PROPOSED SLOPE & DRAINAGE EASEMENT
 - PROPOSED COMMON DRIVEWAY EASEMENT
 - POTENTIAL WELL SITING

- ABUTTERS:**
- 51-1 & 51-1-1
Carole M. Colburn, Trustee
Carole M. Colburn Rev. Tr.
P. O. Box 37
Grafton, NH 03240 0037
7760/260 10/20/2006
 - 51-1-2 & 51-1-3
BUCHANAN CONSTRUCTION CORP.
P. O. Box 785
Milford, NH 03055
8449/2873 7/20/2012
8415/1295 4/10/2012
 - 46-38
Eric G. Matson
P. O. Box 13
Peterborough, NH 03458 0013
5646/754 8/31/1995
 - 51-2
William and Jane Reierick
53 Old Mill Run
Stroudsburg, PA 18360
8280/1603 12/19/10
 - 51-3
Relaxation Homes Elite, LLC
P.O. Box 748
Nashua, NH 03060-0478
8279/304 12/29/10
 - 51-25
Milford Carnations, Inc.
615 Osgood Road
Milford, NH 03055-3436
1556/87 12/26/1958
 - 51-26, 51-26-48
Bodger Hill Properties, LLC
172 Route 101, Unit 25-C
Bedford, NH 03110
8447/619 7/16/12
 - 51-26-184
Patrick and Diana Keating
75 Woodhawk Drive
Milford, NH 03055-3317
7311/132 9/1/2004
 - 51-26-183
William J. & Lisa Ann Dobbs
76 Woodhawk Drive
Milford, NH 03055-3318
6331/1702 12/20/2000
 - 51-26-12
David & Joanne Couture
70 Woodhawk Drive
Milford, NH 03055-3318
6367/1054 3/2/2001
 - 51-26-13
James & Martha Koutelis
66 Woodhawk Drive
Milford, NH 03055-3318
6382/2014 3/29/2001
 - 46-34-1
Michael H. Roy
481 Osgood Road
Milford, NH 03055-3438
5247/619 4/4/1991
 - 46-36
Diane P. & Diane Boltzoni
510 Osgood Road
Milford, NH 03055-3462
7929/1831 12/6/2007
 - 46-2
Town of Milford
1 Union Square
Milford, NH 03055-4230
3421/526 11/25/1985
 - 46-34-2
James & Paula Davison
479 Osgood Road
Milford, NH 03055-3436
5175/1524 3/22/1990

Sep 21, 2012 - 10:00am BH Land Desktop 2005 - LD75
 H:\m\0965\965.02



STAFF MEMO

Planning Board Meeting

October 16, 2012

Agenda Item #6: Proposed Retail – Elm St and West St

Discussion for proposed retail at the southeast corner of West St and Elm St.

Background:

Tropic Star Development, LLC is presenting information to the Board detailing the proposed location of a new retail Pharmacy building at the southeast corner of the West St and Elm St. intersection. The site will involve of merging of five properties (25/127, 25/128, 25/129, 25/130 & 25/131) and will be approximately 1.78 acres in size.

The proposed location is within the Commercial “C” Zoning District and the Nashua and Elm Street Corridor District. The site is in current use as a Citgo gas station (Xtra Mart) and 4 residential properties containing single and multi-family homes and accessory structures. The site is located adjacent to a Rite Aid Pharmacy at the intersection of Elm Street and West Street.

The conceptual plan has not been distributed for full interdepartmental review as it is not yet a formal application. However, it has been circulated within the Community Development Office and preliminary comments include: The plan shows a proposed 73 parking spaces, 20 more than what is required by the Town Development Regulations. Might be a good candidate for permeable pavement & rain gardens for roof drainage. Update of traffic signalization with intersection improvements? Is it planned to maintain east and west turn lanes from West St. on to Elm St? This is not indicated. Project will add to the traffic count in an already congested area .Additional review will be necessary upon formal application.

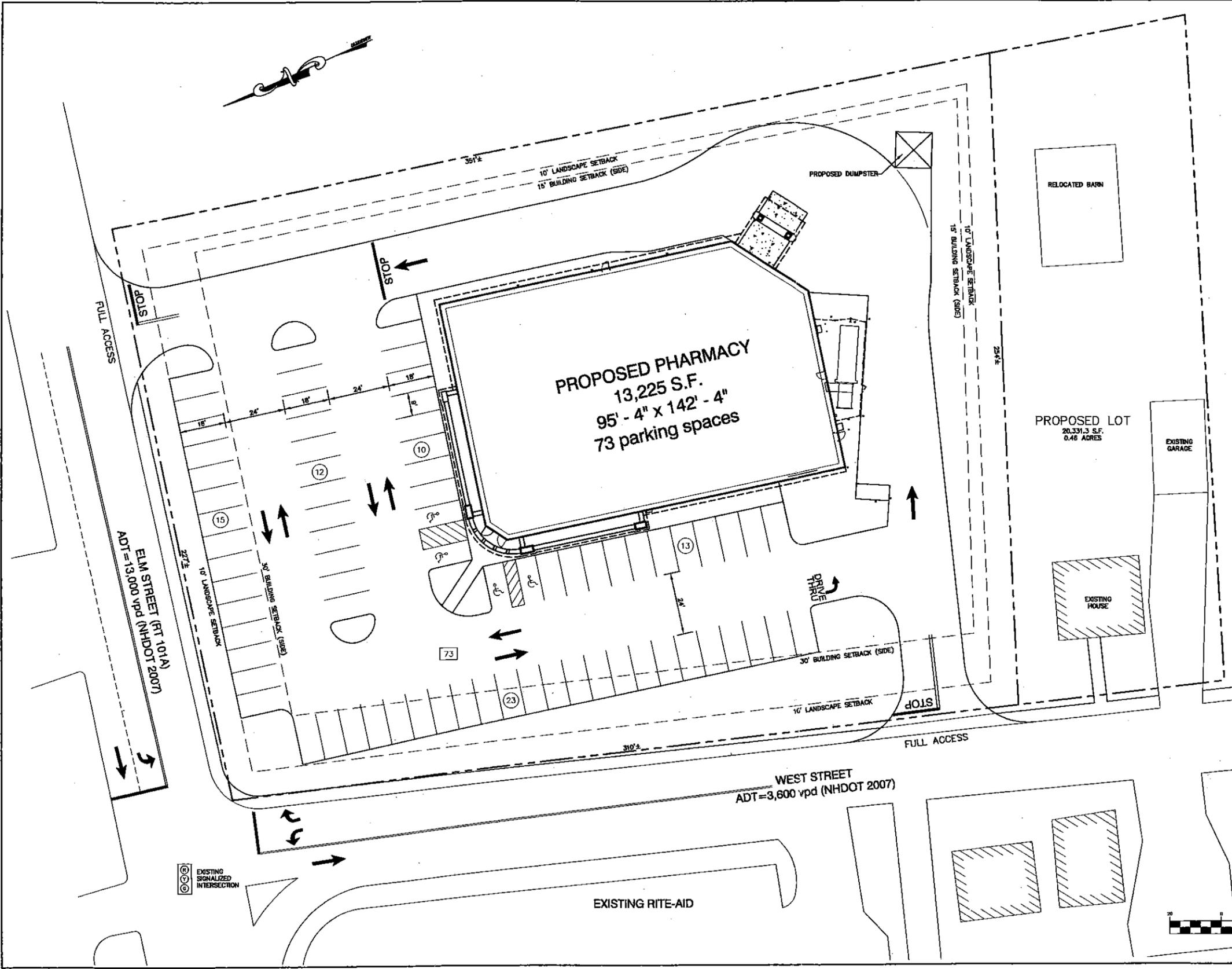
The Planning Board in its discussion with Tropic Star Development, LLC will want to seek additional information on the architectural style, site layout, landscaping and intersection improvements.

No decisions on the proposed site plan can be made during this discussion; however, Tropic Star Development, LLC would like the Planning Board to voice their position on the proposed plan.

Attached is the concept plan for the proposed retail pharmacy.



F:\land Projects\11042-MILFORD-85-ELM-STREET-TROPIC-STAR.dwg\11042-concept1.dwg 4/19/2011 9:51:10 AM EDT



ZONING SUMMARY CHART

ZONING INFORMATION		
ZONING DISTRICT(S)	COMMERCIAL	
OVERLAY DISTRICT(S)	NASHUA AND ELM STREET CORRIDOR DISTRICT	
ZONING REGULATION REQUIREMENTS	REQUIRED	PROVIDED
LOT AREA (MIN.)	20,000 SF	77,818 SF
FRONTAGE (MIN.)	150 FT	224 FT
YARD SETBACKS:		
FRONT YARD	50 FT	35 FT (OVERLAY)
REAR YARD	15 FT	
SIDE YARD	30 FT	CORNER LOT
PAVEMENT/PARKING SETBACK	10 FT	
BUILDING HEIGHT (MAX.)	40 FT	20 FT
IMPERVIOUS COVERAGE (MAX.)	N/A	N/A
TRIP PARKING LOT LANDSCAPING (MIN.)	N/A	N/A
BUFFER REQUIREMENTS:		
LANDSCAPE	10 FT	10 FT

SOURCE: ZONING ORDINANCE, MILFORD, NH.

PARKING SUMMARY CHART

DESCRIPTION	REQUIRED	PROVIDED
STANDARD SPACES (SIZE 9' X 18')		48
ACCESSIBLE SPACES (INCL. VAN SPACES)	3	4
TOTAL SPACES	60	70
LOADING SPACES	1	1
PARKING REQUIREMENTS	13,225 SF X 4 SPACES/1000 SF = 53 SPACES	
CYBER-TALK		
ACCESSIBLE (ADA)	TOTAL REQUIRED = 53 SPACES	8 SPACES
LOADING REQUIREMENTS	51 TO 75 TOTAL SPACES	1 SPACE
TOTAL REQUIRED		1 SPACE

SITE CRITERIA CHECKLIST

PROJECT DATA	
TOTAL SITE AREA	77,818 S.F. (1.78 ACRES) ±
ACCESSIBLE SPACES	13,225 SF (TYPE B)
PARKING REQUIREMENTS	REFER TO PARKING SUMMARY CHART
LOADING REQUIREMENTS	REFER TO PARKING SUMMARY CHART
LAND INFORMATION	
PARCEL NUMBER (MAP/LOT)	MAP 26, LOTS 127, 128, 129, 130, 131
BOUNDARY SURVEY	PROPERTY BOUNDARY SHOWN ON PLAN TAKEN FROM PROPERTY BOUNDARY PLANS
TOPOGRAPHIC SURVEY	TOPOGRAPHICAL INFORMATION TO BE PROVIDED BY JBE
OFF-SITE IMPROVEMENTS	NOT ANTICIPATED
ZONING INFORMATION	
ZONING DISTRICT	COMMERCIAL (C)
OVERLAY DISTRICT(S)	NASHUA AND ELM STREET CORRIDOR OVERLAY DISTRICT
PROPOSED ZONING	NONE
BUILDING HEIGHT (MAX.)	REFER TO ZONING SUMMARY CHART
DOT INFORMATION	
CLUB CUT PERMIT	NONE
MAJOR ROAD JURISDICTION	NHDOT
MINOR ROAD JURISDICTION	CITY OF MILFORD
LANDSCAPE INFORMATION	
SITE LANDSCAPING	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
SCREENING REQUIRED FOR 10' BUFFER TO RESIDENTIAL	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
UTILITY INFORMATION	
GAS AVAILABILITY	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
ELECTRIC AVAILABILITY	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
TELEPHONE AVAILABILITY	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
CABLE AVAILABILITY	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
WATER AVAILABILITY	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
SEWER AVAILABILITY	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>
STORM AVAILABILITY	YES <input type="checkbox"/> NO <input type="checkbox"/> TO BE DETERMINED <input type="checkbox"/>

THIS CONCEPT PLAN HAS BEEN PREPARED BY JONES & BEACH ENGINEERS, INC. (JBE) FOR CONCEPTUAL PURPOSES ONLY. JBE WILL ASSUME NO LIABILITY IF IT IS USED FOR ANY OTHER PURPOSE. THIS PLAN IS SPECIFICALLY NOT INTENDED FOR ANY CONSTRUCTION-RELATED ACTIVITY, INCLUDING (BUT NOT LIMITED TO) CONSTRUCTION BIDDING. IN ADDITION, DUE TO DISCREPANCIES WHICH MAY OR MAY NOT EXIST IN THE AVAILABLE PLAN REFERENCES, ANY PROPERTY LINES AND EXISTING FEATURES DISPECTED ON THIS CONCEPT PLAN AND ANY CALCULATIONS BASED ON THE SAME MAY NOT BE ENTIRELY ACCURATE. JBE ASSUMES NO LIABILITY FOR THE ACCURACY OF THESE LINES OR RELATED CALCULATIONS, AND IT IS UNDERSTOOD THAT THE USER OF THIS CONCEPT PLAN ACCEPTS ALL RESPONSIBILITY FOR ANY AND ALL ACTIONS ARISING FROM THE USE OF THIS PLAN. THE USER AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO HOLD HARMLESS AND INDEMNIFY JBE FROM AND AGAINST ALL CLAIMS, LIABILITIES, LOSSES, DAMAGES, AND COSTS ARISING FROM THE USE OF THIS PLAN, INCLUDING, BUT NOT LIMITED TO, ATTORNEY'S FEES.

Design: WGM Draft: GPC Date: 11/7/11
 Checked: WGM Scale: AS-NOTED Project No.: 11042
 Drawing Name: 11042-CONCEPT8.dwg
 THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
0	2/21/12	ISSUED FOR REVIEW	WGM

J/B Jones & Beach Engineers, Inc.
 Civil Engineering Services
 85 Portsmouth Ave. PO Box 219 Stratham, NH 03885
 603-772-4746 FAX: 603-772-0227
 E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: **CONCEPTUAL SITE PLAN**
 Project: **PROPOSED RETAIL
ELM STREET, MILFORD, NH**
 Owner of Record: **TROPIC STAR DEVELOPMENT, LLC
321 D LAFAYETTE ROAD, HAMPTON, NH 03842**

DRAWING No. **SK1**
 SHEET 1 OF 1
 JBE PROJECT NO. 11042



STAFF MEMO

Planning Board Meeting

October 16, 2012

Agenda Item # 7: Ducal Development, LLC – Map 8/Lot 52

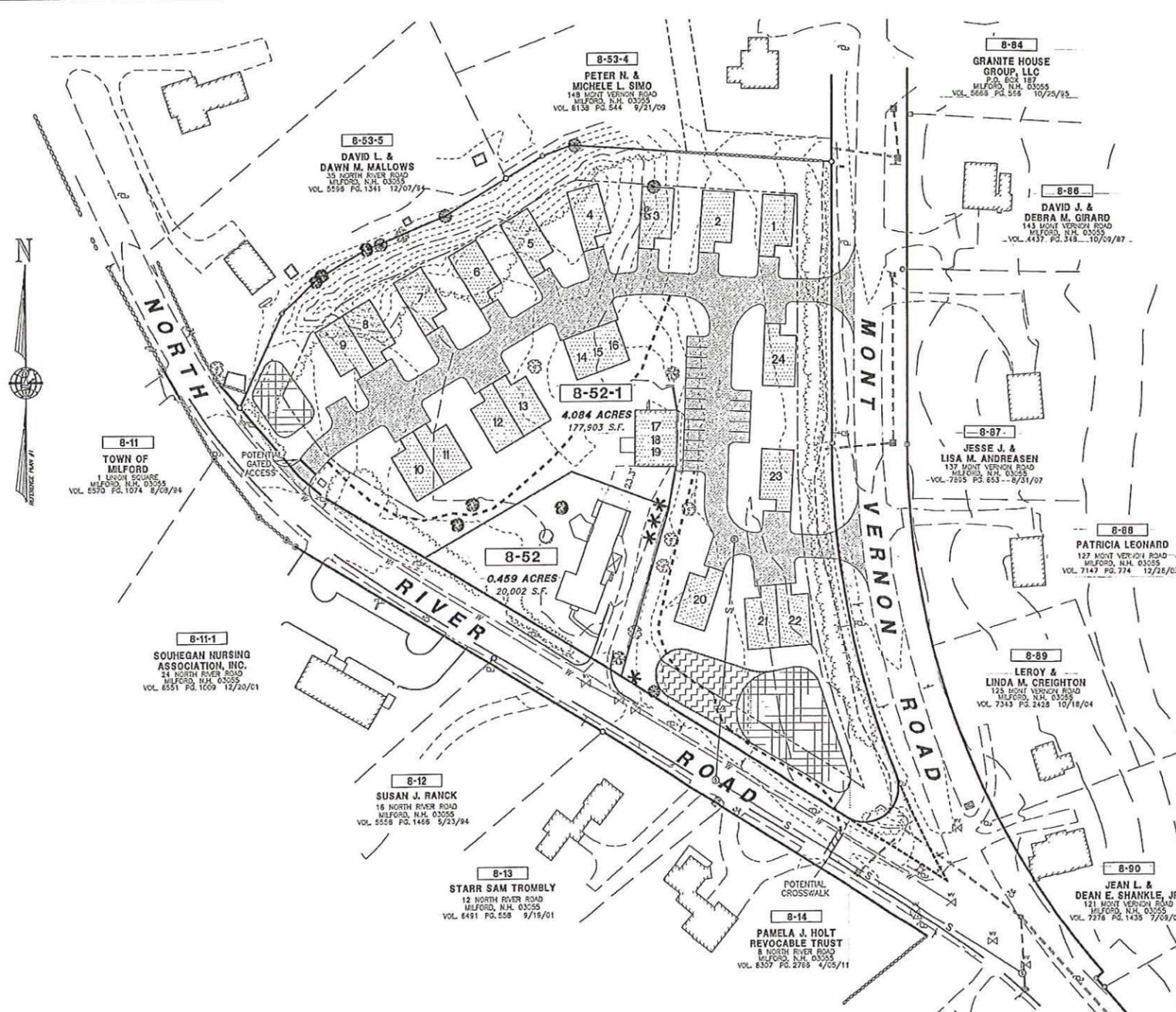
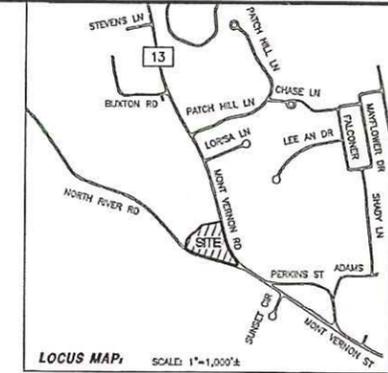
Discussion – Proposed Senior Housing Development, North River Road and Mont Vernon Road

Background:

Ducal Development, LLC, of Nashua, New Hampshire was last before the Planning Board in April of 2012 for a discussion on a proposed 24 unit senior housing development. Ducal Development, LLC is the owner of Map 8/Lot 52, located at the northwesterly corner of the intersection of North River Road and Mont Vernon Road. The site is served by municipal water. Both North River Road and Mont Vernon Road are State roadways at this location. The parcel is zoned Residence A and is approximately 4.5 acres in size. The site has been utilized as a single-family residence, and the existing brick home dates back to the 1820s with subsequent additions and remodeling over the years.

The applicant is currently before the Zoning Board of Administration.

The Town of Milford Zoning Administrator shall provide additional information prior to the October 16, 2012 Planning Board Meeting.



POTENTIAL DENSITY: 4.084 ACRES X 30 BEDROOMS PER ACRE (WITH MUNICIPAL SEWER & WATER) YIELDS 122 BEDROOMS.
 PROPOSED DENSITY: MAXIMUM OF 60 BEDROOMS IN UP TO 30 INDEPENDENT UNITS.

SENIOR HOUSING CONCEPT PLAN
 LAND OF:
DUCAL DEVELOPMENT, LLC
 TAX MAP 8 LOT 52
 MILFORD, NEW HAMPSHIRE
 SCALE: 1" = 50' APRIL 13, 2012

ENGINEERS
 LAND SURVEYORS
 SCIENTISTS
 LAND PLANNERS

OFFICE: 31 OLD NASHUA ROAD
 AMHERST, NEW HAMPSHIRE 03110 TEL: 603-673-1444
 MAILING: P.O. BOX 119 FAX: 603-673-1584
 ADDRESS: MILFORD, NEW HAMPSHIRE 03055 MERIDIAN@MERIDIANLANDSERVICES.COM

GRAPHIC SCALE

REV.	DATE	DESCRIPTION	C/O	DR	CK
0	--	--	--	--	--
1	--	--	--	--	--
2	--	--	--	--	--
3	--	--	--	--	--
4	--	--	--	--	--