



AGENDA

June 18, 2013

Town Hall BOS Meeting Room - 6:30 PM

MINUTES:

1. Approval of minutes from the 6/04/13 meeting.

PRESENTATION:

2. **The Milford Improvement Team** –PlanNH grant award and Community Design Charrette.

NEW BUSINESS:

3. **Aaron & Jamie Kaplan – 167 Elm St – Map 19, Lot 4;** Public Hearing for a minor site plan to convert a residential property back to a previous mixed use designation, to include a residential apartment and a small commercial business.
New application

OTHER BUSINESS:

4. **Mark & Brian Danforth – North River Rd – Map 6, Lot 12;** Discussion for a minor subdivision.
5. **St. Joseph Hospital – Nashua St – Map 31, Lot 32;** Additional discussion on proposed conceptual design.
(Original discussion held 2/19/13)

WORKSESSION:

1. Wrap up update of Gravel Regulations and NHRSA 155-E - GOVERNING EARTH EXCAVATIONS – review draft of 7.01.0 Gravel/Earth Products Removal
2. **Updates (as necessary):**
 - a. Distinguished Site Awards
 - b. CAC-CIP
 - c. Community Planning Grant/Hsg subcommittee
 - d. BroxCommunity Land Review
 - e. Pedestrian Network Plan
 - f. Community Facilities Committee
 - g. Recreation Master Plan
 - h. EDAC
 - i. SoRLAC
 - j. NRPC

Future meetings:

7/02/13 *No Meeting*
7/16/13 *Regular meeting*
7/23/13 *Creating Neighborhoods - Open House*
7/30/13 *Worksession*

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

1 MILFORD PLANNING BOARD PUBLIC HEARING ~ DRAFT ~
2 June 6, 2013 Board of Selectmen's Meeting Room, 6:30 PM
3

4 Present:

5
6 **Members:**

7 Janet Langdell, Chairperson

8 Paul Amato

9 Kathy Bauer

10 Chris Beer

11 Steve Duncanson

12 Judy Plant

13 Tom Sloan

Staff:

Bill Parker, Community Development Director

Mike McMann, Videographer

Excused:

Malia Ohlson, Alternate

Susan Robinson, Alternate

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MINUTES:

18 1. Approval of minutes from the 5/21/13 meeting.

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NEW BUSINESS:

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22 2. **Kevin DeGroot – 30 Union St – Map 25, Lot 53;** Minor site plan to convert a single family residence into a
23 3-unit residential dwelling. *(Tabled from 5/21/13)*

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WORKSESSION:

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29 Chairperson Langdell called the meeting to order at 6:30PM. She then introduced the Board and Staff and read
30 the agenda.

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32 **MINUTES:**

33 C. Beer made a motion to approve the minutes from the 6/04/13 meeting. K. Bauer seconded and all in favor.

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35 **NEW BUSINESS:**

36 **Kevin deGroot – 30 Union St – Map 25, Lot 53;** Minor site plan to convert a single family residence into a 3-
37 unit residential dwelling. *(Tabled from 5/21/13)*

38 *No abutters were present.*

39
40 Chairperson Langdell recognized:

41 Kevin deGroot, owner
42 Andrea Kokko Chappell

43
44 K. deGroot presented revised plans dated 5/29/13 and said that since the last meeting, we've been in touch with
45 contractors and the plan presented is feasible. We did explore off-site parking at two locations, but at this time
46 they are not agreeable.

47
48 J. Langdell read the recommendations from the staff memo dated 6/4/13. The abutters have been added and a
49 note regarding impact fees is shown on the plan. The only remaining recommendations are that the applicant
50 work with Water Utilities, Fire and Building Departments to address any questions or concerns and that a note be
51 added regarding snow storage. She then read the suggested wording and explained that the specific language for
52 this note was due to the proximity to the water and best management practices for stormwater runoff.

53
54 Chairperson opened the meeting to the public; there being no comment the public portion of the meeting was
55 closed.

56
57 K. Bauer thanked the applicant for coming back with a different plan and inquired if the revised parking would
58 affect the landscaping by the pond. K. deGroot replied that there is a planting bed that will be impacted but the
59 rest of the area will be maintained and stay the same. We are still undecided on the material that will be used for
60 the parking area. Our two options are paving and stone. J. Langdell added that according to the staff memo there
61 was no indication that either of those options would be unacceptable.

62
63 J. Langdell inquired about the row of hostas at the back of the property. K. deGroot explained the fairly mature
64 hostas were right at the edge of the water at Railroad Pond.

65
66 S. Duncanson inquired if the railroad was listed as an abutter on the plan. J. Langdell stated that it was included
67 in the abutters shown on the plan.

68
69 K. Bauer made a motion to approve the application, subject to the staff recommendations. P. Amato seconded
70 and all in favor.

71
72 K. deGroot thanked the Planning Board, Zoning Board of Adjustment and all the town staff for their attention to
73 and assistance on this project.

74
75 **OTHER BUSINESS:**

76 There was no other business.

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78 S. Duncanson made a motion to adjourn the meeting 6:40pm. T. Sloan seconded and all in favor.

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80 **MINUTES OF THE JUNE 6, 2013 PLANNING BOARD MEETING APPROVED _____, 2013**

81
82 Motion to approve: _____

83
84 Motion to second: _____

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86 _____ Date: _____

87 Signature of the Chairperson/Vice-Chairman:



STAFF MEMO

Planning Board Meeting

June 18, 2013

Agenda Item #3: Aaron & Jamie Kaplan – 167 Elm St – Map 19, Lot 4

Public Hearing for a minor site plan to convert a residential property back to a previous mixed use designation, to include a residential apartment and a small commercial business.

Background:

The applicant is before the Board seeking approval for the conversion of a residential property back to a previous mixed use designation, to include a residential apartment and a small commercial business. The site was previously used as an antenna and TV repair shop.

The applicant is not proposing any expansion, alternation or change to the existing structure. The proposed residential parking spaces are within a previously leveled area with remains of former gravel. The applicant is proposing to add extra gravel to this area to accommodate two vehicles.

On July 2, 1996 the Planning Board conditionally approved a waiver request of site plan review for a change of use from electronics repair to automotive repair.

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 site plan.

Site History:

The property (M19 L4) is located within the Level 1 Groundwater Protection District and Nashua and Elm Streets Corridor District at 167 Elm Street in the Commercial “C” Zoning District. The commercial zoning district permits single-family and multi-family dwellings and their accessory uses and structures as ‘acceptable uses’. The site is currently improved with an existing 2-story, wood frame, single-family dwelling, paved driveways, fences and concrete walkways.

The site is located in a high traffic area (Elm St) making this a more suitable location for a small retail/service use and apartment. There is a mix of single and multi-family dwellings, retail businesses and professional offices in the area such as the Granite Town Plaza, AutoZone, and Citizens Bank that surround this subject lot.

Interdepartmental Reviews:

Building Department- The applicant would need to submit plans (if approved by PB) and comply with the requirements of the 2009 International Existing Building Code and 2009 International Building Code.

Water Utilities- No issues with the proposed change of use. However, noted that 167 Elm has one service and one water meter to the property and is charged sewer at a residential sewer rate (current rate = \$3.93 per 100 cf). Upon approval the property owner will be billed sewer at a commercial rate (current rate = \$4.91 per 100 cf) since there is only one meter for the property and Water Utilities cannot separate the bill between residential and commercial.

Public Works- Both driveway curb cuts are existing. No issues with them.

Zoning Department- See Attached Memo

Fire Department- I do not have an issue with the proposal. When the applicant goes for a building permit that's when we will look at fire separations as opposed to sprinklers. Given the size and layout of the building it should not be difficult for the applicant to achieve this.

Ambulance- No issue with the requested change of use.

No reply was received as of June 13, 2013 from the following departments: Police or Assessing. The Conservation Commission and Heritage Commission's regular meetings were held after staff memos were distributed, if any comments come in, Staff will let the Board know at the meeting.

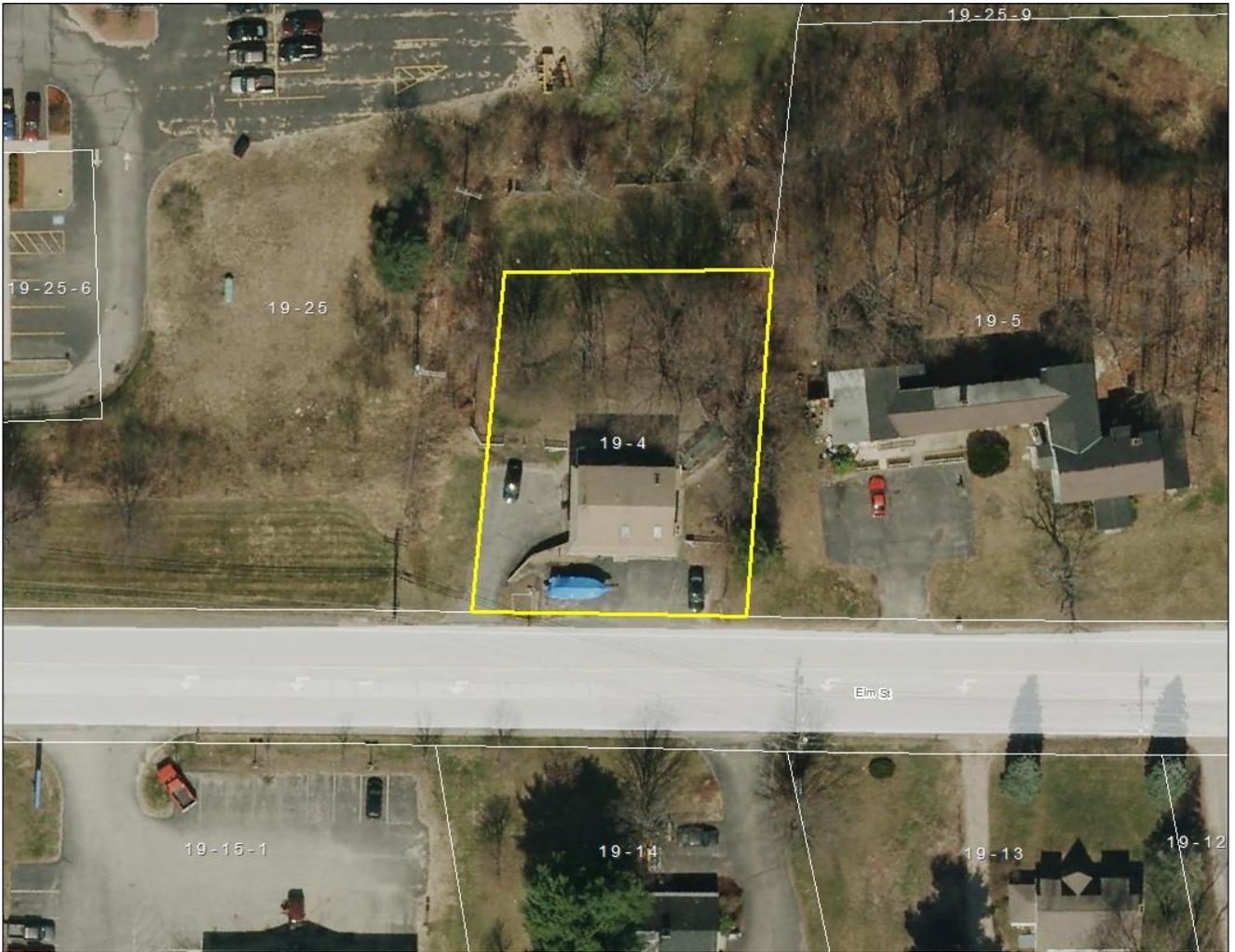
Staff Recommendations:

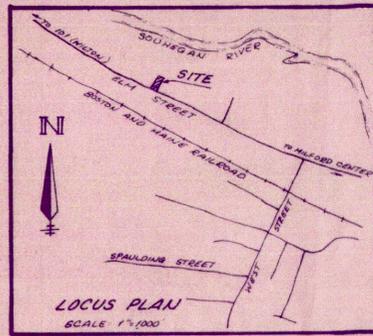
Staff has no significant issues with the plan as presented. At this time the Board should discuss with the applicant any questions or concerns with the proposed change of use.

The Board should address parking on site. There appears to be a reasonable drop off from the proposed residential parking area and the rear yard. The Board may want to discuss with the applicant the installation of a safety fence or barrier. The Board should also address rubbish storage/removal and landscaping requirements, given the lack of existing and proposed plantings provided.

If the Board chooses to grant conditional approval for the proposed site plan the following items will need to be addressed prior to final approval:

1. Should a dumpster be located on site the provisions for storage and removal of rubbish must be located on the site plan.
2. Applicant work with staff of Water Utilities, Fire and Building to address any questions or concerns and all required plans be submitted prior to final issuance of certificate of occupancy.





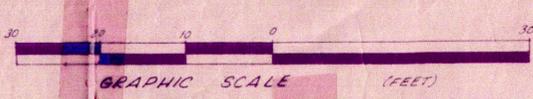
- REFERENCE PLANS:**
1. "BOUNDARY PLAN OF LAND EILEEN M RYDER & ESTATE OF STEPHEN RYDER - MILFORD, N.H. SCALE 1"=100' DATED JAN 9, 1981, REVISED 2/8/81 BY THOMAS F MORAN INC. (H.C.R.D. PLAN NO. 13826)
 2. "DECLARATION OF CONDOMINIUM PLAN OF LAUD GRANITE TOWN PLAZA - PREPARED FOR WETTERAU INCORPORATED - MILFORD, N.H. SCALE 1"=100' DATED JUNE 9, 1982, REVISED 9/23/82 BY THOMAS F MORAN INC. (H.C.R.D. PLAN NO. 15114)

- NOTES:**
1. OWNERS OF RECORD: AARON AND JAMIE KAPLAN
25 UNION SQUARE
MILFORD, NH 03055
 2. TAX MAP NUMBER: 009-014-000-000
 3. PURPOSE OF PLAN TO CONVERT A RESIDENTIAL PROPERTY BACK TO A PREVIOUS MIXED USE DESIGNATION TO INCLUDE A RESIDENTIAL UNIT AND SMALL BUSINESS
 4. LOT AREA: 15,746 SF OR 0.362 ACRES
 5. PARCEL ZONED: COMMERCIAL "C"
 6. CURRENT USE: RESIDENTIAL
 7. PROPOSED USE: FIRST FLOOR SMALL RETAIL SPACE
SECOND FLOOR 2 BEDROOM RESIDENTIAL UNIT
 8. TOTAL OPEN SPACE: REQUIRED- 30%
PROVIDED- 73%
 9. PARKING REQ: SMALL STORE 936 SF- 15 PER 1,000 SF = 15 SPACES
2BDRM UNIT- 2 PER UNIT = 2 SPACES
REQUIRED: 3.5 SPACES + 1 HANDICAP SPACE
PROVIDED- 8 + 1 HANDICAP SPACE
 10. SITE IS WITHIN THE NASHUA ELM STREET CORRIDOR OVERLAY DISTRICT
 11. A STORMWATER AND EROSION CONTROL MANAGEMENT PERMIT SHALL BE REQUIRED IF MORE THAN 5,000 SF OF SITE DISTURBANCE IS TO OCCUR
 12. SITE IS SUBJECT TO POLICE AND LIBRARY IMPACT FEES TO BE ASSESSED AT THE TIME OF BUILDING PERMIT ISSUANCE
 13. SITE LIES WITHIN THE LEVEL I GROUNDWATER PROTECTION AREA
 14. ALL EXTERIOR LIGHTING TO BE DOWNCAST
 15. ALL SIGNAGE TO CONFORM TO TOWN OF MILFORD SIGN REGULATIONS, ABUTTERS

- 19-5 Matarazzo, Anthony P SR TRSTEE
530 Broad Street Nashua, NH 03063
- 19-14 Granite Town Plaza
Granite Town Plaza
Elm Street Milford, NH 03055
- 19-15-1 Dapper Properties I, LLC
US Realty Advisors
1370 Ave of the Americas, New York, NY 10019-4602
- 19-14 Wilky Investments LLC
154 Elm Street, Milford, NH 03055
- 19-13 Gargas, John M TRSTEE
P.O. Box 565 Hollis, NH 03049

17. SNOW STORAGE SHALL BE LOCATED IN APPROPRIATE DESIGNATED AREAS ON SITE OR REMOVED AS NECESSARY. SNOW STORAGE SHALL NOT INTERFERE WITH REQUIRED PARKING AREAS AND DRIVES.

SITE PLAN
PREPARED FOR:
AARON KAPLAN
25 UNION SQUARE
MILFORD, N.H.
SCALE 1"=10'



June 12, 2013

MEMO

TO: Jodie Levandowski, Town Planner/GIS Coordinator
FROM: Bill Parker, Community Development Director/Zoning Administrator
RE: Zoning Opinion – Site Plan for 167 Elm Street (Map 19/Lot 14)

The above referenced property is zoned “C”- Commercial. The parcel is 15,746 SF with 100.16’ of frontage, and is a legal non-conforming commercial lot (minimum frontage = 150’, minimum lot area 20,000 SF). The lot does conform to the requirements for a single residential unit for frontage and area.

The existing structure is a legal non-conforming structure due to a slight encroachment into the front 30’ setback.

Prior uses of the site have been legal permitted uses (single family and retail/service).

The proposed use is a “Dwelling, Mixed-Use” defined as one room or rooms connected together and designed for use as a dwelling unit; located in a non-residential building with no more than two (2) dwelling units that are in addition to the primary non-residential use. This use is permitted in the C District.

No expansion, alteration, or change of use (residential and retail/service) is proposed to the existing structure and no special exception is required.

The proposed use and site plan present no zoning issues.



STAFF MEMO

Planning Board Meeting

June 18, 2013

Agenda Item #4: Mark & Brian Danforth – North River Rd – Map 6, Lot 12;

Discussion for a minor subdivision.

Background:

Owners of Map 6, Lot 12, 843 North River Road are before the Planning Board for discussion regarding the creation of a new lot of .60 acres in the Residence ‘R’ Zoning District where 2 acres is required.

The applicant was denied a Variance from Article V, Section 5.04.4:A by the Zoning Board of Adjustments on March 21, 2013. Below is a brief timetable of ZBA action.

History:

On February 21, 2013 the Zoning Board of Adjustments held a public hearing of Case #2013-03 for the request of a Variance from Article V, Section 5.04.4:A, for the creation of a new lot of .60 acres, where 2 acres is required. Since there were only four Board members present, the applicant elected to postpone his case to the next regular meeting. Case #2013-03 was tabled to the next regularly-scheduled meeting, March 7, 2013.

On March 7, 2013 the ZBA again only having four Board members present, the applicant elected to postpone his case to the next regular meeting. Case #2013-03 was tabled to the next regularly-scheduled meeting, March 21, 2013.

On March 21, 2013 the ZBA denied the Variance request for reason being they would be violating the spirit of the ordinance because the spirit is to keep less density in that area even though some other houses there are on smaller lots.

Following the March 21st denial, the applicant submitted a request for rehearing. On May 2, 2013 the Zoning Board of Adjustments held a rehearing of Case #2013-03, filed in accordance with RSA 677:2 and 677:3, and the Rules of Procedure, Rule XIII, of the Town of Milford Zoning Board of Adjustment. It was determined by the ZBA that the applicant didn’t provide any new or additional evidence that was not available to the Board at the time of the original decision. A motion to deny rehearing on Case # 2013-03 was passed by 4 to 1 vote.

No decisions on the proposed subdivision plan can be made during this discussion; however, the applicant would like the Planning Board to voice their position on the proposed plan.





STAFF MEMO

Planning Board Meeting

June 18, 2013

Agenda Item #5: St. Joseph Hospital – Nashua St – Map 31/Lot 32-1 and Map 32/Lot 1

Discussion on proposed conceptual design – new medical facility

St. Joseph Hospital is back before the Planning Board presenting preliminary information detailing the redevelopment of the Milford Medical Center (MMC) property at the corner of Nashua and Linden Streets. Project representatives last met with the Planning Board in February of 2013 to gather information from the members on the architectural details and site layout.

Since the February meeting, hospital representatives and architects, Lavellee Brensinger have met with abutting property owners, local contributors, and active community members to gather input, needs and wants, and special request to help assist in the design and layout of the new facility.

The project as currently proposed includes the demolition of the existing Nashua Street building, and the construction of a new medical facility that will connect with the medical office building constructed in 2005. The MMC emergency room will be located in the new building with access from Nashua Street. The older structure does not meet adequately meet the needs of the Hospital either at present or for future operations and services.

St. Joseph Hospital is the current owner of Map 32/Lot 1, the former Adams Property. This parcel will be incorporated as part of the overall site development. There is also a ‘strip’ of property that bisects the two Hospital lots that is owned by the Town and is part of Map 32/Lot 32 (Kaley Park). The properties are zoned Residence ‘A’.

Site changes, in addition to the demolition of the existing older structure, include relocated and new parking areas, as well as relocation of the easterly access to the site off Nashua Street. As shown on the conceptual plan, the easternmost access will be relocated to a location further to the east on the ‘Adams’ site. This access will also provide a route to Kaley Park that will circumvent operations on the southerly portion of the property.

At the intial meeting with Hospital representatives preliminary issues and areas noted by staff include the need to consider:

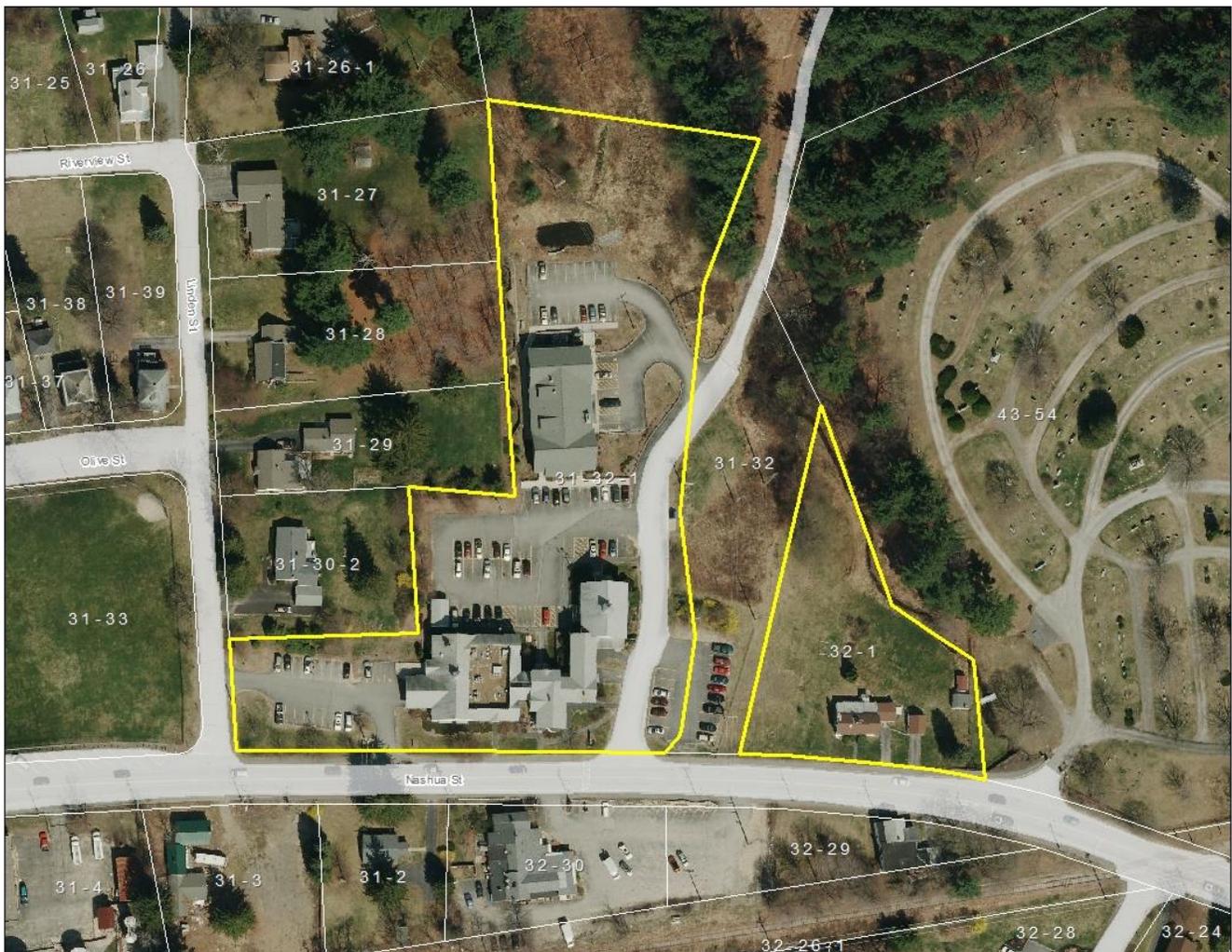
1. The customary Development Regulation requirements relative to site plan design and approval;

2. Discussion with the Planning Board on the applicability of the Nashua-Elm Street Corridor design guidelines relative to parking location, architecture, and landscaping;
3. Necessary Zoning Board of Adjustment approvals;
4. Potential for allowing for eastbound left-turn lane at the relocated easternmost access;
5. Reworking of existing easements (access and parking) between the Hospital and the Town.

The renderings have not been distributed for interdepartmental review as it is not yet a formal application. The Planning Board in its discussion with the applicant will want to seek additional information on the architectural style, site layout and landscaping.

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

Attached is the concept plan for the proposed medical facility.



Proposed Building Images – Option 1



Proposed Building Images – Option 1



LAVALLEE | BRENSINGER ARCHITECTS


ST. JOSEPH
HEALTHCARE

Proposed Building Images – Option 1



Proposed Building Images – Option 2



Proposed Building Images – Option 2



Proposed Building Images – Option 2

