AGENDA

March 19, 2013

Town Hall BOS Meeting Room - 6:30 PM

MINUTES:

1. Approval of minutes from the 2/19/13 meeting.

NEW BUSINESS:

2. **Vita L. Vaitkunas Rev. Living Trust & Federal Hill 235 Realty Trust – Federal Hill Rd – Map 53, Lots 67-2 and 68;** Public hearing for a lot line adjustment and subdivision to create one new residential lot and to consider a waiver request from Development Regulations, Section 5.06, Submittal Requirements. *(New application-Monadnock Survey, Inc)*

3. **John Samonas – Nashua St – Map 44, Lot 11.** Public hearing for a subdivision to create one new developable lot in the ICI District, without frontage on a Class V road or better, as approved by the Milford ZBA. *(New application-TF Moran)*

OTHER BUSINESS:

4. **Carole M. Colburn – Osgood Rd and Nye Dr – Map 51, Lot 1;** Discussion on future development.

Future meetings:

04/02/13 Worksession
04/09/13 Worksession
04/16/13 Regular Meeting

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

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MILFORD PLANNING BOARD PUBLIC HEARING ~ DRAFT ~
February 19, 2013 Board of Selectmen's Meeting Room, 6:30 PM

Present:

Members:	**Staff:**
Janet Langdell, Chairperson	Jodie Levandowski, Town Planner
Paul Amato	Shirley Wilson, Recording Secretary
Kathy Bauer	Mike McMahon Videographer
Steve Duncanson	
Malia Ohlson, Alternate	**Excused:**
Judy Plant	Tom Sloan
Susan Robinson, Alternate	Chris Beer

MINUTES:

1. Approval of minutes from the 1/15/13 meeting.

NEW BUSINESS:

2. **Crown Castle/Crown Atlantic Company LLC – McGettigan Rd – Map 10, Lot 1-1;** Public hearing for a site plan to replace the existing 185ft self-support tower and construct, in-kind, a new 185ft self-support tower. *(New application)*

3. **Tom Richards dba Fred Richards Auto Sales/Barbara Livoli aka Berkeley Trust Realty – 212 South St – Map 30, Lot 131.** Public hearing for a site plan amendment for a change of use from retail to motor vehicle sales with retail/display spaces. *(New application)*

OLD BUSINESS:

4. **Ducal Development, LLC – North River Rd & Mont Vernon St – Map 8, Lot 52;** Design review for a proposed senior housing development consisting of twenty-four (24) independent units. *(Tabled from 1/15/13)*

OTHER BUSINESS:

5. **St. Joseph Hospital – Nashua St – Map 31, Lot 32;** Discussion on proposed conceptual design.

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

MINUTES:
J. Langdell inquired about the blank space on page 5. S. Wilson noted that staff did not have a copy of the letter from the forester, so the date was unknown. J. Langdell asked the applicants from Ducal Development to submit said letter. S. Duncanson made a motion to approve the minutes from the 1/15/13 meeting, with the insertion of the date. K. Bauer seconded and all else in favor.

NEW BUSINESS:
Crown Castle/Crown Atlantic Company LLC – McGettigan Rd – Map 10, Lot 1-1; Public hearing for a site plan to replace the existing 185ft self-support tower and construct, in-kind, a new 185ft self-support tower.
Abutters present:
Gregory Kaminstein, Rainbow Ln Wilton

Chairperson Langdell recognized:
Jeffrey Barbadora, Crown Castle
Jose Xavier, Hudson Design Group, LLC

P. Amato made a motion to accept the application. S. Duncanson seconded and all in favor. P. Amato made a motion that this application did not present potential regional impact. J. Plant seconded and all in favor. S. Wilson read the abutters list into the record.

J. Barbadora presented updated plans dated 2/19/13 and explained that these plans included the suggestions from the staff memo. The application is to rebuild the existing tower, like for like, approximately thirty (30') ft from the old tower. The existing tower was built in the 1980's and over the years the structural integrity has become an issue with code changes, especially now that we are at revision G.

P. Amato inquired about the life of the tower. J. Barbadora said towers were built different back then and the lifespan depends on the tower. This tower is angle-framed and it has been modified over the years. P. Amato asked how many carriers are currently on the tower and if there would be an increase in cell service in town. J. Barbadora replied six carriers. Those carriers are changing out the antennas to accommodate the increase in wireless use and newer technology, so it will increase their service. P. Amato noted that this has been a very important tower in the area for a long time and it has worked well.

J. Langdell asked if this will increase the carrying capacity for the number of carriers. J. Barbadora said yes, in the future it would. We are going to basically rebuild the tower, relocate the existing carriers and then we can dismantle the old tower. The fence will be bumped out to accommodate the new tower; referencing sheets A1 and C3. J. Langdell inquired the impervious pavement. J. Barbadora said that the accessory road and compound will still remain gravel.

K. Bauer inquired about the timeframe. J. Barbadora said the dismantling will be quick, a couple of days or so and it will take approximately six months for project completion.

Chairperson Langdell opened the hearing to the public.

G. Kaminstein asked if all the construction would be within the confines of the property. J. Barbadora replied yes, absolutely.

Chairperson Langdell closed the public portion of the meeting. She then reviewed the comments from the staff memo dated 2/19/13. She read the staff recommendation regarding the management of bonds and added that a few trees would have to be cut down for the fence.

J. Barbadora said they added a silt fence and hay bales around the perimeter of the bump-out to control some of the runoff which was shown on sheet A1 and the recommended notes have been added to the plan.

S. Duncanson made a motion to grant approval of the application pending Note #4 of the staff recommendations. J. Plant seconded and all in favor.

Tom Richards dba Fred Richards Auto Sales/Barbara Livoli aka Berkeley Trust Realty – 212 South St – Map 30, Lot 131. Public hearing for a site plan amendment for a change of use from retail to motor vehicle sales with retail/display spaces.
Abutters present:
Robert Thompson, South St

Chairperson Langdell recognized:
Tom Richards, Fred Richards Auto Sales
Barbara Livoli, Berkeley Trust Realty and property owner

J. Langdell noted that the application was complete according to the staff memo. S. Duncanson made a motion to accept the application. K. Bauer seconded and all in favor. S. Wilson read the abutters list into the record.

T. Richards explained that due to the upcoming state regulation changes in 2015 for bonded car dealers, he was doing this out of necessity. He's been doing business as a bonded dealer for twenty years from his apartment but the RSA says he can no longer do that. This opportunity came up and it will be a good location. B. Livoli said she has the rental space as well as the parking area for four (4) cars so it works out well for both of us.

J. Langdell went over the parking requirements for the mixed use building as listed on the plan. Ten (10) spaces are required for the five apartments, the military business requires eight (8) spaces and this dealership will require two (2) spaces. T. Richards said originally he wanted to do six (6) spaces because they were already approved as parking spaces and he could just turn them into display spaces. B. Livoli said there is plenty of room for the businesses and tenants. Two of the units are only one bedroom so they don't need as many spaces and it never gets used; four up and four down.

J. Langdell said the challenge for this Board is that there are some delineated guidelines that we have to go by. The military sales business may not need the eight(8) spaces but if he moved out the new business may need all of them. B. Livoli said as the building owner, she wouldn't rent it to somebody who needed more space; she wouldn't be able to. J. Langdell said again, the challenge is that you could sell the property and what we determine here, goes with the property and the next owner.

B. Livoli said she thought the requirements were per 1,000 SF or the number of employees. J. Langdell clarified that the two (2) spaces would accommodate Tom as the employee and one (1) space for his client to park. P. Amato added that we wouldn't want to approve a business without any parking. B. Livoli said none of the tenants park there during the day. T. Richards added that there is plenty of parking for customers. There is room for probably thirty cars. J. Langdell referred to the site plan regulations and said there has to be sufficient, safe parking and it not be a jumble. She is familiar with the property and what it looks like, but it is not as shown on the original plan. K. Bauer reiterated that if approved, this plan goes with the property and we have to look at the future potential. We understand the problem, but the focus of this Board has to be on the regulations in place.

P. Amato said it comes down to how many cars you want to sell at one given time and four (4) cars will probably work fine. We've had other past instances in town, where the sites became a jumble and we've learned from those mistakes. T. Richards said he wants to be a good tenant and a good neighbor. There will only be four (4) cars there, that's it, although he would prefer to move the cars closer to South St. When he was working with staff, he thought it might be easier if the spots were just left alone as they were already approved. J. Langdell said we need to be clear about what is to be approved. B. Livoli asked if it would be acceptable to move the cars to the front where there would be no issue for the tenants. P. Amato said we also have to be clear about where the property line is and need to make sure that the display cars stay on the property, not in the town's ROW. J. Levandowski said they would work that way and Tom was correct in saying that when meeting with staff, he did want to put them near the front, but it seemed best to let the Board decide where they wanted to see the display. The spaces will work logistically with a maximum of four (4) 9' x 18' spaces.

K. Bauer asked if the turning radius would still work if the cars were moved. J. Levandowski said yes, the bump out on the plan is more exaggerated. Also, the angle would most likely be changed to face South St.

S. Duncanson brought up the parking calculations and noted that we can't include the handicapped space. J. Langdell said the calculations were based on considering this location a retail shopping center. There are other examples of smaller retail operations in our regulations such as appliance, carpet, furniture, heating and plumbing retail sales at 1.5 spaces per 1,000SF which seems a little more reasonable than considering this a shopping center. P. Amato brought up past uses and said there always seemed to be plenty of parking. J. Langdell said she would like to see the calculations amended so that the parking would be based on 1.5 spaces. It is much fairer, given this site. There was consensus by the board to amend the calculations.

K. Bauer inquired if there was snow storage shown on the plan. B. Livoli said no. J. Langdell suggested a note be added that appropriate snow storage be provided and the snow be removed when needed.

J. Langdell said note #8 lists the variances for this property but not the special exception granted in 2000 for the fifth apartment. B. Livoli said they could change that.

Chairperson Langdell opened the hearing to the public; there being none, the public portion of the meeting was closed. She then reviewed the comments from the staff memo dated 2/19/13.

P. Amato said this is a rather stark building and initiated discussion about landscaping. B. Livoli said she was working on it and is in process of having her landscaper plant some rhododendrons and hostas along the back area of the building between the two retail businesses facing South St and would like to keep the lawn as is. P. Amato said he was not sure if we have guidelines or requirements for existing businesses. J. Langdell said there are regulations for new construction, but again we are dealing with essentially existing businesses and it's been our practice to try to boost the landscaping. B. Livoli said she's done quite a bit along the Marshall St side.

J. Levandowski read the landscaping requirements; one (1) shrub for every five ft of building frontage. T. Richards said he would pitch in for a couple of shrubs. K. Bauer said she felt, from past experiences that it was important to be more specific. We could work with the applicant, but she would really like to see more landscaping now that they are spiffing up the property. We should also be clear so that the applicant knows what we have in mind and that we know what number and types will be planted. B. Livoli said she has a twelve (12') ft drainage area that has to stay open near the middle section of the building, but she will plant along the sides of it and her landscaper will give her some ideas how to camouflage the rest of it. J. Langdell said further details could be worked out between staff and the applicant. J. Levandowski inquired if the Board wanted to add a timeframe. J. Langdell agreed that the applicant should submit the plan for staff review by spring and the plantings to be completed by fall.

P. Amato asked about the existing sign shown on the plan. T. Richards said he might utilize that sign but will go with the state's 12" lettering requirements and will comply with the sign ordinance.

K. Bauer asked about the handicapped parking per staff recommendations. T. Richards said there are two; in front of the doors for each side. J. Langdell noted that there would also be sufficient parking on site.

S. Duncanson made a motion to grant approval subject to staff recommendations, updating the parking calculations, moving the display spaces to the front and the landscaping per discussion. P. Amato seconded and all in favor.

OLD BUSINESS:

Ducal Development, LLC – North River Rd & Mont Vernon St – Map 8, Lot 52; Design review of a proposed senior housing development consisting of twenty-four (24) independent units.

No abutters were present.

Chairperson Langdell recognized:

Erol Duymazlar, Ducal Development, LLC

Ken Clinton, Meridian Land Services, Inc.

K. Bauer recused herself for this application and the BOS alternate was not available.

Chairperson Langdell inquired if any correspondence or communication pertaining to this application had been received. J. Levandowski replied that the office received a phone call from Anne Kranz of the Big Tree Program, a division of UNH, suggesting that the Board seek a second opinion from a NH county extension forester.

K. Clinton said since the last meeting we met with various town departments and staff. Jodie has been to most meetings and has had firsthand knowledge of those conversations.

Environmental:
We discussed the comments regarding rain gardens and porous pavement, considering both, especially the rain garden approach. Mr. Elkind advised that no further outside review of the drainage would be necessary after his cursory review due to the fact NH DES would be intensively reviewing the AOT package. Since it was being prepared by a PE from our office, it would be adequately prepared. Since that meeting, we did incorporate rain gardens situated around the perimeter of the property and in between some of the units, referencing sheet SP2 or page 8 of 20. Those rain garden features will handle all the internal runoff on the site while the external drainage will be handled by the infiltration basin. The runoff will be treated sufficiently so that the potential benefits of any pervious pavement become negligible. This will be better detailed in the drainage report and Mr. Elkind will comment once the full set of plans have been received and reviewed.

DPW:
We met with Rick Riendeau and had discussion pertaining to the State versus Town drainage. He understood that we created easements; one will be a ROW and drainage easement that will allow a reconstruction of the intersection and one for the infiltration basin where the Town will have the ability to perform necessary maintenance. Formal drainage easements will be forthcoming.

Utilities:
We also met with Dave and the two foremen. There were numerous water line locations on North River Rd that were very confusing on the existing plan. We located those lines from various plans and were told to come in with a through-line from Rte 13 through the project to North River Rd. That connection made sense and ultimately we decided to come off an 8" main on Rte 13 for the hydrant and go down to a 4" for the service connecting to the 10" line on North River Rd. The sewer was somewhat problematic due to separation requirements from the water line, so the sewer extension was changed to go into the site from Rte. 13, which will be less costly and a better solution. Dave has not seen the full design yet, but will get a chance to endorse both water and sewer plans.

Fire Department:
We met with Captain Jason Smedick and Chief Jack Kelly. Jason wasn't sure the design for the turnarounds would meet the standards, but we worked through it and Chief Kelly gave his approval. Units 10-13 do not require a turnaround at the end of their access, but the other road does; however, due to the nature of the through drive with the gate and two entrances having larger radius were more than adequate for the ladder truck and pumper truck. They were agreeable to the road layout for emergency access. We also adjusted the hydrant location, per their request, and it is now located adjacent to unit 15. Verbally we have an understanding, but they also are waiting on final plans for further comment.

TSC
J. Levandowski clarified the correct wording for the Traffic Safety Advisory Committee memo that the committee recommended, by a vote of 3-2 at their meeting on 2/12/13, that access be on North River Rd not Mont Vernon St. Mr. Wheeler, Mr. Daniels and Mr. Archambault were in favor and Chief Viola and Mr. Parker were against. J. Langdell then read the rational from the 11/26 minutes.

K. Clinton said this was our second visit with the committee and although I have not seen a copy of the memo, the results came as quite a surprise. I am very confused with the vote and the basis for that vote. J. Langdell

wondered which set of plans were referenced, as this has been through at least four different iterations. K. Clinton said that original plan, did include the Hutchinson House as part of the overall project; however, the access point on North River Rd was not substantially different from the current plan. At that first meeting, Mr. Wheeler was the sole point of view for that belief which was not echoed by any of the other members. It is referenced in those minutes that it didn't make sense from an engineering standpoint at all. From a safety standpoint, NH DOT would weigh in. Throughout this process, nobody with any jurisdiction felt that way. NH DOT did state that they would be agreeable to having it be a through road if we so chose and if we could provide safe sight distance, but not that they wanted it to be the main access point. J. Langdell read the NH DOT letter dated 11/14/12. She then asked if one could even find 400ft of safe sight distance there. K. Clinton replied not on our property and we have had discussions with the abutter but with a different plan, different driveway locations and a different approach. E. Duymazlar said the key piece of pertinent information is that to even have a chance at sight distance we would need to enter into agreements for easements with the abutters and change the nature of their frontage significantly. K. Clinton said Rte 13 is the more substantial road that is safer to have access onto. It is on the correct side of the curb, the outside edge. The access on North River Rd has less safe sight distance and it's on the inside of the road. According to the NH DOT letter, we already have approval as long as we provide the drainage plans to show we're not going to affect drainage on the road. There was a lack of decision at that original TSC meeting. J. Langdell also noted it was a short committee; former chief Tortorelli and Rick Riendeau were not in attendance.

S. Duncanson explained that his concern, as was part of Mr. Wheeler's argument, was with people traveling north on Rte 13 and going too fast around that curve to see a car stopped to turn left into this complex. There is no depreciation of speed on that side as cars don't have to stop. J. Langdell inquired about the distance there. K. Clinton noted that the development entrance is about 550ft from the V of the road and the overriding criteria that we have to follow is specified by NH DOT.

Tree removal/Forester comments

K. Clinton addressed the concerns from Ms. Kranz saying it turns out that Charlie Koch is the consulting forester for the Amherst Conservation Commission and he surprised at the request for a second opinion. Ms. Kranz is the secretary for that commission and would have firsthand knowledge of his work. She probably was not aware that Charlie did the report. J. Langdell said we do not know how she gleaned the information. K. Clinton said he did some research on Big Tree program and the gnarly white pines on this property probably wouldn't qualify for that program, since their purpose is to locate the most outstanding tree species that grow in New Hampshire. We think this report is fine and he offered to call Ms. Kranz personally.

P. Amato said one of the potential issues is that the applicants hired a forester and got the opinion they wanted. Potentially a county forester that wasn't attached to the project could look at this and come up with the same results or different ones. It will drastically change the way the street looks and a second opinion is not a huge expense and we would have done our job to protect the integrity of Rte 13. K. Clinton responded by offering to call the county forester and put him in touch with Charlie Koch to discuss further.

J. Langdell thanked Ms. Kranz for calling and Mike Cleveland for writing the editorial in the Cabinet. It can't hurt to have a second opinion, especially if it costs nothing. There was consensus from the Board for Jodie to coordinate a second opinion from Mr. Nute or John Ferguson who is retired.

Lighting/signage

K. Clinton said although lighting and signage details have not been included in tonight's plans, we will satisfy the Ambulance concerns. He distributed an example of the single lamp post design that is internally lit and downcast. Each unit will have porch lights and there will be a development sign at the entrance that may be lit.

Architecturals/Floor plans

E. Duymazlar distributed the most recent version of the architecturals, dated 2/13. We are trying to preserve the barn nature of the existing structure and based on Mr. Amato's comments at the previous meeting, our solution is to redo the two story structure referenced on pages 1 and 2. The timber frame will be removed and reused off-site. We recognize the need to have a clubhouse and for it to be functional for the size of the community and that you have regulations we have to meet. The new calculations are based on the final floor plan's gross square

footage at 25,327SF of living space. The requirement is 5% of that or 1,267SF and our proposed clubhouse area is 1,350SF excluding the staircase to the parking level. There is no more storage space; it will be a two story clubhouse. The primary level will have a kitchenette, a meeting area with an area for 48 seats and a bathroom. The lower level will house an activity area and with a bathroom. We did verify that there is ADA accessibility and compliance for both levels. K. Clinton said each duplex will have a single car garage and two external spaces and we kept the roof structures low but the architectural views not to scale and don't necessarily represent the landscaping.

P. Amato asked if the duplexes would have stackable washers and dryers. E. Duymazlar said in some cases yes, the closet was designed to handle a full size stackable. As we get into this, we're apt to make small internal changes if we can improve things. All units will have full basements with the exception of the garden style units and although we discussed slabs, we keep coming back to the need for storage. The garden style homes would have detached garages/carports. They are set up as carports we but would consider the Board's preference.

J. Langdell noted that there is a certain amount of activity for 55+ and maybe they would want storage for bikes.

S. Robinson agreed, saying she was not sure that a carport design makes sense for this population. E. Duymazlar said we sometimes build enclosed storage closets at the back of the carport and carports tend to give a more open feel.

P. Amato referenced the small carriage shed garages at the JP Chemical facility and noted that a garage would offer more security. It's right at your entrance and a garage would look more appropriate. E. Duymazlar said they will add garages. P. Amato inquired about the square footage of the singles versus the duplexes. E. Duymazlar went over the floor plans. The unit size might be about 15% smaller than the units at Peacock Brook in Amherst which are two story cape and New England styles while here everything will be on one floor. We are using the same designer so the details will be similar.

S. Duncanson asked if the structures would be stick built. E. Duymazlar said yes for the residences but the barn might have to be built to a different code.

Landscaping

K. Clinton said Randy Knowles has designed a comprehensive plan to redevelop the buffers and landscape the site; page SP8 references the overall design, LS2 contains the details and both are based on the understanding that the white pines will be removed. E. Duymazlar said we are sensitive to redevoping the screening along the Rte 13 corridor and for the abutters from the new construction. We focused on using trees that provide screening and our plantings will create a denser, lower buffer early on. It is important to note that we need to sell these homes and have to be sensitive to the marketing needs, as well as the abutters. Good examples of the proposed landscaping would be Summerfield of Amherst and Peacock Brook. Due to the elevation drop on the site, we don't need to add a lot of berm to buffer a ranch, but we will consider size and width for the buffer. There are substantially more perimeter plantings than we usually do.

S. Robinson said the plan looks good; it has density and frequency. She also stated that it is very important for the landscaping to really enhance what you are trying to do. E. Duymazlar agreed.

P. Amato asked if the site would be clear cut to the property line even on the west. E. Duymazlar said the simple answer is yes, and we would keep what was safe to save; however, from a practical standpoint it would be better to take everything down, eliminate any safety issues, re-grade, create any berms and replant the whole site. We will be sensitive to the abutters and create added buffer for the Mallows because it appears that their current buffer is created by the plantings on our side of the property line which we will put back. P. Amato made an observation that Bartlett Commons in Amherst planted a great deal of landscaping that looked beautiful in the beginning, but now that ten years have passed, it almost needs thinning.

Draft

Traffic

K. Clinton referenced the traffic counts supplied to the Board and reported that there would be less than 200 trips per day and looking at the current level of service for Rte 13 and the peak several years ago, there is a 14% drop in traffic. The number of cars per day is negligible and will not affect the level of safety of the road. We shared this data and the TSC minutes with NH DOT; they had no problem whatsoever. In fact, they have already given us approval and it is not unsafe in their opinion. If they felt correction was necessary, they could have us widen the pavement or add a turning land, but they made no comments to that effect. The paved width of the road at the entrance is shown on page 4 of 20. The pavement on Mont Vernon Rd is 25ft +/- with a 66ft ROW, nearly the same as North River Rd which only has a 49ft +/- ROW. NH DOT has reviewed this plan and deemed this an adequate primary entrance. The Community Development staff supports this as well.

J. Langdell said the concerns from the TSC from the 11/26/12 minutes were relative to eventual traffic impacts and the potential to lower the speed limit and/or add another stop sign and possibly a turning lane with the fear that this would turn into another Rte 101A. K. Clinton reiterated that they are accounting for a dedicated area for re-configuration of the intersection. A T-intersection, should it be deemed necessary, will eliminate any of these concerns by drastically reducing the flow-through and slow the traffic much more than changing our access point. J. Langdell said that would then change the natural flow of Rte 13 which is a main north-south route in town.

P. Amato said he'd like to see access on both roads. He understands the concerns with cutting through and the sight distance on North River Rd, but we will be cutting off many of these residents' ability to get out of their neighborhood from a different way. The Mont Vernon Rd exit is not unsafe but we are taking all the traffic to that one location, especially to turn right onto North River Rd. K. Clinton said there will be a dumpster on site so residents will not have to make trips to the dump and it is no faster to get to a grocery store that way, he's clocked the mileage to Shaw's and Stop & Shop. J. Langdell said they might be going to Market Basket or Fitch's Farm or Trombly Gardens. P. Amato asked what the options were to discourage cut-throughs. K. Clinton said a high tech gate that the residents themselves could get out of is really not practical. J. Langdell expressed concern with the safety and sight distance on North River Rd and said she feels that there would be cut-throughs having two entrances as we've seen in other developments. That is another reason why North River Rd has become so much more trafficked is because people use it to avoid going through town. Discussion regarding access followed, using Kessler Farms in Nashua and Ledgewood as references.

S. Duncanson said instead of putting a gate at the North River Rd entrance, could you make that piece of road up to unit #9 a one-way out only. K. Clinton said without a gate, people will cut through the development from Rte 13 to North River Rd. These are private roads not constructed to handle that amount of traffic. S. Duncanson asked if there would be signs at the entrances stating that this is a private road. K. Clinton said he didn't know; there would be a development name, but didn't know if there would be signs stating private drive or dead-end. P. Amato added that if you put "do not enter - one-way" people won't go there. K. Clinton said the size of the drive is based on the size of fire apparatus. E. Duymazlar said there is still a significant road block which is that we don't have sight distance without an agreement from the neighbors. S. Duncanson said you would for a right turn only. K. Clinton said we will take a look at that to see if it's feasible, given the nature of the plantings there. J. Levandowski said the initial Ambulance and Fire comments were that it be a gated access point, given the current layout.

Chairperson Langdell opened the hearing to the public.

K. Bauer, North River Rd

- She used to live in this area and confirmed that people do speed, it is a blind corner and coming to this development from downtown, there is that chance of getting rear-ended there. Several neighbors have had that experience while waiting to turn into their driveways.
- As far as reconfiguring the intersection, which has been discussed, the State has no money and a long list of other projects that need to be done. While it would be valuable to get this done, it won't be for years to come, so we have to look at the way it is now.
- Residents will have to take a right turn out of the development and then another very sharp right turn to go west. If there were a right turn out of the development onto North River Rd, it would be more convenient.

- Ledgewood has caused a lot of problems and we've had a lot of complaints and suggestions to the BOS regarding the exit/entrance on Nashua St.
- She likes the landscaping plan. The units along Mont Vernon where the bedrooms face out onto Mont Vernon Rd, need good screening as fast as possible.
- What kind of street lighting would there be at the main access. K. Clinton said there is an entrance sign proposed with may be lit on each side so that it would be readily identifiable to residents, guests and the general public.
- She was fine with the proposed crosswalk for the easterly section of the residences, but it is not convenient for the residents on the other side of the Hutchinson House.
- As a citizen, what is the ball park cost for a unit? E. Duymazlar said as low as possible, but around $200,000. The goal is to pick a price point to help the product move but it is relative to the cost structure.

Chairperson Langdell closed the public portion of the meeting.

Crosswalks

K. Clinton said the Planning Board made some suggestions at the last meeting to move it more to the north and west, perhaps aligned with the nursing home. The TSC suggested aligning it with the emergency access drive or to consider two crosswalks. A crosswalk is only paint on pavement so we'll submit the NH DOT applications with multiple locations for the crosswalks. J. Langdell noted that one of the points discussed at the last meeting was that this location on the plan wouldn't need any work on the south side of the street, but if it were moved closer to St. Joseph's facility there would have to be some work done to make it ADA compliant. K. Clinton noted that some of the savings from the sewer extension could be used, if the Planning Board or TSC prefers the change in location. NH DOT has the ultimate decision as it is their jurisdiction. P. Amato said it is great idea to have two crosswalks if it doesn't pose a problem. E. Duymazlar said if it's good for the neighborhood then let's do it.

K. Clinton said the final plan set is near completion and almost ready for final submission; however, the timing of the submission and meeting dates is such that we probably wouldn't get on until the April hearing. We will submit the drainage to Fred Elkind for review and the DOT permit applications and the AOT application should go out next week. Does the Board feel that there is more to discuss from a design review standpoint? If not, we would like further give and take with Town staff, namely Fred Elkind, Dave Boucher, and the Fire Department so they can officially comment by memo. J. Langdell said if you feel you are ready to go for final approval; go ahead. P. Amato added that doesn't mean that the Board will grant all the approvals at that first meeting.

S. Duncanson inquired about the timeframe for the project. E. Duymazlar said typically we do all the infrastructure up front, then build the garden style units and community room and will phase the remainder at four units at a time.

K. Clinton said they wouldn't be submitting final application in March, it would be a continuation of design review and a brief discussion on timing followed. P. Amato said we've design reviewed this plenty and now we need to see final plans. P. Amato then made a motion to grant a 65 day extension for the application. J. Plant seconded and all in favor. K. Clinton stated they are ready to go to final application. J. Langdell then noted that this is the end of design review; we hope to see you in April.

There was a brief recess at 9:00PM.

OTHER BUSINESS:

St. Joseph Hospital – Nashua St – Map 31, Lot 32; Discussion on proposed conceptual design.

Chairperson Langdell recognized:
Jay Heavisides, Meridian Land Services, Inc.
Robert Demers, Director of Operations for St. Joseph Hospital
Steve Clayman, Lavallee Brensinger Architects
Kathy Cowette, Director of Planning for St. Joseph Healthcare

S. Clayman presented conceptual plans dated 1/15/13 and they hope to be back with formal application in April and begin construction this summer. The existing medical center dates back to the 1980's and over the years it has served its purpose but is in need of replacement. The design and layout is not ideal for modern medicine and it doesn't promote efficiency or effective use of the facility. There are large portions of the building that can no longer be used. The commitment to the Milford community by St. Joe's to build a new facility here will take advantage of modern design and organizational thinking and health care. There are constraints on the site that will limit the building and its location. We need to construct the new building while the existing building is kept operational and PSNH prohibits building underneath the power lines easements although parking and a roadway is allowed. As a result, this is the only place to build the new building and accomplish integration with the existing medical office building. We will link the main floor of the new structure to the second floor of the existing medical office building. The new facility will have an ER department, radiology , lab, rehab, and incorporate some new additional medical office space on the second floor. The design will accommodate all the clinical spaces on one level instead of split as they are now and will be arranged more as individual services with clear entrances. The site plan that evolved provided a great opportunity for the hospital to fix some of the problems on site, primarily the access and parking. Currently patients and staff sometimes have to cross the roadway from the side parking area to get to the facility and also the ambulances use the same lot as the visitors. This layout will provide a more direct route to the parking for patients, segregate service traffic and better define staff parking. The patient parking will be close to the entrance and the covered drop off will be a huge improvement from what is there now. The parking will also be increased by thirty (30) spaces on site to accommodate the need; we are not increasing the programs in the facility. The aerial view dated 1/15/13 shows the site. The building is broken into pieces to reduce the sense of scale from the street and will be more in keeping with the residential properties in the area. We reintroduced sloped roofs as key points. We wanted to highlight the community room as a major feature of the facility and have it right up front and visible from Nashua St as well as the entrance. We wanted to encourage the feel of entering a campus and keep a lower scale to again fit more with the surrounding residential properties.

J. Heavisides further described the constraints on site. We have to avoid the PSNH easement as well as poles and guy wires which pushed building over. There are also wetlands and a detention basin on site. The slope of the lot will make the new entrance lower than Nashua St and correct the existing blind spot. We're separating out the ambulance entrance and there will be no connector for pedestrians or patients; the west side will only be for staff parking and ambulances. We also added a provision for a possible mobile MRI unit that added a little more pavement. When we met with Bill Parker, building, planning and fire staff there was much discussion on the maneuvering of the trailer. We are working on a design to minimize the impact that trailer could possibly have. The facility is currently connected to water and sewer, so no new connections will be required. We will meet the landscaping requirements and will address the Nashua/Elm Street Corridor guidelines. The drainage will be a trade-off between the pavement and buildings and not have much impact. Our stormwater will consist of recharge basins and rain gardens. J. Heavisides said there is better sight distance at the new entrance and the new drive will help separate the main Kaley Park traffic. We would love to get more parking to serve the existing medical office building but the slope and grade is prohibitive.

B. Demers explained the timing of the project which would most likely consist of removing the barn and house portion of the building which is not in use now, constructing the new temporary entrance, construct the parking, then the construction of the medical office portion, the demolition of the old facility and then the final construction. The goal is for completion in June, 2014.

S. Clayman said the architectural design of the building has gone through a lengthy evolution. The doctors and medical professionals really wanted this to feel like a modern medical facility. It's the equivalent of making a Wal-Mart look like a barn. You can dress it up, but it still looks like a Wal-Mart dressed up as a barn. The goal was to come up with a design that expressed the fact that this was a modern facility equipped to provide modern technology and had advanced from the current facility which is dated. The barn never worked because it didn't look like a health facility. We are trying to find that point which reflects the existing medical office building in the traditional, conventional architecture of Milford and be honest that this is a community health center in a modern facility and evoke St Joe's image as an organization. Dr. Martin, who is head of the ER department, felt that when people drive by, it should feel like this is a branch of the hospital. We also wanted to convey that this is

a community medical center with a strong community room. The goal is to involve the community in health and wellness and make it an accessible facility. The original design that came out of our group charrettes was a barn but it was this huge building that exceeded your height limits and just seemed out of scale. It is a 24,000SF facility, 18,000SF of which is on the first floor and that is the nature of creating an efficient small medical health center. In trying to connect everybody and minimize the use of elevators and stairs, the footprint is like that of a supermarket, but we're trying to not make it look like one.

K. Cowette explained that this design was our first rendition. The basic overall concept of slanted roofs and the main access are fundamental design issues that we hoped to get across. We also had an informational meeting with the abutters on Linden St. and invited Mrs. McGuire who was not able to attend. They saw this conceptual design and seemed happy with the newer, more modern facility and understood the fact that in order to maintain services, we had to situate the building differently. B. Demers noted that the one issue brought up at that meeting was the headlights and we will address that with a fence or something. He also discussed traffic by the ambulance area and said we wanted to create a barrier between the parking areas which will probably be some type of landscaping berm. The Fire Department was fine with preventing visitor traffic affecting that entrance. K. Cowette reiterated that one of the major issues, from feedback from patients and physicians, was convenience for going between buildings for services. S. Clayman said we can look at breaking the scale down along Nashua St and will incorporate materials similar to those used the medical office building but the footprint is very different and we don't want to get into attached fake roofs. We want a meaningful design.

J. Heavisides said that off-site improvements such as the left turn lane have been discussed for years. This section of Nashua St has a dedicated 10-15 ft ROW for the future widening of Nashua St and it is easier to put the turning lane at the new location due to its location and the fact that St. Joseph now owns the additional property. J. Langdell said it is assumed that you will increase your volume of service which also increases traffic. In addition to perhaps the needs of Kaley Park there is also the need to get people safely in and out of your facility.

P. Amato said we do appreciate St. Joe's dedication to this town and providing this service in town. J. Langdell said to have this medical center in the hub of the Souhegan Valley, with Amherst, Wilton, Lyndeborough, Brookline, and Mont Vernon is a huge asset to not just Milford, but to our larger community. It's on Milford land, in the middle of the "granite town", in a very special neighborhood and it's a neighborhood health center; we get what you are trying to do. We can work to find a happy medium. P. Amato suggested looking at the ordinance and examples from the guidelines, take tonight's input and come back for another discussion.

Board comments:

- We understand the need for the new building, the constraints of the property, and the need to keep the facility open during construction.
- Issues with ambulance headlights will have to be addressed.
- Would like to see it look more like the existing medical office building and incorporate the charm of the medical office building.
- Would prefer a design that was more reflective of Milford.
- The new building design does not fit in as an entrance to Milford.
- The proposed building is huge and out of scale.
- Want to see good articulation of main entrances.
- Could staff access from Linden St be closed off?
- The general design of the building doesn't belong .
- The front parking and possible relocation.
- Want to see some give and take on the design.
- Comply with the Nashua Elm Street Corridor guidelines.
- Envision a community garden.
- Parking during construction?
- Landscaping along Nashua St and screening the large parking lot.
- See an elevation plan with windows and more details.

NRPC

J. Langdell announced that the Nashua Regional Planning Commission (NRPC) will be holding a regional housing workshop on 3/29/13 from 11:30 AM to 3:00 PM. Information is available at the Community Development Office or on the NRPC website at www.nashuarpc.org.

S. Duncanson made a motion to adjourn the meeting at 9:55pm. M. Ohlson seconded and all in favor.

MINUTES OF THE FEB 19, 2013 PLANNING BOARD PUBLIC HEARING APPROVED _____, 2013

Motion to approve: _____

Motion to second: _____

_____ Date: _____

Signature of the Chairperson/Vice-Chairman:

Draft

STAFF MEMO

Planning Board Meeting

March 19, 2013

Agenda Item #2 Vita L. Vaitkunas Rev. Living Trust & Federal Hill 235 Realty Trust – Federal Hill Rd – Map 53, Lots 67-2 and 68

Public hearing for a lot line adjustment and minor subdivision to create one new residential lot and to consider a waiver request from Development Regulations, Section 5.06, Submittal Requirements.

Background:
The applicant is proposing a lot line revision and minor subdivision creating one new residential lot off of Federal Hill Road. The properties involved are situated between Federal Hill and Colburn Roads. The purpose of this lot line adjustment and subdivision is to adjust the common lot line between lots 53-67-2 and 53-68 and to subdivide off the existing house on lot 53-67-2 thus creating one new residential lot with access of off Federal Hill Road. The new lot (53-67-3) meets the 200' frontage and 2 acre zoning minimums on a Class V or better roadway required in the Residence "R" Zone. Lots 53-67-2 and 53-68 will remain conforming lots (Note: Lot 53-67-2 was created at the time when "private ways were allowed).

A majority of lot 53-67-2 (quarry lot) is wooded and subject to steep slopes and wetlands with a granite quarry located in the center of the property. The drainage pattern on site is predominantly into the site's central wetlands area on the northern portion of the lot and a significant amount flows downward into the quarry area.

Main access to the existing house on lot 53-67-2 is from an access easement located on lot 53-68-1 off of Federal Hill Road. Access to the existing house shall remain at this location following subdivision approval eliminating its access to Colburn Road. A second access easement is in place off of Colburn Road on lot 53-67 allowing access for two homes (53/67-1 & 53/67-2). If a new home is constructed on the quarry lot it shall be provided access through the existing easement off of Colburn Road.

The abutter at 53/67 came into the Community Development Office on March 13th to inquire about access to the proposed subdivision. The abutter stated that the current access easement on his property on Colburn Rd is only for two homes and was relieved to know that access for the new lot 53/67-3 will be from Federal Hill Rd. Abutter has no issues with the proposed subdivision plan.

New Hampshire State Subdivision approval shall not be required for the proposed subdivision as all lots are greater than 5 acres.

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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.

Waiver Request:
The applicant is requesting two waivers from Development Regulations Section 5.06, Submittal Requirements. The first waiver request is for locations of existing wells within 100 feet of the property in question. This request is inapplicable as an earlier version of the Minor Subdivision Application Checklist was provided on the Town Website. Current Minor Subdivision Regulations do not require the location of water supply details within 100 feet be shown on the plan. Staff is working to remove the incorrect checklist from the website and replace as necessary. The survey indicates the locations of existing wells on the affected properties along with the two lots off of Colburn road near the access easement. Since this requirement no longer exists, the Planning Board does not need to act on this waiver request.

The second waiver request from Section 5.06 is from areas of wetlands and slopes over 25%. Topography at 2 foot intervals is provided on the plan for a majority of the site demonstrating areas of steep slope. Areas of wetlands are shown on sheet 2 of 3 located in the northern and southern portions of the quarry lot (53-67-2). The Board should seek additional information from the applicant as to the location of the proposed home on lot 53-67-2 to feel comfortable that sufficient topographic information is provided to insure there is no impact on the wetlands and that steep slopes will be create problems. If the Board is comfortable with the information then full topographic detail for all the property is not required.

Interdepartmental Reviews:
Zoning Administrator- Lots all meet area and frontage requirements. Although lot line create irregular lot the overall density created with the addition of a new building lot remains far less than is allowed in the 'R' Zone and rural character is maintained.

Heritage Commission- no issues with the proposed subdivision plan.

Department of Public Works- no issues with the proposed subdivision plan

Fire Department- has no issues with the proposed subdivision plan

Building Department- well radius easements will be required.

No comments were received as of March 14, 2013 from Police, Water Utilities, Ambulance or Assessing. The Conservation Commission's regular meeting was held after staff memos were distributed, if any comments come in, Staff will let the Board know at the meeting.

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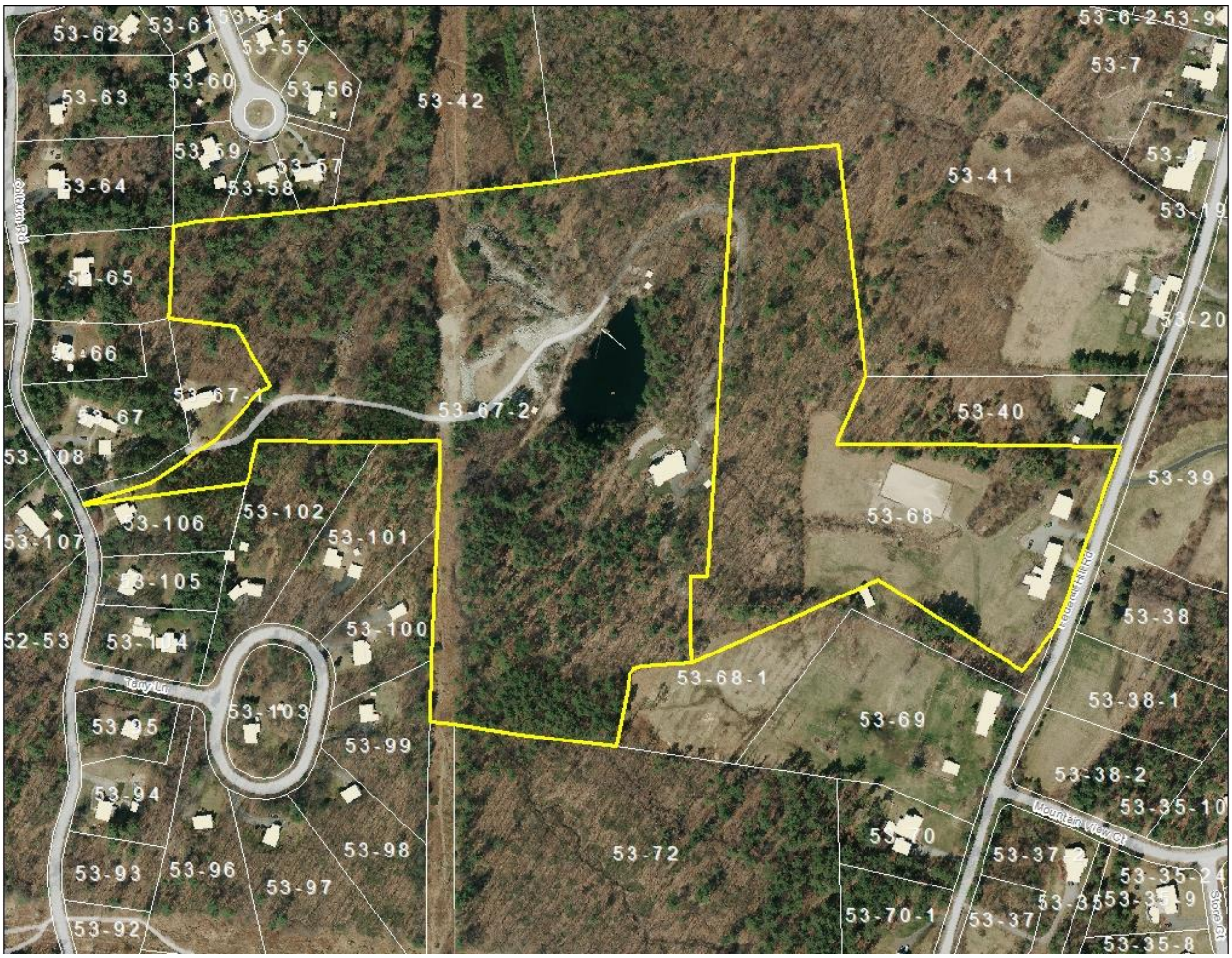
Staff Recommendations:
The Board should first act on the waiver request of Section 5.06. Since there is an existing driveway stretching from Colburn Road to Federal Hill Road, the Board should discuss how the two lots will be separated to prevent cut through on neighboring access easements. Additionally, the Board should address the amount of available buildable area on lot 53-67-2.

If the Board then decides to approve the Lot Line Adjustment and Minor Subdivision application Staff would recommend the following conditions of approval prior to the signing of the plan:

1. Note #14 be removed as the Growth Management Ordinance is no longer enforced;
2. A note be added to the plan stating that a well radius easement will be required from the property owners of lot 53/67-2;
3. A note be added stating lot 53-67-2 will require approval of a Stormwater Management Permit prior to commencement of site work if over 5,000 SF of area will be disturbed.
4. A note added to the plan stating the intended points of access for the new lot;
5. All boundary monumentation be set as noted on the plan;
6. Revise note #7 to read "Minimum Open Space for all uses other than single-family and two-family dwellings is 30%;
7. All applicable easement documentation be summited to the Town of Milford;



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TOWN OF MILFORD
RECEIVED
FEB 19 2013
PB____ZBA____Office_____

Waiver Request Form

Department of Planning and Community Development

Name of Project LOT LINE ADJUSTMENT AND SUBDIVISION VAITKUNAS + Federal Hill 235 Realty Trust

Applicant _____

Date 2/15/2013

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

Abutter notification is required for all waiver requests.

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

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

Subdivision or Site Plan Regulation Section Number	Request and Rationale
1. 5.06	#14 WAIVE LOCATIONS OF ABUTTING WELLS. SIZE OF LOTS - 2 LOTS have EXISTING houses, wells + SEPTICS already

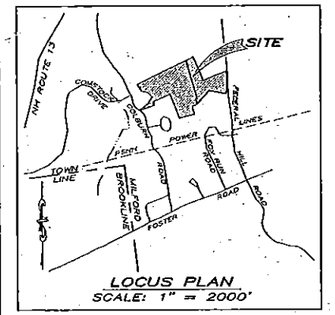
Subdivision or Site Plan Regulation Section Number	Request and Rationale
3. 5.06	#17.D AREA OF WETLAND AND SLOPES OVER 25% IN Square feet and acres. 2 LOTS have EXISTING houses + Leachfields (ISDS) The Third LOT IS 28 ACRES, There IS
4.	AMPLE ROOM ON THE LOT. Wetlands have been delineated ON the LOT. TOPOGRAPHY IS also SHOWN.
5.	
6.	

Please feel free to attach any other information as necessary.

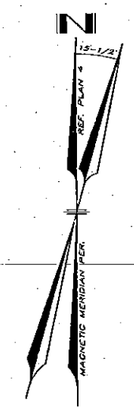
Signature of Applicant

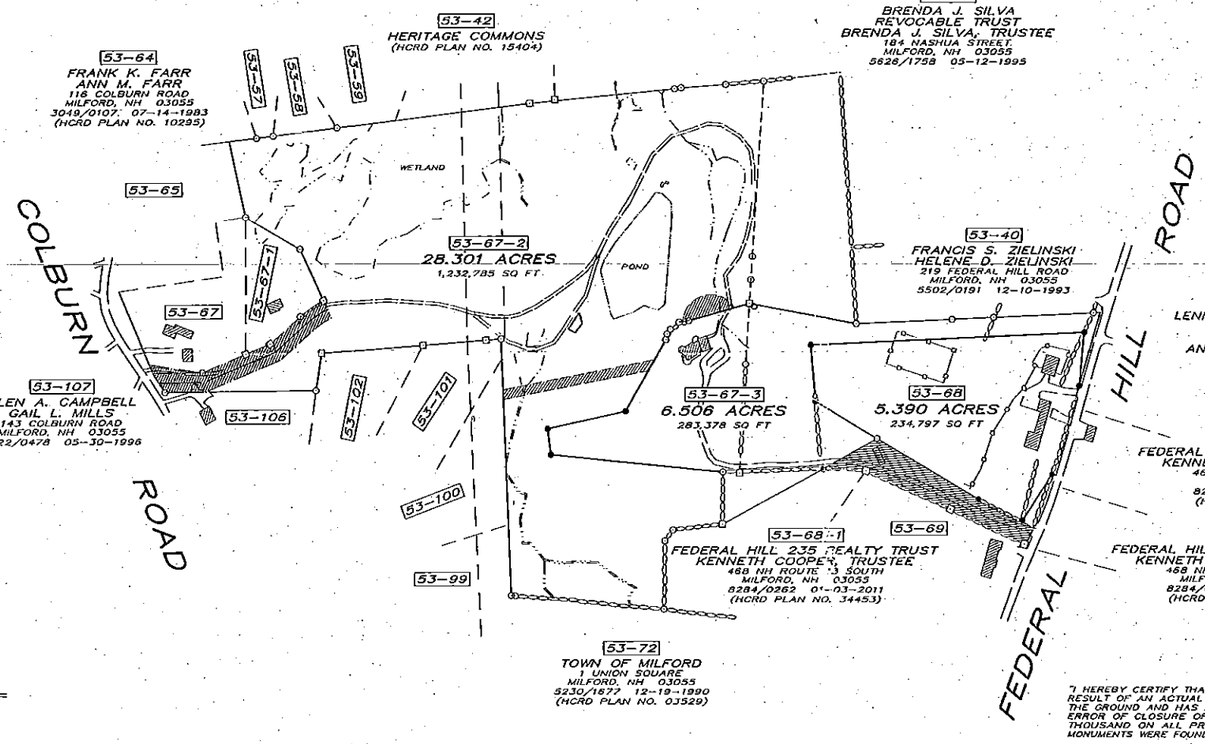
2/15/2013

Date



LOCUS PLAN
SCALE: 1" = 2000'





REFERENCE PLANS:

1. "SUBDIVISION PLAN, MAP 53 / LOT 68, PREPARED FOR JAMES G. & ALEXANDRA M. DANNIS, FEDERAL HILL ROAD, TOWN OF MILFORD, HILLSBOROUGH COUNTY, NEW HAMPSHIRE" SCALE: 1" = 100' DATED OCTOBER 6, 2003 LAST REVISED DECEMBER 27, 2005 PREPARED BY SANDFORD SURVEYING AND ENGINEERING (HCRD PLAN NO. 34453).
2. "SUBDIVISION PLAN, MAP 53 / LOT 38, PREPARED FOR JAMES G. & ALEXANDRA M. DANNIS, FEDERAL HILL ROAD & MT. VIEW COURT, TOWN OF MILFORD, HILLSBOROUGH COUNTY, NEW HAMPSHIRE" SCALE: 1" = 50' DATED JULY 14, 2004 LAST REVISED NOVEMBER 1, 2004 PREPARED BY SANDFORD SURVEYING AND ENGINEERING (HCRD PLAN NO. 33605).
3. "PLAN OF RIGHT-OF-WAY EASEMENT LOCATED ON LOT 53-68, LAND OF JAMES & ALEXANDRA DANNIS, MILFORD, NEW HAMPSHIRE" SCALE: 1" = 50' DATED MAY 14, 2001 PREPARED BY MERIDIAN LAND SERVICES, INC. (HCRD PLAN NO. 31264).
4. "SUBDIVISION PLAN OF LAND, STEVEN A. DESMARAIS AND ROBERT L. BACON, MILFORD, NEW HAMPSHIRE" SCALE: 1" = 100' DATED MARCH 28, 1990 LAST REVISED MAY 9, 1990 PREPARED BY THIS OFFICE (HCRD PLAN NO. 24539).
5. "SUBDIVISION PLAN OF LAND, ROCK L. COMSTOCK, MILFORD, NEW HAMPSHIRE" SCALE: 1" = 100' DATED JUNE 13, 1985 PREPARED BY THIS OFFICE (HCRD PLAN NO. 18053).
6. "A SUBDIVISION OF LAND IN MILFORD, N.H. OF LOTS 5-162-5 AND 5-167 AS DRAWN FOR COLBURN ROAD DEVEL. COMPANY" SCALE: 1" = 50' DATED SEPTEMBER, 1981 LAST REVISED SEPTEMBER, 1982 PREPARED BY EDWARD N. HERBERT ASSOCIATES, INC. (HCRD PLAN NO. 15404).
7. "GOLDEN BELL ACRES DEFINITIVE SUBDIVISON, COLBURN ROAD, MILFORD, N.H." SCALE: 1" = 100' DATED MARCH 30, 1979 PREPARED BY MIDDLETON SURVEY, WINCHESTER, MA (HCRD PLAN NO. 12551).
8. "SUBDIVISION PLAN OF LAND, MILFORD, N.H., SURVEYED FOR ROGER B. MACDONALD" SCALE: 1" = 50' DATED MARCH, 1977 PREPARED BY HOWARD G. WATKINS, LAND SURVEYOR (HCRD PLAN NO. 10295).
9. "FEDERAL HILL HEIGHTS, MILFORD, N.H., PREPARED FOR GROTON BUILDERS INC., WALTHAM, MASS." SCALE: 1" = 100' DATED JANUARY, 1966 PREPARED BY A. M. PARKHURST, SURVEYOR (HCRD PLAN NO. 03529).

NOTES:

1. OWNER OF RECORD OF LOT 53-67-2 IS VITA L. VAITKUNAS, TRUSTEE OF THE VITA L. VAITKUNAS REVOCABLE LIVING TRUST, 148 COLBURN ROAD, MILFORD, NH 03055.
2. TITLE REFERENCE TO LOT 53-67-2 IS HCRD BOOK 6290 PAGE 0973, DATED SEPTEMBER 8, 2000.
3. OWNER OF RECORD OF LOT 53-68 IS KENNETH COOPER, TRUSTEE OF THE FEDERAL HILL 235 REALTY TRUST, 468 NH ROUTE 13 SOUTH, MILFORD, NH 03055.
4. TITLE REFERENCE TO LOT 53-68 IS HCRD BOOK 8284 PAGE 0262, DATED JANUARY 3, 2011.
5. THE INTENT OF THIS PLAN IS TO ADJUST THE PROPERTY LINE BETWEEN LOTS 53-67-2 AND 53-68; AND SUBDIVIDE LOT 53-67-2, CREATING ONE NEW RESIDENTIAL LOT.
6. BOUNDARY INFORMATION FOR LOT 53-68 WAS TAKEN FROM REFERENCE PLAN 1, AND IS NOT THE RESULT OF A SURVEY BY THIS OFFICE.
7. ZONING DISTRICT IS RESIDENCE "R". MINIMUM LOT SIZE IS 2 ACRES. MINIMUM FRONTAGE IS 200 FEET ON A CLASS V OR BETTER ROAD. MINIMUM BUILDING SETBACKS ARE 30 FEET FROM THE FRONT LOT LINE AND 15 FEET FROM THE SIDE AND REAR LOT LINES. MINIMUM OPEN SPACE IS 30%.
8. LOT 53-67-2 LIES PARTIALLY WITHIN A LEVEL II GROUNDWATER PROTECTION AREA. IT IS EXEMPT FROM COMPLIANCE WITH THE GROUNDWATER PROTECTION DISTRICT REGULATIONS UNDER ARTICLE VI, SECTION 6.01.3.E.1 (PRIVATE RESIDENCE).
9. THE LOTS DO NOT LIE WITHIN A 100 YEAR FLOOD HAZARD AREA AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAPS FOR HILLSBOROUGH COUNTY, NEW HAMPSHIRE, PANEL 470 OF 701, COMMUNITY-PANEL NO. 330110C 0470D, EFFECTIVE DATE SEPTEMBER 25, 2009.
10. LOT AREAS BEFORE AND AFTER ADJUSTMENT:

	BEFORE	AFTER
53-67-2	1,209,336 SQ FT	1,516,163 SQ FT
53-68	541,624 SQ FT	234,797 SQ FT

11. THE PROPOSED LOTS ARE GREATER THAN 5 ACRES IN AREA, AND THEREFORE DO NOT REQUIRE NHDES SUBDIVISION APPROVAL.
12. THE PROPOSED LOT IS TO BE SERVICED BY ON-SITE SEPTIC SYSTEM AND WELL.
13. LOT 53-67-2 IS SUBJECT TO POLICE AND LIBRARY IMPACT FEES.
14. ISSUANCE OF A BUILDING PERMIT FOR LOT 53-67-2 IS SUBJECT TO ARTICLE XII OF THE TOWN OF MILFORD ZONING ORDINANCE, GROWTH MANAGEMENT & INNOVATIVE LAND USE CONTROL.

OWNER'S SIGNATURE, LOT 53-67-2:

VITA L. VAITKUNAS, TRUSTEE _____ DATE _____

OWNER'S SIGNATURE, LOT 53-68:

KENNETH COOPER, TRUSTEE _____ DATE _____

APPROVED BY THE MILFORD PLANNING BOARD

ON _____ CERTIFIED BY
_____ CHAIR, AND
_____ VICE-CHAIR OR
DESIGNATED MEMBER.

"I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL SURVEY MADE ON THE GROUND AND HAS A MINIMUM RELATIVE ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND ON ALL PROPERTY LINES. ALL MONUMENTS WERE FOUND OR SET AS SHOWN."

FEBRUARY 15, 2013
DATE

STATE OF NEW HAMPSHIRE LICENSED LAND SURVEYOR No. 708 DAWN B. TUOMALA

"WETLAND BOUNDARIES WERE DELINEATED BY THIS OFFICE. THE WETLANDS WERE DELINEATED IN ACCORDANCE WITH TECHNIQUES OUTLINED IN THE 'CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL TECHNICAL REPORT Y-87-1' AND 'FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND-VERSION 3, APRIL 2004'."

FEBRUARY 15, 2013
DATE

STATE OF NEW HAMPSHIRE DAWN B. TUOMALA No. 104 CERTIFIED WETLAND SCIENTIST

TOWN OF MILFORD
RECEIVED
FEB 19 2013
PB ___ ZBA ___ Office

LEGEND

- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- EDGE OF WETLAND
- EDGE OF WATER
- STONE WALL
- TREELINE
- STOCKADE FENCE
- BUILDING SETBACK LINE
- DHF DRILL HOLE FOUND
- IPF IRON PIPE FOUND
- SPF STEEL PIN FOUND
- GBF GRANITE BOUND FOUND
- MONUMENT TO BE SET
- UTILITY POLE
- WELL

400 300 200 100 0 400
120 0 120
GRAPHIC SCALE: 1" = 200'
1" = 60.960 M

REV.	DATE	DESCRIPTION	DR	CK

FILE	1332	TYPE	SUB	IDX	1332SUB768	FB	218

LOT LINE ADJUSTMENT AND SUBDIVISION PLAN OF LAND LOT 53-67-2 VITA L. VAITKUNAS REVOCABLE LIVING TRUST AND LOT 53-68 FEDERAL HILL 235 REALTY TRUST MILFORD, NEW HAMPSHIRE

SCALE: 1" = 200' FEBRUARY 15, 2013

MONADNOCK SURVEY, INC. LAND SURVEYORS AND PLANNERS
WILTON STATION – 99 MAIN ST. – PO BOX 607 – WILTON, N.H. 03086
TEL: (603) 654-2345 FAX: (603) 654-9694 WWW.MONADNOCKSURVEY.COM

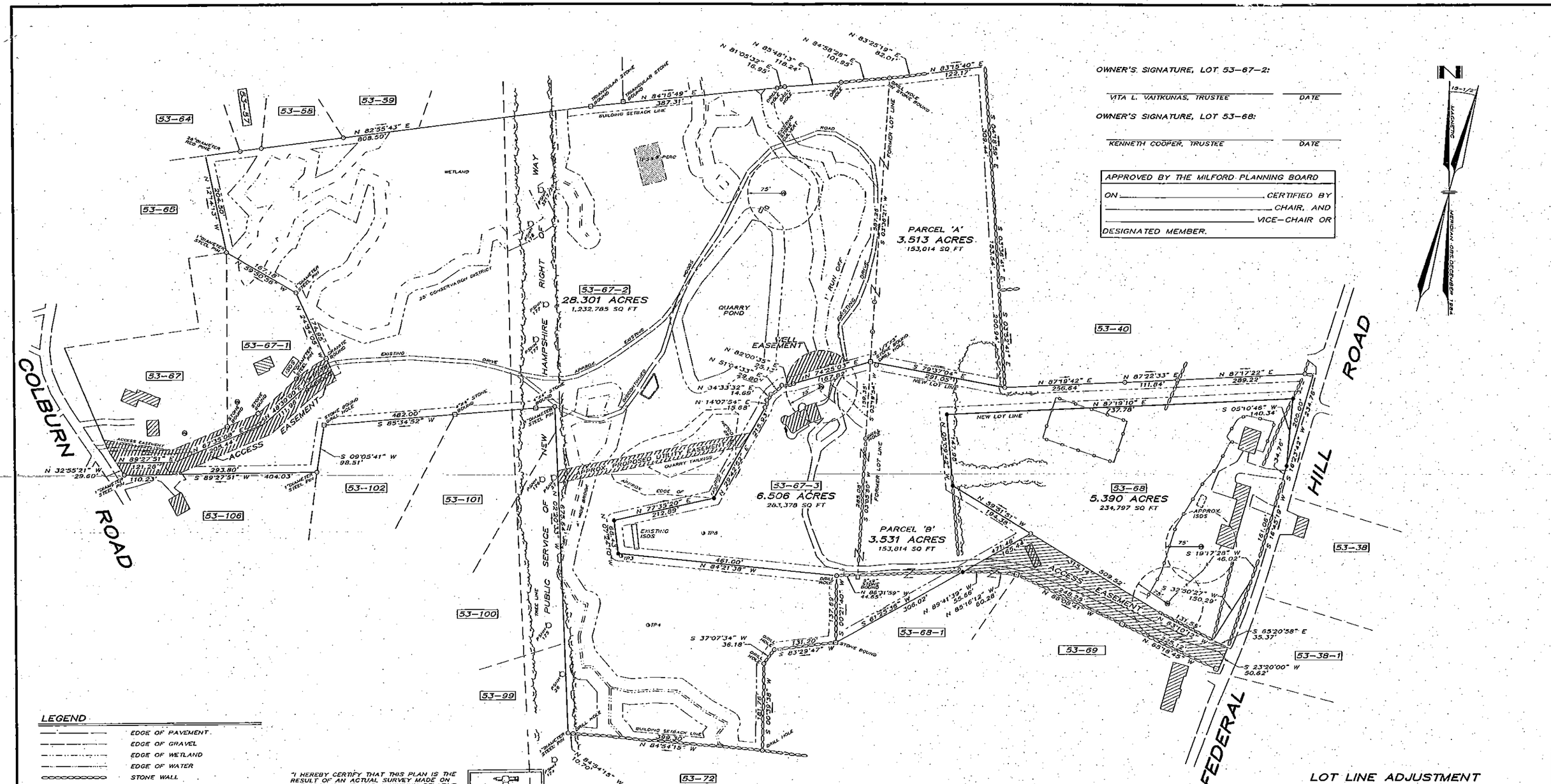
OWNER'S SIGNATURE, LOT 53-67-2:

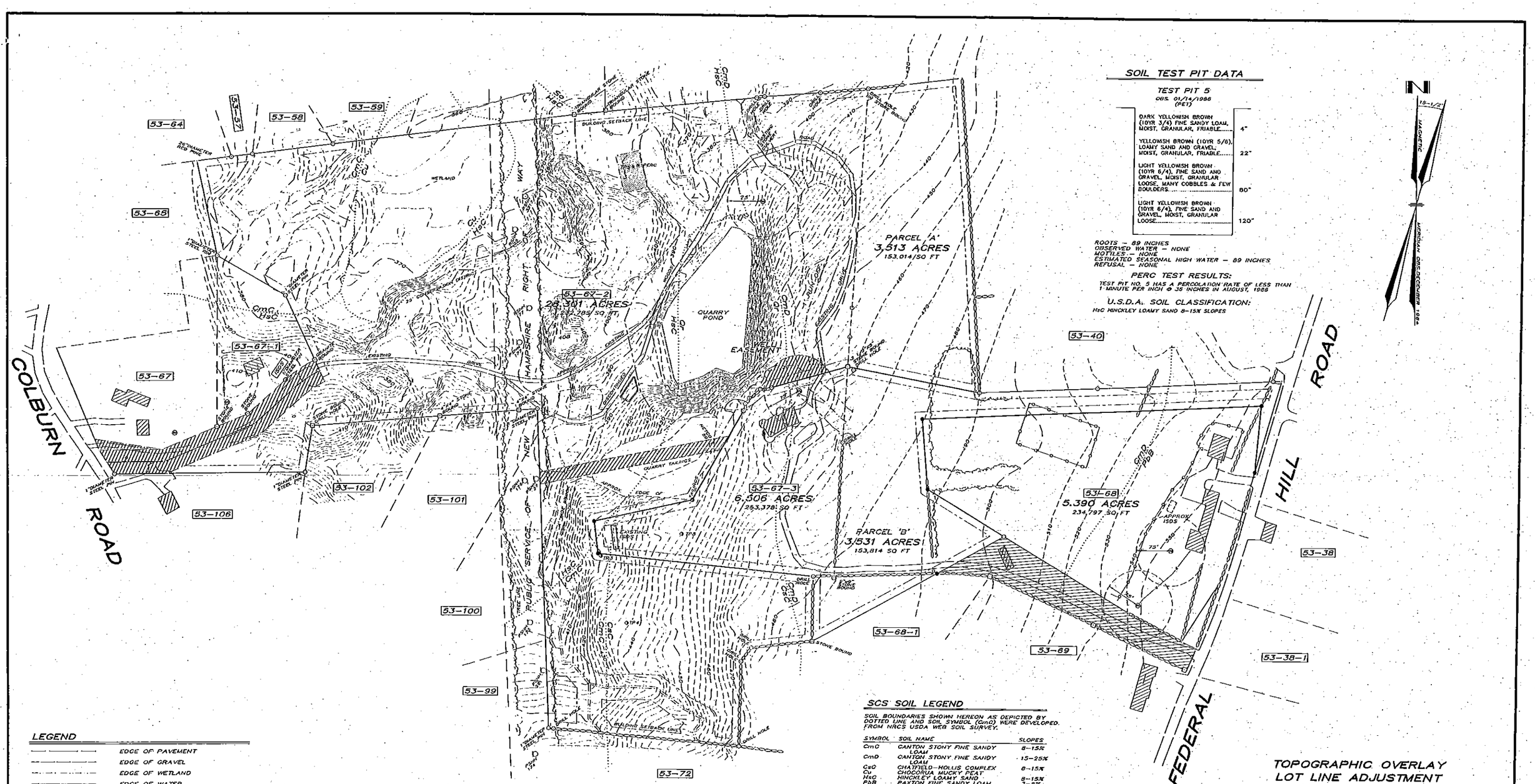
VITA L. VAITKUNAS, TRUSTEE _____ DATE

OWNER'S SIGNATURE, LOT 53-68:

KENNETH COOPER, TRUSTEE _____ DATE

APPROVED BY THE MILFORD PLANNING BOARD
ON _____ CERTIFIED BY
_____ CHAIR, AND
_____ VICE-CHAIR OR
DESIGNATED MEMBER.


N
19-1/2°
MAGNETIC
MERIDIAN CIRC DECEMBER 1984
COLBURN ROAD
FEDERAL HILL ROAD
NEW HAMPSHIRE RIGHT OF WAY
PUBLIC SERVICE OF
53-64
53-57
53-58
53-59
53-65
53-67
53-67-1
53-67-2
28.301 ACRES
1,232,785 SQ FT
53-67-3
6.506 ACRES
283,378 SQ FT
53-68
5.390 ACRES
234,797 SQ FT
53-68-1
53-69
53-38
53-38-1
53-40
53-72
53-99
53-100
53-101
53-102
53-106
PARCEL 'A'
3.513 ACRES
153,014 SQ FT
PARCEL 'B'
3.531 ACRES
153,814 SQ FT
WETLAND
QUARRY POND
WELL EASEMENT
ACCESS EASEMENT
PROPOSED UTILITY EASEMENT
QUARRY TAILINGS
BUILDING SETBACK LINE
EXISTING DRIVE
NEW LOT LINE
FORMER LOT LINE
35' CONSERVATION DISTRICT
N 82°55'43" E 808.50'
N 84°15'49" E 387.31'
N 83°37'40" E 122.17'
S 85°34'52" W 482.00'
S 09°05'41" W 98.51'
S 89°27'51" W 404.03'
N 89°27'51" E 293.80'
N 32°55'21" W 29.60'
N 77°33'20" E 212.89'
N 84°21'38" W 461.00'
S 37°07'34" W 36.18'
N 84°54'15" W 309.30'
N 83°54'15" W 10.70'
N 87°19'42" E 256.64'
N 87°22'33" E 111.84'
N 87°17'22" E 289.22'
N 87°19'10" E 237.78'
S 05°10'46" W 140.34'
S 19°17'28" W 46.02'
S 32°30'27" W 130.29'
S 65°20'58" E 35.37'
S 23°20'00" W 50.62'
S 16°25'19" W 234.78'
S 16°42'42" W 256.00'
N 39°37'51" W 194.18'
N 88°02'41" W 318.33'
N 88°18'45" W 225.42'
N 85°10'12" W 131.55'
N 89°41'39" W 55.66'
N 88°16'12" W 60.28'
S 61°23'19" W 306.02'
S 83°29'47" W 131.20'
S 03°32'41" E 200.94'
S 79°37'04" E 291.05'
N 74°25'03" E 167.82'
N 14°07'54" E 15.68'
N 34°33'32" E 74.65'
N 51°04'33" E 39.80'
N 82°00'35" E 75.15'
N 83°25'19" E 82.01'
N 84°58'28" E 101.95'
N 83°49'13" E 119.24'
N 81°05'32" E 16.95'
S 04°13'50" E 300.44'
N 12°14'13" W 262.50'
N 39°50'38" W 167.18'
N 27°34'09" E 175.65'
N 00°05'25" W 241.98'
N 77°33'20" E 215.93'
N 72°42'02" E 215.93'
S 03°18'54" W 126.51'
S 03°18'54" W 126.51'
S 00°05'00" W 265.00'
S 00°05'00" W 137.60'
S 00°05'00" W 185.76'
S 00°05'00" W 137.60'
S 00°05'00" W 265.00'
S 00°05'00" W 137.60'
S 00°05'00" W 185.76



SOIL TEST PIT DATA

TEST PIT 5

OBS. 01/15/1986
(PET)

DARK YELLOWISH BROWN (10YR 3/4) FINE SANDY LOAM, MOIST, GRANULAR, FRIABLE	4"
YELLOWISH BROWN (10YR 5/6), LOAMY SAND AND GRAVEL, MOIST, GRANULAR, FRIABLE	22"
LIGHT YELLOWISH BROWN (10YR 6/4), FINE SAND AND GRAVEL, MOIST, GRANULAR LOOSE, MANY COBBLES & FEW BOULDERS	80"
LIGHT YELLOWISH BROWN (10YR 6/4), FINE SAND AND GRAVEL, MOIST, GRANULAR LOOSE	120"

ROOTS – 89 INCHES
OBSERVED WATER – NONE
MOTTLES – NONE
ESTIMATED SEASONAL HIGH WATER – 89 INCHES
REFUSAL – NONE

PERC TEST RESULTS:

TEST PIT NO. 5 HAS A PERCOLATION RATE OF LESS THAN 1 MINUTE PER INCH @ 36 INCHES IN AUGUST, 1986

U.S.D.A. SOIL CLASSIFICATION:

HsC HINCKLEY LOAMY SAND 8–15% SLOPES

LEGEND

- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- EDGE OF WETLAND
- EDGE OF WATER
- STONE WALL
- TREELINE
- STOCKADE FENCE
- BUILDING SETBACK LINE
- DHF DRILL HOLE FOUND
- IPF IRON PIPE FOUND
- SPF STEEL PIN FOUND
- GBF GRANITE BOUND FOUND
- MONUMENT TO BE SET
- UTILITY POLE
- WELL

SCS SOIL LEGEND

SOIL BOUNDARIES SHOWN HEREON AS DEPICTED BY DOTTED LINE AND SOIL SYMBOL (CmC) WERE DEVELOPED FROM NRCS USDA WEB SOIL SURVEY.

SYMBOL	SOIL NAME	SLOPES
CmC	CANTON STONY FINE SANDY LOAM	8–15%
CmD	CANTON STONY FINE SANDY LOAM	15–25%
CsC	CHATFIELD–HOLLIS COMPLEX	8–15%
Cu	CHOCORUA MUCKY PEAT	
HsC	HINCKLEY LOAMY SAND	8–15%
PbB	PAXTON FINE SANDY LOAM	3–8%
Qr	QUARRIES	
Sa	SCARBORO MUCKY LOAMY SAND	

CmC / HsC ..... DENOTES SOIL BOUNDARY

VERTICAL DATUM IS NGVD '29.
TOPOGRAPHIC INFORMATION FOR THE ORIGINAL LOT 53–67–2 IS THE RESULT OF A SURVEY BY THIS OFFICE. THE CONTOUR INTERVAL IS 2 FEET.
TOPOGRAPHIC INFORMATION FOR THE ORIGINAL LOT 53–68 WAS TAKEN FROM THE USGS MILFORD QUADRANGLE. CONTOUR INTERVAL IS 20 FEET.

200 150 100 50 0 200
60 0 60
GRAPHIC SCALE: 1" = 100'
1" = 30.478 M

TOPOGRAPHIC OVERLAY LOT LINE ADJUSTMENT AND SUBDIVISION PLAN OF LAND

LOT 53–67–2
VITA L. VAITKUNAS REVOCABLE LIVING TRUST
AND
LOT 53–68
FEDERAL HILL 235 REALTY TRUST
MILFORD, NEW HAMPSHIRE

SCALE: 1" = 200' FEBRUARY 15, 2013

MONADNOCK SURVEY, INC. LAND SURVEYORS AND PLANNERS
WILTON STATION – 99 MAIN ST. – PO BOX 807 – WILTON, N.H. 03086
TEL: (603) 654–2345 FAX: (603) 654–9894 WWW.MONADNOCKSURVEY.COM

REV	DATE	DESCRIPTION	DR	CK

FILE	1332	TYPE	SUB	IDX	1332SUB76B	FB	218

STAFF MEMO

Planning Board Meeting

March 19, 2013

Agenda Item #3 John Samonas – Nashua St – Map 44, Lot 11.

Public hearing for a subdivision to create one new developable lot in the ICI District.

Background:
The applicant is proposing a subdivision of Map 44 Lot 1,1the proposed 99 Restaurant site. The purpose of the subdivision is to create two parcels for future commercial development purposes. The existing 8.5 acre property is zoned Integrated Commercial Industrial (ICI) and currently features an existing foundation and paved parking area for a potential restaurant. The property is situated on the south side of Nashua Street with existing retail uses to the east and west (Burger King to the east and Walgreens to the west). Access to the parcels will be provided by an existing shared access easement located on the Walgreens site.

Both lots will meet minimum lot size requirements however, the rear six (6) acre lot does not meet the required 150 foot frontage. The property received a variance (case #2012-29) from the ZBA on December 6, 2012 for the creation of a new developable lot with no frontage on a Class V or better road. The new lot was approved with an access easement from lot 44-13-1 (Walgreens).

A majority of the proposed rear lot contains with wetlands and shall require ZBA approval from Article VI, Sections 6.026.A.6 & 6.026.B to impact wetlands and buffer as well as all applicable state and federal approvals for any future development of the site.

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 and ZBA decision letter.

Interdepartmental Reviews:
Zoning Administrator- no issues with the proposed subdivision plan. Received subdivision approval from ZBA on December 6, 2012
Heritage Commission- no issues with the proposed subdivision plan.
Department of Public Works- no issues with the proposed subdivision plan
Fire Department- has no issues with the proposed subdivision plan.
Building Department- No issues

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No comments were received as of March 14, 2013 from Police, Water Utilities, Ambulance or Assessing. The Conservation Commission's regular meeting was held after staff memos were distributed, if any comments come in, Staff will let the Board know at the meeting.

Staff Recommendations:

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

1. A note be added stating the new lot (44/11-1) is subject to include Police Impact fees (to be determined at time of building permit application);
2. The road name on the plan should read as Nashua Street not Rt 101A;
3. Note #4 should include the ZBA case # 2012-29;
4. The new lot line should be labeled as "new lot line";
5. A note stating that development of lot 44-11-1 shall be subject to appropriate local and state approvals for wetlands crossing and buffer disturbance;
6. Note #11 should be removed as the Growth Management Ordinance is no longer in place;
7. 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.

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Town of Milford

ZONING BOARD OF ADJUSTMENT

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

RECEIVED
DEC 14 2012
TFM

December 7, 2012

John Samonas
111 Bow St.
Portsmouth, NH 03801

ZBA Case #2012-29

You are hereby notified that a motion to grant a variance for Case #2012-29, John Samonas, owner of 583 Nashua St, Map 44, Lot 11, in the "ICI" district, from Article V, Section 5.08.4:A, for the creation of a new lot with no frontage on a Class V or better road, was unanimously approved on December 6, 2012 as the request met all the criteria for a variance.

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 January 7, 2012.

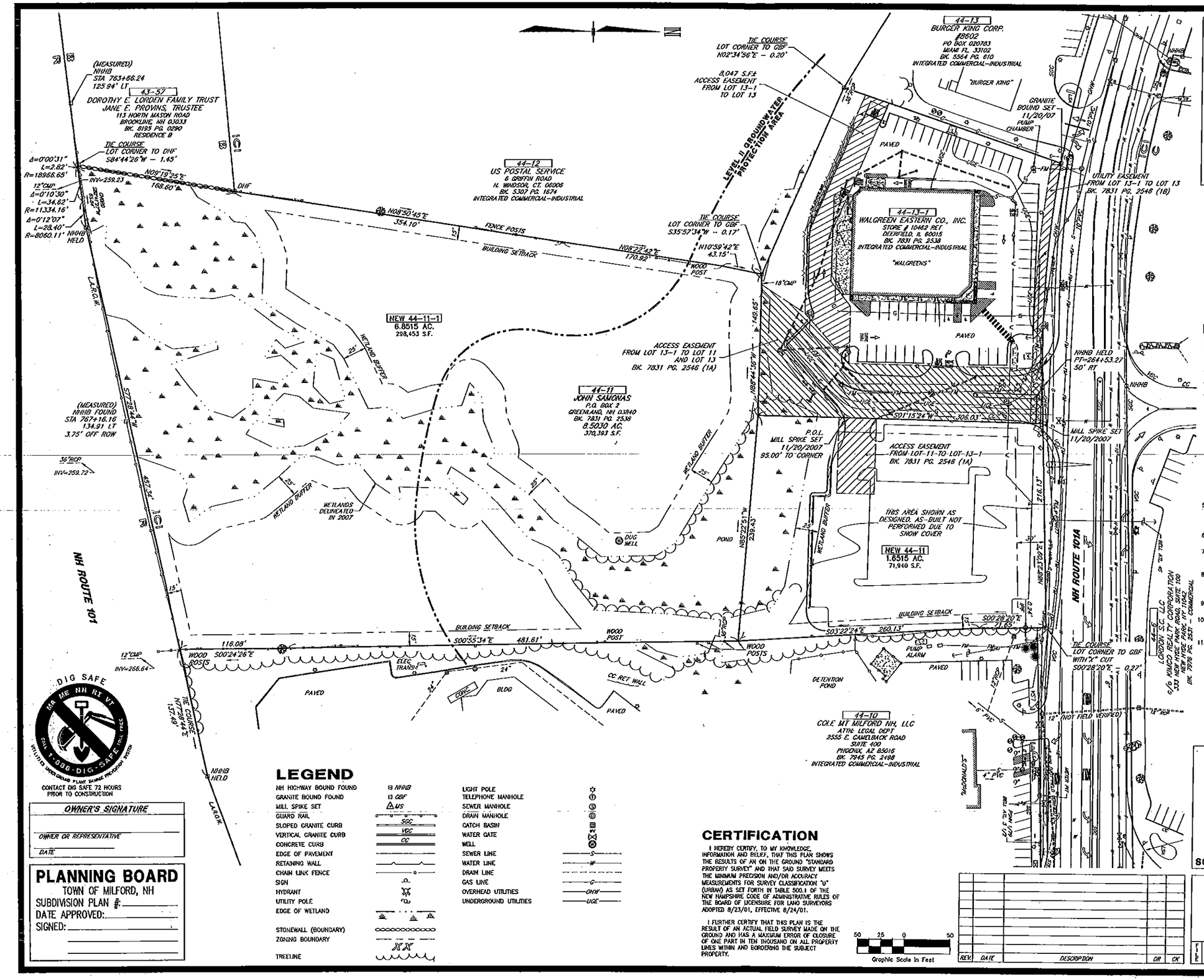
In accordance with Article X, Section 10.060, this variance is subject to expiration, if within one (1) year after the granting of a variance or special exception by the Board of Adjustment, none of the work required by a building permit covered by the variance or special exception has been executed, 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.

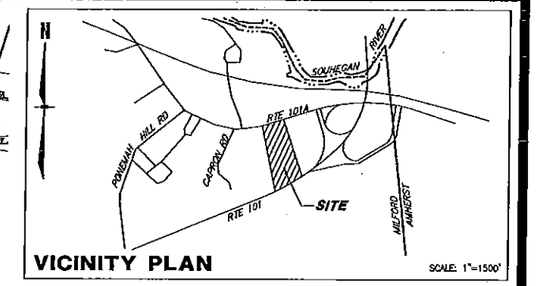
Sincerely,

Mindy Lavallee

Mindy Lavallee
Office of Community Development

CC: TF Moran, Inc.
Dana MacAllister, Building Inspection/Code Enforcement/Zoning





VICINITY PLAN

SCALE: 1"=1500'

REFERENCE PLANS

1. "TAX MAP 44 LOT 11 & 13-1, LOT LINE ADJUSTMENT PLAN, JOHN SAMONAS, MILFORD, NH, OWNED BY EUNICE E. WELCH TRUSTEE, 583 NASHUA STREET, MILFORD, NH 03055 AND JOHN SAMONAS, 157 HENNINGTON ROAD, GREENLAND, NH 03840, PREPARED FOR ARISTA DEVELOPMENT, LLC, 570 PROVIDENCE HIGHWAY, SUITE 9, NORWOOD, MA 02062", SCALE: 1"=40', DATED JUNE 19, 2006, BY TFMORAN INC. (H.C.R.D. #35378)
2. "TAX MAP 44 LOT 8, EASEMENT PLAN OF LAND, LORDEN PLAZA, MILFORD, NH, OWNED BY LORDEN ASSOC., LP, C/O WP REALTY, PREPARED FOR ARISTA DEVELOPMENT, LLC", SCALE: 1"=50', DATED JANUARY 31, 2007, BY TFMORAN INC.
3. "TAX MAP 44, LOTS 11 & 13-1 EASEMENT PLAN OF LAND, ROUTE 101A, MILFORD, NH OWNED BY EUNICE E. WELCH, TRUSTEE AND JOHN SAMONAS, PREPARED FOR ARISTA DEVELOPMENT, LLC", SCALE 1"=40', DATED MARCH 6, 2007 BY TFMORAN INC. (H.C.R.D. #35380)
4. SET OF DRAWINGS TITLED, SITE PLANS – 99 RESTAURANT, NASHUA ROAD (NH ROUTE 101A), MILFORD, NH, DATED APRIL 18, 2008, AS REVISED JUNE 4, 2008, PREPARED BY APPLEDORE ENGINEERING, INC., 15 RYE STREET, SUITE 305, PEASE INTERNATIONAL TRADEPORT, PORTSMOUTH, NH 03801

NOTES

1. OWNER OF RECORD OF MAP 41 LOT 11: JOHN SAMONAS, PO BOX 2 GREENLAND, NH 03840. DEED REFERENCE TO PARCEL IS BK. 7831 PG. 2538 IN HILLSBOROUGH COUNTY REGISTRY OF DEEDS. AREA OF PARCEL 370,392 S.F. OR 8.5030 ACRES.
2. 44-11 INDICATES TAX MAP AND LOT NUMBER AS SHOWN ON THE MILFORD TAX MAPS.
3. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED SUBDIVISION OF MAP 44 LOT 11 INTO TWO LOTS.
4. CURRENT ZONING IS INTERGRATED COMMERCIAL-INDUSTRIAL. (IC)Z DISTRICT.

	REQUIRED	PROPOSED LOT 44-11	PROPOSED LOT 44-11-1
MIN. LOT SIZE: (WITH WATER & SEWER)	20,000 S.F.	71,939 S.F.	298,453 SF
MIN. LOT FRONTAGE:	150'	216'	0' (VARIANCE GRANTED)
MIN. BUILDING SETBACKS:			
FRONT	30'	30'	30'
SIDE	15'	15'	15'
REAR	15'	15'	15'
MAX. BUILDING HEIGHT:	40'	N/A	N/A
MAX. LOT COVERAGE:	70%	<70%	<70%

A PORTION OF THE PROPERTY IS LOCATED WITHIN THE GROUNDWATER PROTECTION OVERLAY DISTRICT.

ZBA VARIANCE TO ARTICLE V, SECTION 5.08.4-A APPROVED DECEMBER 6, 2012.

5. EXAMINATION OF THE FLOOD INSURANCE RATE MAP FOR HILLSBOROUGH COUNTY, NEW HAMPSHIRE (ALL JURISDICTIONS), MAP NUMBER 33011C0487D, EFFECTIVE DATE SEPTEMBER 25, 2009, INDICATES THAT THE SUBJECT PARCEL IS NOT LOCATED WITHIN A 100 YEAR FLOOD HAZARD AREA.
6. BOUNDARY INFORMATION DEPICTED ON THIS PLAN IS FROM FIELD SURVEYS PERFORMED IN 2007.
7. EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IDENTIFIED ARE THOSE DEPICTED ON THE REFERENCE PLANS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST.
8. THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. TFMORAN INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UNDERGROUND UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 1-888-344-7233.
9. A WETLAND PERMIT FROM NHDES IS REQUIRED FOR DRIVEWAY TO LOT 44-11-1.
10. LOT 44-11-1 SHALL BE ACCESSED THROUGH EXISTING EASEMENT AND BE SERVICED BY UTILITY STUBS PROVIDED FOR WATER, SEWER FORCEMAIN, GAS, ELECTRIC & TELEPHONE.
11. THE ISSUANCE OF BUILDING PERMITS FOR NEWLY CREATED OR ADJUSTED LOTS ARE SUBJECT TO ARTICLE XII OF ZONING ORDINANCE, GROWTH MANAGEMENT & INNOVATIVE LAND USE CONTROL.

TOWN OF MILFORD
RECEIVED
FEB 19 2013
PB ___ ZBA ___ Office ___

LEGEND

NH HIGHWAY BOUND FOUND	NHHB	LIGHT POLE	
GRANITE BOUND FOUND	GBF	TELEPHONE MANHOLE	
MILL SPIKE SET	MS	SEWER MANHOLE	
GUARD RAIL		DRAIN MANHOLE	
SLOPED GRANITE CURB	SGC	CATCH BASIN	
VERTICAL GRANITE CURB	VGC	WATER GATE	
CONCRETE CURB	CC	WELL	
EDGE OF PAVEMENT		SEWER LINE	S
RETAINING WALL		WATER LINE	W
CHAIN LINK FENCE		DRAIN LINE	
SIGN		GAS LINE	G
HYDRANT		OVERHEAD UTILITIES	OHW
UTILITY POLE		UNDERGROUND UTILITIES	UGE
EDGE OF WETLAND			
STONEWALL (BOUNDARY)			
ZONING BOUNDARY			
TREELINE			

CERTIFICATION

I HEREBY CERTIFY, TO MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THIS PLAN SHOWS THE RESULTS OF AN ON THE GROUND "STANDARD PROPERTY SURVEY" AND THAT SAID SURVEY MEETS THE MINIMUM PRECISION AND/OR ACCURACY MEASUREMENTS FOR SURVEY CLASSIFICATION "U" (URBAN) AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS ADOPTED 8/23/01, EFFECTIVE 8/24/01.

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

50 25 0 50
Graphic Scale In Feet

REV.	DATE	DESCRIPTION	DR	CK

OWNER'S SIGNATURE

OWNER OR REPRESENTATIVE

DATE

PLANNING BOARD
TOWN OF MILFORD, NH
SUBDIVISION PLAN #: ____
DATE APPROVED: ____
SIGNED: ____

TAX MAP 44 LOT 11
SUBDIVISION PLAN
583 NH ROUTE 101A
MILFORD, NEW HAMPSHIRE
OWNED BY & PREPARED FOR
JOHN SAMONAS

SCALE: 1"=50' **FEBRUARY 19, 2012**

TFM
Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

48 Constitution Drive
Bedford, NH 03110
Phone (603) 472-4488
Fax (603) 472-9747
www.tfmoran.com

FILE	DR	FB	
76465.09	MC	–	
	CK HGM	CADFILE 76465-09 Subd	SHEET 1 OF 1

STAFF MEMO

Planning Board Meeting

March 19, 2013

Agenda Item #4: 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 before the board for a discussion of a potential subdivision of a 85.366 acre (3,718,606 sq. ft.) parcel. The Planning Board will likely recognize this plan from last October when the applicant was before the Board proposing a lot line revision and subdivision. Also, a minor subdivision in 2011 creating the three (3) buildable frontage lots and an extensive design review phase took place in 2007 for this property 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 the 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.

Timeline 2006-Present:
December 2006 – Discussion- Conceptual discussion of the proposed subdivision. The Board reviewed the proposal and asked the applicant to come back with a formal application for design review. At the meeting the Board discussed the idea of having a conventional subdivision on this property.

February 2007 – Design Review- Design review for a potential subdivision of the original 94.9 acre parcel into 32 lots meeting all area, frontage and slope requirements. The lots are to be serviced by individual wells and septic. The Planning Board approved the density for no more than thirty-two (32) lots and the applicant go forward with an open space subdivision plan.

July 2007 - ZBA Hearing - ZBA Hearing was tabled until the August 16, 2007 meeting for special exception from Article VI, Section 6.026.A.6 to impact 10,800 SF of wetlands and a special exception from Article V, Section 6.026.B to impact 19,762 SF of wetlands buffer for the construction of a roadway.

August 2007 – ZBA Hearing & State Application- Applicant received special exception approval from the ZBA on August 16, 2007 from Article VI, Section 6.026.A.6 to impact 10,800 SF of

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wetlands and a special exception from Article V, Section 6.026.B to impact 19,762 SF of wetlands buffer for the construction of a roadway. The applicant also submitted a dredge and fill application to the state.

September 2007 – Final Application **-** First public hearing for the final application of a subdivision off of Osgood road. At this meeting the Board tabled the application until the November 2007 meeting pending a site walk scheduled for October 2nd and outside engineering review and comments.

November 2007 – Extension Request **–** Per the applicant's request, a sixty-five (65) day extension was granted in accordance with RSA 676:4 and application was tabled to the January 15, 2008 meeting.

January 2008 – Extension Request **–** Per the applicant's request, a sixty-five (65) day extension was granted in accordance with RSA 676:4 and application was tabled to the March 18, 2008 meeting.

March 2008 – Extension Request **–** Per the applicant's request, a sixty-five (65) day extension was granted in accordance with RSA 676:4 and application was tabled to the May 20, 2008 meeting.

May 2008 – Extension Request **–** Per the applicant's request, a six (6) month extension was granted in accordance with RSA 676:4 and application was tabled to the December 16, 2008 meeting with the condition that abutters be re-notified at the applicant's cost.

December 2008 – Application Withdrawal – Applicant decided to withdraw their application and hoped to return when the economy turns around.

September 2011 – Scenic Road Hearing & Public Hearing for Minor Subdivision – Applicant returned to the Board in 2011with a separate application proposing to subdivide lot 51/1 into 3 new building lots and one large remainder lot on Osgood Rd. The Planning Board conditionally approved the subdivision of the 3 frontage lots. A scenic Road hearing was also held for the partial removal of stonewall and potential tree cutting/trimming for one new driveway and one new shared driveway off of Osgood Road. Planning Board granted approved subject to the disturbed portion of the stone wall be rebuilt along the new driveway or incorporated into the existing wall.

October 2012 – Public Hearing for a Lot Line Adjustment & Minor Subdivision- Applicant was back before the board last October for a lot line adjustment to revise the common lot line between lots 51-1 and 51/1-2 by exchanging parcels to create a more even lot and to create one new buildable lot. The Planning Board conditionally approved the lot line adjustment and subdivision. The subdivision created a lot of 2.514 acres (109,493 sq. ft.), leaving the original parcel with 85.366 acres (3,718,606 sq. ft.). The large (85.366 acre) remainder lot was left with less than 200 feet of frontage on a Class V or better road.

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Staff Recommendations:
If the applicant wishes to come back for development or phasing of the original subdivision plan a new application shall be required and appropriate permits and all fees secured. There is a likelihood that the original subdivision plan will no longer be considered since Milford's Open Space and Conservation Zoning District Ordinance was amended in 2011.

The project received special exception approval from the ZBA on August 16, 2007 from Article VI, Section 6.026.A.6 to impact 10,800 SF of wetlands and a special exception from Article V, Section 6.026.B to impact 19,762 SF of wetlands buffer for the construction of a roadway. Additionally, the proper dredge and fill permit for the two proposed wetlands crossings and the AOT permitting for all the drainage were received. ZBA approvals and AOT permits have since expired and will need to be reapplied for should this development occur.

Prior to withdrawal of the original application at the November 20, 2007 Planning Board meeting a motion was made to have the Town's Engineer review and comment on the plans at the applicants cost. Due to holdups with review costs and fees the plans were never distributed for engineering and drainage review and eventually the application was later withdrawn.

As this is a conceptual discussion only, the applicant will give a synopsis of the project and any future plans proposed. The Board is free to voice any questions or comments on the project. The Board should use this time to work out any concerns regarding site layout, road design, phasing, etc... with the applicant. No decisions can be made at this point.

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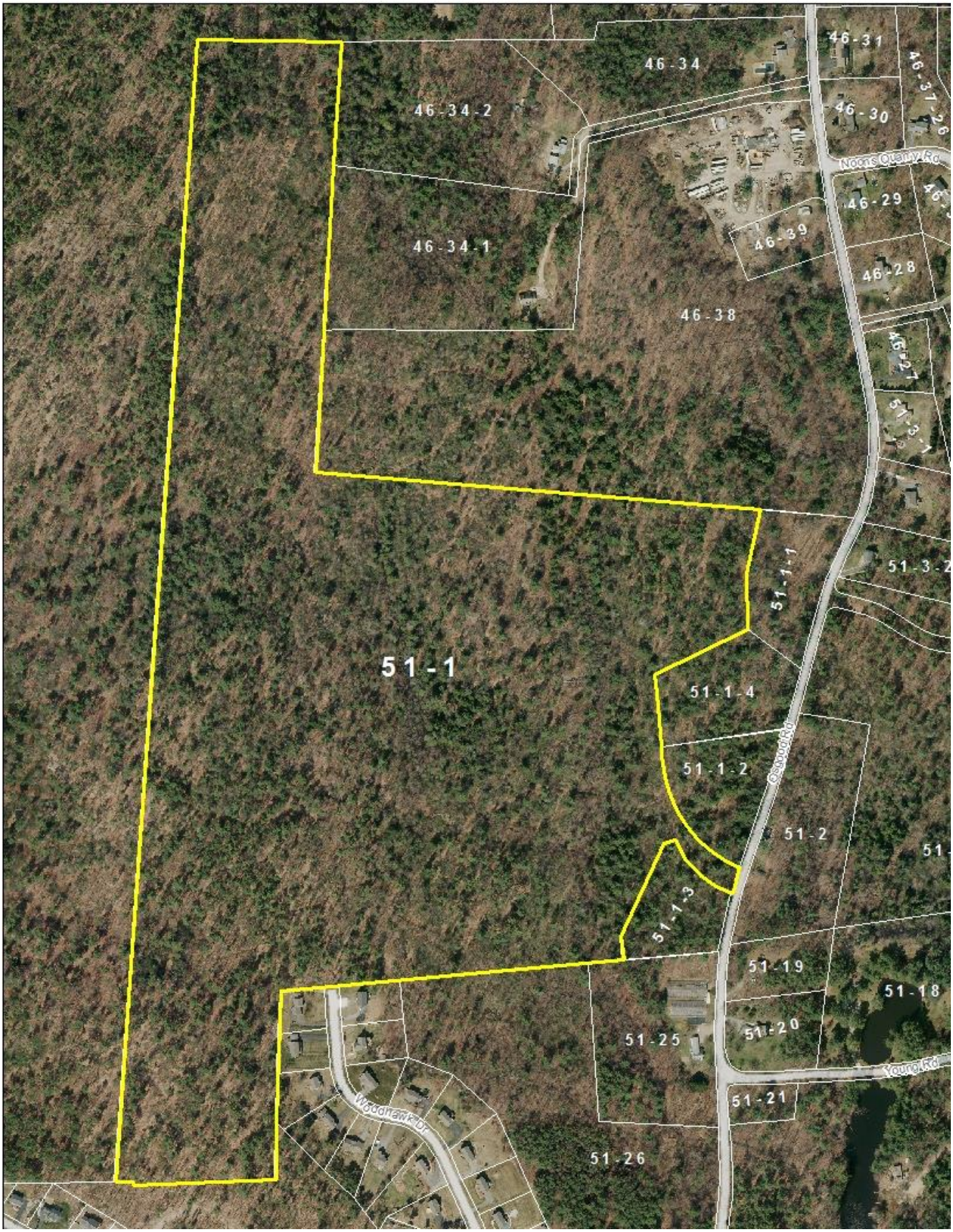

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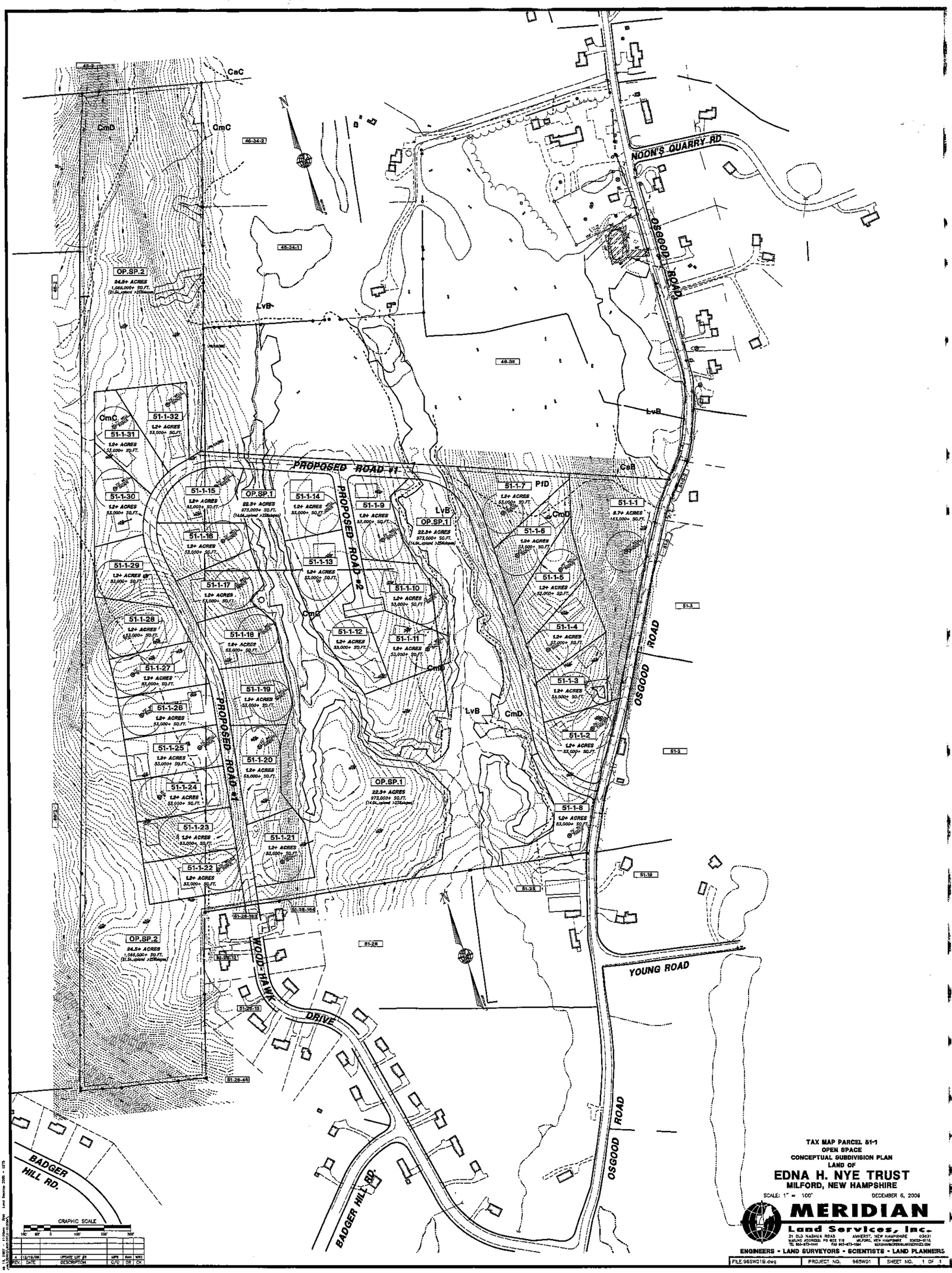

TAX MAP PARCEL 51-1
OPEN SPACE
CONCEPTUAL SUBDIVISION PLAN
LAND OF
EDNA H. NYE TRUST
MILFORD, NEW HAMPSHIRE

SCALE: 1" = 100' DECEMBER 6, 2006

MERIDIAN
Land Services, Inc.
31 OLD NASHUA ROAD AMHERST, NEW HAMPSHIRE 03031
MAILING ADDRESS: PO BOX 118 MILFORD, NEW HAMPSHIRE 03055-0118
TEL 603-673-1414 FAX 603-673-1584 SURVEYING@MERIDIANLSI.COM
ENGINEERS - LAND SURVEYORS - SCIENTISTS - LAND PLANNERS

REV.	DATE	DESCRIPTION	APP	DWN	WRD
A	12/15/06	UPDATE LOT #'S	MPB	DWN	WRD
			C/O	DR	CK

FILE:965WD18.dwg | PROJECT NO. 965WD1 | SHEET NO. 1 OF 1