



AGENDA

December 17, 2013

Town Hall BOS Meeting Room - 6:30 PM

OTHER BUSINESS:

1. **John Samonas / GC CF New England LLC c/o T.M. Crowley, Inc – 583 Nashua St – Map 44, Lot 11; Discussion.**
MHF Design Consultants, Inc.

PUBLIC HEARING (7:00PM):

2. The Milford Planning Board will hold a Public Hearing to discuss proposed amendments to the Town of Milford Zoning Ordinance as follows:
 - Revisions to Article IV, *Definitions*, to delete Public Utility.
 - Revisions to Article V, *Zoning Districts and Regulations*, to remove all occurrences of “Public utility uses necessary for public welfare” as it is a duplicate to the addition of ‘Utility, public or private’ (2011) added in 2011.
 - Revisions to Article VII, Section 7.01.0 *Gravel/Earth Products Removal* (1985) to modify the language to be consistent with revisions made to the Town Of Milford Gravel and Earth Removal Regulation
 - Revisions to Article VII, Section 7.07 *Senior Housing Development*, to remove in its entirety.

MINUTES:

3. Approval of minutes from the 11/19/13 meeting.

NEW BUSINESS:

4. **Salt Creek Properties LLC/34 Hammond Road LLC – Hammond & Ponemah Hill Roads – Map 43, Lots 69 & 70; Public hearing for a lot line adjustment.**
New Application – Monadnock Survey, Inc.

OLD BUSINESS:

5. **Carol Colburn – Osgood Rd & Woodhawk Dr – Map 51, Lot 1; Major open space subdivision creating twenty-seven (27) new residential lots.**
Tabled from the 11/19/13 meeting

WORKSESSION

1. Amend Article III: ZONING MAP – Zoning District Changes, Section 3.010 Districts: to change the zoning of the following parcels of land Map 43 Lots 20 and 69
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:

01/07/14 Worksession/Public Hearing
01/14/13 Worksession
01/21/13 Regular Meeting

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



TOWN OF MILFORD, NH

OFFICE of COMMUNITY DEVELOPMENT
1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620
www.milford.nh.gov

MEMORANDUM

Date: December 17, 2013
To: Janet Langdell, Chairperson, & Members, Planning Board
From: Jodie Levandowski, Town Planner
Subject: **Agenda Item # 1- John Samonas / GC CF New England LLC c/o T.M. Crowley, Inc – 583 Nashua St – Map 44, Lot 11;** Discussion for fuel outlet and 4,513 SF convenience store.

BACKGROUND:

Representatives from Cumberland Farms and MHF Design Consultants, Inc. are presenting to the Board detailing the proposed location of a new motor fuel outlet which includes a 4,513 SF convenience store and fuel dispensers (8 fueling positions) and an overhead canopy, on the east end of Nashua Street, Map 44 Lot 11 (proposed 99 Restaurant site). Access to the parcel will be provided by an existing shared access easement located on the Walgreens site with a right turn only out on Nashua St.

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).

The conceptual plan has not been distributed for full interdepartmental review as it is not yet a formal application. However, it has been circulated within the Community Development Office and preliminary comments include: Parking calculations will need to be revised to reflect plan. Plan currently shows 19 spaces with 8 spaces at fuel islands, this doesn't relate with presented calcs. How will proposed development affect traffic counts in the area? Additional review will be necessary upon formal application.

The Planning Board in its discussion with Cumberland Farms will want to seek additional information on the architectural style, site layout, traffic impact and landscaping.

No decisions on the proposed site plan can be made during this discussion; however, Cumberland Farms and MHF Design Consultants, Inc. would like the Planning Board to voice their position on the proposed improvements.

Attached is the concept plan for the proposed retail pharmacy.

LEGEND

- IRON PIN FOUND
- CONCRETE FOUND
- △ RAILROAD SPIKE FOUND
- DRILL HOLE FOUND
- VERTICAL GRANITE CURB
- SLOPED GRANITE CURB
- BITUMINOUS CONCRETE LIP CURBING
- BITUMINOUS CONCRETE BERM
- OVERHEAD SERVICE WIRES
- DOUBLE SOLID YELLOW LINE
- SINGLE SOLID WHITE LINE
- BROKEN WHITE LINE
- SIGN
- OBSERVATION WELL
- TEST PIT
- TEST BORING
- PERCOLATION TEST
- TREE LINE
- UTILITY POLE
- DRAIN MANHOLE
- SEWER MANHOLE
- TELEPHONE MANHOLE
- CATCH BASIN
- WATER LINE
- WATER VALVE
- FIRE HYDRANT
- GAS VALVE
- GAS LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC AND TELEPHONE
- WETLAND LINE
- SPOT ELEVATION
- CONTOUR ELEVATION

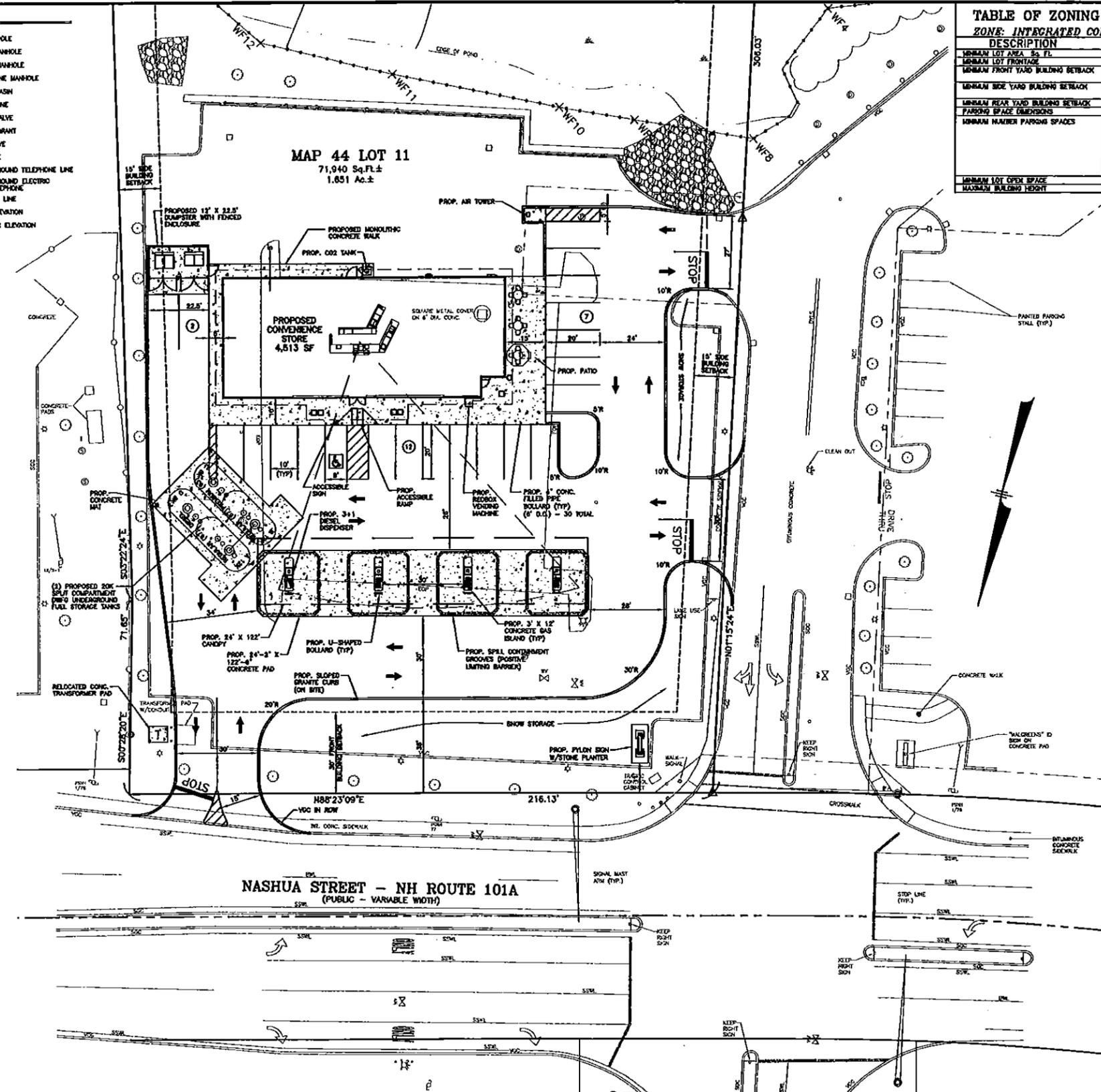
TABLE OF ZONING REGULATIONS - MILFORD, NH

DESCRIPTION	REQUIRED	PROVIDED
MINIMUM LOT AREA - SQ. FT.	50,000 SF	71,940 SF
MINIMUM LOT FRONTAGE	150'	216.13'
MINIMUM FRONT YARD BUILDING SETBACK	30'	157' (BUILDING) 88.4' (CANOPY)
MINIMUM SIDE YARD BUILDING SETBACK	15'	33' (BUILDING) 65.4' (CANOPY)
MINIMUM REAR YARD BUILDING SETBACK	15'	122.8'
PARKING SPACE DIMENSIONS	8' X 18'	10' X 20'
MINIMUM NUMBER PARKING SPACES	1 SPACE/EMPLOYEE PLUS 1 SPACE/1,000 SF 4 EMPLOYEES/MAX SHIFT = 4 SPACES 4,813 SF/1,000 SF = 5 SPACES 9 SPACES REQUIRED	21 SPACES (INCLUDING 8 SPACES AT FUEL ISLANDS)
MINIMUM LOT OPEN SPACE	30%	53.2% (38,294 SF)
MAXIMUM BUILDING HEIGHT	40'	40'

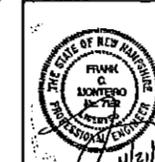
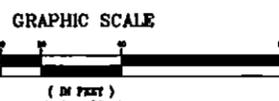


NOTES:

- 1) THE BOUNDARY INFORMATION SHOWN HEREON FOR MAP 44 LOT 11 IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE IN OCTOBER 2013.
- 2) ASSESSORS MAP 44 LOT 11.
- 3) ZONING DISTRICT: INTEGRATED COMMERCIAL-INDUSTRIAL "ICI" DISTRICT
- 4) THE SURVEY TRACT IS LOCATED WITHIN A LEVEL II PROTECTION AREA OVERLAY DISTRICT PER THE TOWN OF MILFORD ZONING ORDINANCE, ARTICLE VI, SECTION 8.01, GROUNDWATER PROTECTION.
- 5) LOT AREA = 71,940 Sq.Ft. = 1.651 Ac.±
- 6) EXISTING USE: DEVELOPED PAD SITE (FORMERLY APPROVED 80'S RESTAURANT)
PROPOSED USE: RETAIL MOTOR FUEL OUTLET WHICH INCLUDES A 4,813 SF CONVENIENCE STORE AND A FUEL DISPENSING AREA WITH 4 DISPENSERS (8 FUELING POSITIONS) AND AN OVERHEAD CANOPY.
- 7) ALL BUILDINGS AND SITE CONSTRUCTION SHALL COMPLY WITH THE RULES AND REGULATIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) AS PUBLISHED IN THE FEDERAL REGISTER, VOL. 66, NO. 144, DATED JULY 26, 1991, REVISED JULY 23, 2004.
- 8) THE LOCATIONS OF EXISTING SUBSURFACE UTILITIES SHOWN ON THIS PLAN WERE COMPILED FROM AVAILABLE RECORD DRAWINGS AND ARE NOT GUARANTEED TO BE CORRECT. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING SUBSURFACE UTILITIES PRIOR TO PERFORMING ANY WORK.
- 9) WRITTEN DIMENSIONS ON THIS PLAN TAKE PRECEDENCE OVER SCALED DIMENSIONS. THE CONTRACTOR SHALL USE CAUTION WHEN SCALING REPRODUCED PLANS. IN THE EVENT OF A CONFLICT BETWEEN THIS PLAN SET AND ANY OTHER DRAWINGS AND/OR SPECIFICATIONS, THE ENGINEER SHALL BE NOTIFIED BY THE CONTRACTOR.
- 10) THE CONTRACTOR SHALL CALL AND COORDINATE WITH DSSAFE 1-888-341-7233 PRIOR TO ANY EXCAVATION.
- 11) ALL CONSTRUCTION SHALL CONFORM TO THE APPLICABLE REGULATIONS AND STANDARDS OF THE TOWN OF MILFORD AND THE STATE OF NEW HAMPSHIRE.
- 12) ALL CONSTRUCTION SHALL CONFORM TO THESE PLANS AND THE STANDARD CONSTRUCTION DRAWINGS AS SUPPLIED BY CUMBERLAND FARMS.
- 13) A SIGN PERMIT SHALL BE OBTAINED PRIOR TO INSTALLATION.
- 14) THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR CONDITIONS AT THE SITE. THESE PLANS, PREPARED BY M&F DESIGN CONSULTANTS, INC., DO NOT EXTEND TO OR INCLUDE SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR THEIR EMPLOYEES, AGENTS OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF THE SURVEYOR AND/OR ENGINEER AS INCLUDED IN THE PLAN SET DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOW OR HEREAFTER BE INCORPORATED INTO THESE PLANS. THE CONSTRUCTION CONTRACTOR SHALL PREPARE AND/OR OBTAIN THE APPROPRIATE SAFETY SYSTEMS WHICH MAY BE REQUIRED BY THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AND/OR LOCAL REGULATIONS.
- 15) ALL UNDERGROUND STORAGE TANKS, PRODUCT PIPING AND VENT LINES SHALL COMPLY WITH CURRENT STATE AND E.P.A. REGULATIONS.
- 16) ALL SNOW SHALL BE STORED IN THE AREA(S) DEPICTED ON THIS PLAN AS SNOW STORAGE AREAS. IN THE EVENT THAT THE AREA(S) APPROVED FOR SNOW STORAGE BECOME FULL, THE OWNER SHALL REASONABLY REMOVE EXCESS SNOW FROM THE SITE, AND SHALL NOT ALLOW SNOW TO BE STORED WITHIN PARKING LOTS OR TRAVEL AREAS.
- 17) ALL WASTE MATERIALS AND RECYCLABLES SHALL BE CONTAINED WITHIN THE BUILDING(S) OR APPROVED STORAGE FACILITIES AND SHALL NOT BE OTHERWISE STORED ON PROPERTY. DUMPSTERS SHALL BE EMPTIED BETWEEN THE HOURS OF 7:00 AM AND 8:00 PM.
- 18) THE APPLICANT HAS DESIGNED THIS SITE TO SAFELY ACCOMMODATE MAXIMUM LENGTH VEHICLES AND TRUCKS, EITHER DELIVERING TO, OR USING THE FACILITY.
- 19) ALL WASTE MATERIALS AND RECYCLABLES SHALL BE CONTAINED WITHIN THE BUILDING(S) OR APPROVED STORAGE FACILITIES AND SHALL NOT BE OTHERWISE STORED ON THE PROPERTY.



NASHUA STREET - NH ROUTE 101A
(PUBLIC - VARIABLE WIDTH)



REVISIONS		
DATE	REV. BY	DESCRIPTION

SQUARE FEET	
ACRES	
V# NEW	
Store# NEW	
Gas Station# NEW	

M&F Design Consultants, Inc.
44 Silas Road, Suite One
Balem, New Hampshire 03078
(603) 893-0720
ENGINEERS • PLANNERS • SURVEYORS
www.mfhdesign.com

**563 NASHUA STREET
MILFORD, NH**

Cumberland Farms Inc.
100 CROSSING BLVD.
FRAMINGHAM, MA 01702

SCALE: 1"=20'
DATE: NOVEMBER 21, 2013
FILE: 3422SP.dwg
DRAWN BY: CCC
CHECKED BY: CMT

PRELIMINARY SITE PLAN **CFG4.0**

F:\Projects\CAD\3422\3422SP.dwg PGP: 11/21/13 10:35am cmt
 M&F Design Consultants, Inc.
 44 Silas Road, Suite One
 Balem, NH 03078
 (603) 893-0720
 www.mfhdesign.com



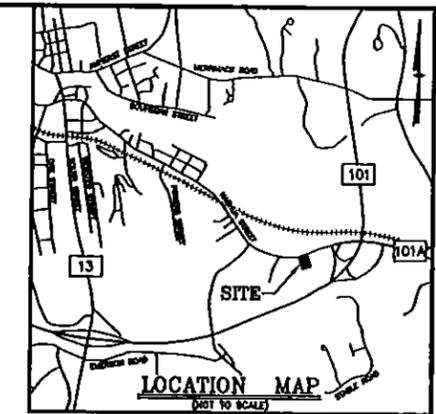
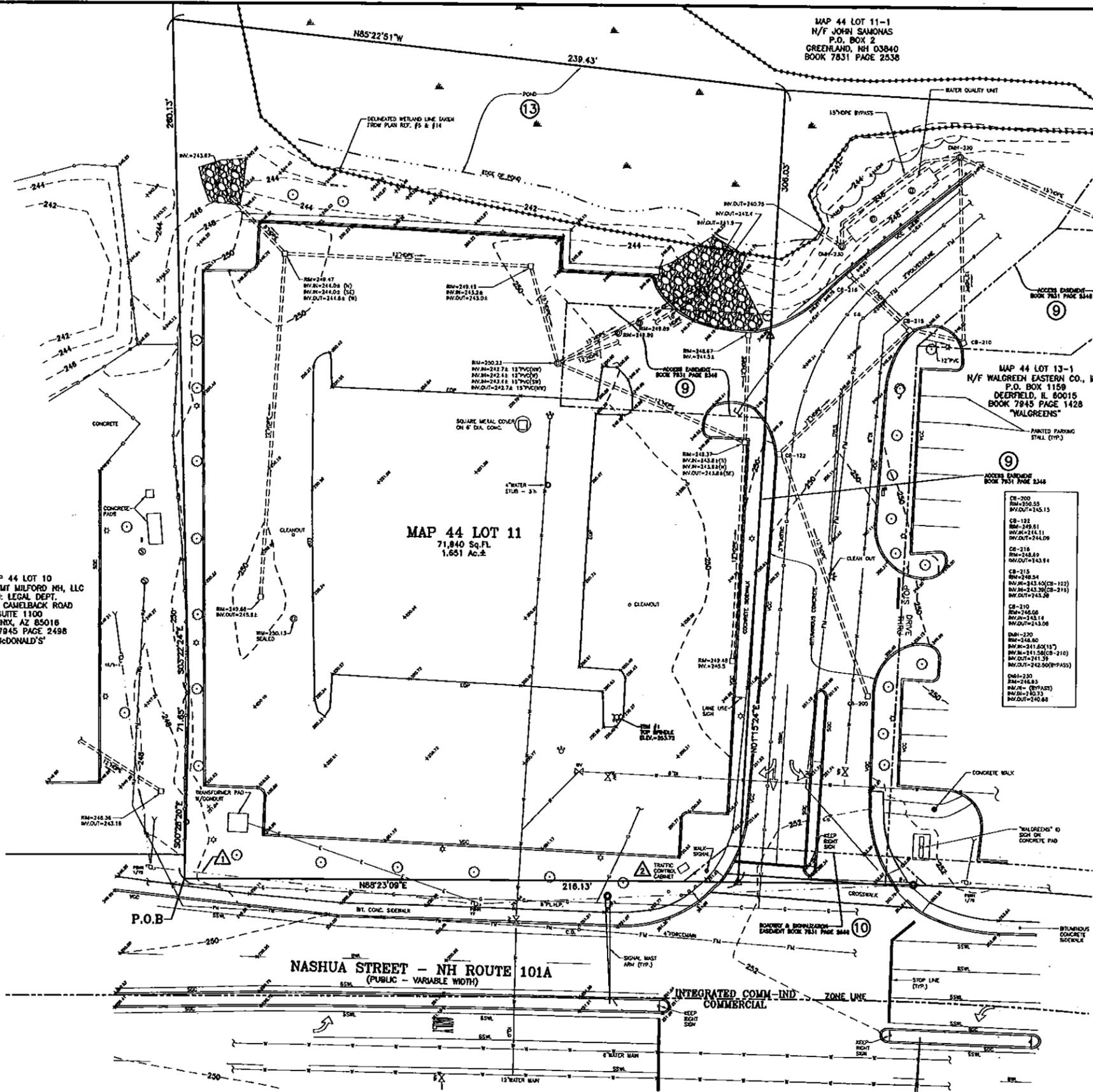
SCHEDULE B-2 EXCEPTIONS

- 9) RECIPROCAL EASEMENT AGREEMENT WITH COVENANTS, CONDITIONS AND RESTRICTIONS DATED 4/3/07 AND RECORDED IN BOOK 7831 PAGE 2548 AFFECTS THE SURVEY TRACT AND THE PLOTTABLE EASEMENTS ARE SHOWN HEREON.
- 10) EASEMENT TO THE TOWN OF MILFORD DATED 4/30/07 AND RECORDED IN BOOK 7831 PAGE 2548 AFFECTS THE SURVEY TRACT AND IS SHOWN HEREON.
- 11) EASEMENT AS RECITED IN DEED TO THE STATE OF NEW HAMPSHIRE DATED 8/19/70 AND RECORDED IN BOOK 2088 PAGE 495 DOES NOT AFFECT THE SURVEY TRACT.
- 12) COMMISSIONERS RETURN OF HIGHWAY LAYOUT RECORDED IN BOOK 2088 PAGE. DOES NOT AFFECT THE SURVEY TRACT.
- 13) NOTICE OF OPTION TO PURCHASE DATED 4/3/07 AND RECORDED IN BOOK 7831 PAGE 2570 DOES NOT AFFECT THE SURVEY TRACT. THE AREA SOUTH OF THE POND WAS SUBDIVIDED OFF AS SHOWN ON THE SUBDIVISION PLAN RECORDED AS #37742.

PLAN REFERENCES:

- 1) PLAN OF PROPOSED FEDERAL AID PRIMARY PROJECT, No. F-FG 010-1(2), N.H. PROJECT No. P-2419.
- 2) RIGHT OF WAY PLANS OF PROPOSED FEDERAL AID PRIMARY PROJECT, N.H. PROJECT No. P-7259B.
- 3) HILLSBOROUGH COUNTY REGISTRY OF DEEDS (H.C.R.D.) PLAN #35380.
- 4) H.C.R.D. PLAN #35378.
- 5) H.C.R.D. PLAN #35378.
- 6) H.C.R.D. PLAN #34264.
- 7) H.C.R.D. PLAN #30832.
- 8) H.C.R.D. PLAN #28976.
- 9) H.C.R.D. PLAN #28926.
- 10) H.C.R.D. PLAN #25348.
- 11) H.C.R.D. PLAN #888.
- 12) GRADING AND DRAINAGE PLAN (LOT 44-13-1), PREPARED FOR ARISTA DEVELOPMENT, LLC; SCALE: 1"=20'; REVISION DATE 8/5/07; PREPARED BY TF MORAN, INC.
- 13) UTILITY PLAN (LOT 44-13-1), PREPARED FOR ARISTA DEVELOPMENT, LLC; SCALE: 1"=20'; REVISION DATE 6/19/07; PREPARED BY TF MORAN, INC.
- 14) NINETY NINE, NASHUA STREET (NH ROUTE 101A), MILFORD, NEW HAMPSHIRE, SITE PLANS, APRIL 16, 2008; PREPARED BY APPLIED ENGINEERING, INC.
- 15) H.C.R.D. PLAN #37742.

MAP 44 LOT 10
N/F COLE MT MILFORD NH, LLC
ATTN: LEGAL DEPT.
2325 E. CAMELBACK ROAD
SUITE 1100
PHOENIX, AZ 85018
BOOK 7845 PAGE 2498
"MCDONALD'S"



METES & BOUNDS DESCRIPTION

A certain tract or parcel of land situate in the State of New Hampshire, County of Hillsborough and Town of Milford located on the southerly side of New Hampshire Route 101A (a.k.a. Nashua Street), being more particularly bounded and described as follows:

Beginning at a granite bound on the southerly side of said New Hampshire Route 101A, thence:

Partly by said New Hampshire Route 101A and by land now or formerly of Cole Mt Milford NH, LLC 800°23'20"E seventy-one and sixty-five hundredths (71.85) feet to a point, thence:

Continuing by land now or formerly of said Cole Mt Milford NH, LLC 803°22'24"E two hundred sixty and thirteen hundredths (260.13) feet to a point at other land now or formerly of John Samonas, thence:

By land now or formerly of said John Samonas N85°22'51"W two hundred thirty-nine and forty-three hundredths (239.43) feet to a point at land now or formerly of Walgreen Eastern Co., Inc., thence:

By land now or formerly of said Walgreen Eastern Co., Inc. N01°15'24"E three hundred six and three hundredths (306.03) feet to a spike on said southerly side of Route 101A;

Thence by said southerly side of New Hampshire Route 101A N88°23'09"E two hundred sixteen and thirteen hundredths (218.13) feet to the point of beginning.

Said tract or parcel of land contains 71,840 square feet or 1.651 acres more or less.

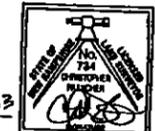
NOTES:

- 1) ZONE: INTEGRATED COMMERCIAL - INDUSTRIAL
MIN. LOT SIZE: 20000 Sq.Ft.
MIN. FRONTAGE: 150 Ft.
SETBACKS:
FRONT: 30 Ft.
SIDE: 15 Ft.
REAR: 15 Ft.
- REFER TO THE TOWN OF MILFORD ZONING ORDINANCE FOR VERIFICATION, ADDITIONAL RESTRICTIONS AND PERMITTED USES.
- 2) THE SURVEY TRACT IS LOCATED WITHIN A LEVEL II PROTECTION AREA OVERLAY DISTRICT PER THE TOWN OF MILFORD ZONING ORDINANCE, ARTICLE VI, SECTION 8.01, GROUNDWATER PROTECTION.
- 3) THE SURVEY TRACT IS LOCATED IN ZONE "C", AREA OF MINIMAL FLOODING, AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL #33008 0478 D FOR THE TOWN OF MILFORD, NEW HAMPSHIRE, EFFECTIVE DATE: SEPTEMBER 25, 2008.
- 4) LOCATION OF UNDERGROUND UTILITIES IS APPROXIMATE ONLY. ADDITIONAL UNDERGROUND UTILITIES OTHER THAN THOSE SHOWN MAY BE ENCOUNTERED.
- 5) REFER TO FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE #NCS-831813-H001, EFFECTIVE: SEPTEMBER 23, 2013.
- 6) THIS PLAN IS THE RESULT OF A FIELD SURVEY MADE BY THIS OFFICE IN OCTOBER 2013.

CERTIFICATION:

TO: CUMBERLAND FARMS GROUP AND FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALA AND ACSM IN 2011, AND INCLUDES ITEMS 2, 3, 4, 7A, 7B, 8, 9, 10, 11B, 12, 13, AND 18 OF SAID A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 14, 2013.



CHRISTOPHER FRANCHER, NH L.S. #734
DATE OF PLAT ON MAP: OCTOBER 16, 2013

EXISTING CONDITIONS PLAN

ASSESSORS MAP 44 - LOT 11
583 NASHUA STREET (ROUTE 101A)
MILFORD, NEW HAMPSHIRE
PREPARED FOR:
CUMBERLAND FARMS GROUP
100 CROSSING BOULEVARD
FRAMINGHAM, MASSACHUSETTS 01702

		44 Sites Road, Suite One Bohemia, New Hampshire 03079 (603) 883-0720 ENGINEERS • PLANNERS • SURVEYORS	
SCALE: 1"= 20'	DATE: OCTOBER 16, 2013	CHECKED BY: JAW	DRAWN BY: CMF
DRAWN BY: JAW	CHECKED BY: CMF	PROJECT NO.: 342213	SHEET NO.: CF02.0

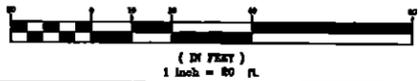
LEGEND

- UTILITY POLE
- SEWER MANHOLE
- DRAIN MANHOLE
- CATCH BASIN
- FIRE HYDRANT
- WATER VALVE
- WATER SHUT OFF
- GAS VALVE
- SGH
- CLEAN OUT
- STONEWALL
- CHAINLINK FENCE
- WIRE FENCE
- VERTICAL GRANITE CURB
- SLOPED GRANITE CURB
- VERTICAL CONCRETE CURB
- DOUBLE SOLID YELLOW LINE
- SINGLE SOLID WHITE LINE
- BROKEN WHITE LINE
- GUARDRAIL
- ENTER LINE
- UNDERGROUND ELECTRIC & TELEPHONE
- GAS LINE
- OVERHEAD SERVICE WIRES
- WETLAND LINE
- NEW HAMPSHIRE HIGHWAY BOUNDARY

ENCROACHMENTS:

- OVERHEAD WIRES FROM UTILITY POLE "PSNH 77" TO UTILITY POLE "PSNH 78-1" ENCR OCH ON TO THE SURVEY TRACT 3'±.
- TRAFFIC CONTROL CABINET ENCR OCHS OUTSIDE OF THE EASEMENT BY 6'±.

GRAPHIC SCALE



OWNER OF RECORD:

JOHN SAMONAS
167 NEWINGTON ROAD
GREENLAND, NH 03840
BOOK 7831 PAGE 2558

NO.	DESCRIPTION	BY	DATE
	REVISIONS		

December 17, 2013

STAFF REPORT

Community Development Department

RE: Administrative Zoning Changes – March 2014 Warrant

Public Worksessions: August 6, 2013, September 17, 2013, September 24, 2013, November 12, 2013

Public Hearings: December 17, 2013

Board Action: TBD

The Planning Board annually reviews all zoning change proposals. Throughout the year suggestions are submitted to the Community Development Office from the general public, Boards and staff. The list is then compiled, and reviewed to determine which changes will receive priority for the 2041 Town Warrant.

Over the past several months the Planning Board has identified a number of areas in the Milford Zoning Ordinance which need revision to either be consistent with NH RSA's, with other sections and references within the existing ordinance, and/or added/deleted for clarification purposes. The following is a brief outline of each of the zoning changes that have been proposed for this year.

PROPOSED REVISIONS:

A. Gravel/Earth Products Removal (7.01.0)

Minor revisions are necessary in Article VII – Supplementary Standards – Gravel/Earth Products Removal (1985) to modify the language to be consistent with revisions made to the Town Of Milford Gravel and Earth Removal Regulation

Suggested Wording:

Gravel/Earth Products Removal (7.01.0)

Loam, sand, gravel and similar earth materials may be removed from a lot or land area in Zoning Districts which allow such **use** only after a permit for earth removal has been issued by the Planning Board. All applications for gravel **or** earth products removal shall be in conformance with the conditions set forth in NH RSA Chapter 155-E, **as amended** and the Town of Milford's Gravel **and** Earth Removal Regulation, **and that** may be amended from time to time. ~~and shall be accompanied by a fee of fifty (50) dollars plus the cost of postage for notification of abutters. Such permit shall be renewed annually at a fee of fifty (50) dollars. (1985)~~

B. Zoning Ordinance Definitions

The below definitions are proposed for review for clerical issues and consistency. Proposed changes include amending Article IV: Definitions by removing Public utility

Suggested Changes:

Remove **Public utility** Definition

~~Public Utility: Buildings, structures and facilities, including generating and switching stations, poles, lines, pipes, pumping stations, repeaters, antennas, transmitters and receivers, valves and all buildings and~~

~~structures relating to the furnishing of utility services, such as electric, gas, telephone, communications, water, sewer and public transit, to the public. (1996)~~

C. Zoning Districts and Regulations

There are several minor administrative corrections that should be made to this ordinance for ease of understanding and consistency. For all occurrences under Article V, remove “Public utility uses necessary for public welfare” as it is a duplicate to the addition of Utility, public or private (2011) added in 2011.

Suggested Wording:

A. Special Exception

1. Home occupations in accordance with Section 10.02.3
2. Recreational facility, not-for-profit (1997)
3. Day care facilities
4. Family day care homes
5. Churches or Houses of Worship (2011)
- ~~6. Public utility uses necessary for public welfare Deleted (2014)~~
6. Schools
7. Reduced front, side and rear setbacks (2001)
8. Bed & breakfast (1997)
9. Recreational facility, commercial (1997)
10. Building and structure height greater than allowed in 5.02.6:A and 5.02.6:B (2005)
11. Senior Housing Developments (2002)
12. Accessory Dwelling Units (2008)
13. Utility, public or private (2011)
14. Office in accordance with Section 10.02.7 (2011)

December 17, 2013

STAFF REPORT

Community Development Department

RE: To Remove Section 7.07 Senior Housing Development, in its entirety- 2014 Warrant

Public Worksessions: August 6, September 17, September 24, November 12, December 3, 2013
Public Hearings: December 17, 2013
Board Action: TBD

The Town of Milford adopted “Elderly, Retirement, and Assisted Living Development” regulations in 1999 to meet the needs of the existing and future elderly population and to provide standards for the location and development of appropriate sites to serve the needs of people ages 55 and older. Since that time, the Planning Board has approved 401 units of “elderly” housing, 349 of which have been constructed (The site plan for Carrigan Place has expired and would need re-approval and Hutchinson Point is in the final stages of meeting conditions of approval).

Senior housing developments are currently allowed in zoning districts: Residence ‘B’, Commercial ‘C’ and Limited Commercial Business ‘LCB’ and are an allowable use by special exception in zoning districts: Residence ‘A’ and Integrated Commercial-Industrial ‘ICI’. In early 2013 the Milford Planning Board conditionally approved a 24 unit senior housing development known as Hutchinson Point, located at the intersection of Mount Vernon and North River Road. Hutchinson Point was the first senior housing development to be approved in town since 2006.

Over the course of the past 14 years since the Senior Housing adoption, the Planning Board has held continued discussion on the practicality and continued effectiveness of the ordinance’s original intent. Since 1999 the Planning Board has completed several zoning changes to Section 7.07 including:

- Adjustment of age restriction;
- Definition revisions;
- Revisions to Ordinance title;
- Revisions to allowable density per usable acre;
- Maintain underlying density where there is no municipal water and sewer;
- Mandatory/ increased landscape buffers on side and rear of development;
- Adjust requirements for minimum open space;
- Requirements for active and passive recreation uses;
- Added requirements for “ancillary facilities”;
- More specific outdoor recreation requirements;
- Revised parking regulations

Although, the Senior Housing Ordinance (SHO) has met the needs of the town, the Planning Board, in its efforts to implement the 2009 Housing Chapter of the Master Plan is concentrating efforts on how to provide housing choice, affordability, and neighborhood creation for all ages. Following the rescinding of the Senior Housing Ordinance, there will remain opportunities for continued residential development for seniors throughout Town.

The repeal the SHO, will have no effect on state and federal regulations as, municipalities are not required by federal law to provide standards for the location and development of sites which serve the needs of persons 55 years of age and older. New Hampshire RSA 354-A:15 is an exception to the state’s anti-discrimination laws, allowing property owners to discriminate against families in housing that targets the identified populations (55+ and 62+).

1 MILFORD PLANNING BOARD PUBLIC HEARING ~ DRAFT ~
2 November 19, 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 Steve Duncanson

11 Tom Sloan

12 Susan Robinson, Alternate member

Staff:

Jodie Levandowski, Town Planner

Shirley Wilson, Recording Secretary

Zach Steinbrecher, Videographer

Excused:

Chris Beer

13
14
15
16 **MINUTES:**

- 17 1. Approval of minutes from the 9/17/13 and 10/15/13 meetings.

18
19 **NEW BUSINESS:**

- 20 2. **Carlos Andrade dba Dunkin Donuts – 764 Elm St – Map 12, Lot 13;** Public Hearing for a major site
21 plan for site improvements to include access reconfiguration, extension of the drive-thru lane and parking lot
22 expansion. *New application – Meridian Land Services, Inc.*
23
24 3. **Carol Colburn – Osgood Rd & Woodhawk Dr – Map 51, Lot 1;** Public Hearing for a major open space
25 subdivision creating twenty-seven (27) new residential lots. Original design review was held on 2/20/2007.
26 *New application – Meridian Land Services, Inc*
27

28 **OLD BUSINESS:**

- 29 4. **St. Joseph Hospital – Nashua St – Map 31, Lot 32; Design review of a new medical building with**
30 **associated site improvements.**
31 *Tabled from the 10/15/13 meeting*
32
33
34

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

37
38 **MINUTES:**

39 K. Bauer and J. Langdell submitted corrections for both sets of minutes. S. Duncanson made a motion to approve
40 the minutes from the 9/17/13 meeting, as amended. P. Amato seconded and all in favor. S. Duncanson made a
41 motion to approve the minutes from the 10/15/13 meeting, as amended. P. Amato seconded, T. Sloan abstained
42 and all else voted in favor.

43
44 **NEW BUSINESS:**

45 **Carlos Andrade dba Dunkin Donuts – 764 Elm St – Map 12, Lot 13;** Public Hearing for a major site plan
46 for site improvements to include access reconfiguration, extension of the drive-thru lane and parking lot
47 expansion.

48 *Abutters present:*

49 *Gary Balcom, 776 Elm Street, LLC*

50
51 Chairperson Langdell recognized:
52 Jay Heavisides, Meridian Land Services, Inc.
53 Kevin Andrade, Dunkin Donuts

54
55 J. Langdell noted that the application was complete, per the staff memo. S. Duncanson made a motion to accept
56 the application. K. Bauer seconded and all in favor. T. Sloan made a motion that this application did not pose
57 potential regional impact. P. Amato seconded and all in favor. S. Wilson read the abutters list into the record.

58 J. Heavisides presented plans dated 10/21/13 and explained the proposed site improvements. We were before the
59 Board in August for a site plan for the water system shed and since then, the two lots have been merged. We are
60 now proposing to remove the former schoolhouse, reconfigure the access to make the existing access exit only
61 with dedicated left and right turn lanes and reduce and reconfigure the western driveway to be entrance only
62 which will allow for longer stacking for the drive-thru, provide more parking and reduce traffic congestion at the
63 entrance. The main intent is to provide more visibility and improve traffic flow on site. Another improvement
64 will be to convert one of the existing parking spaces into an outdoor seating area. K. Andrade said it would
65 consist of maybe two (2) tables with eight (8) seats total; customers like to enjoy their coffee outside in the
66 summer.

67 J. Heavisides stated that there is currently a drainage issue in the northeast corner of the site where the existing
68 sign and landscaping blocked the swale. The proposed improvements will relocate the sign and allow us to re-
69 establish the swale around the building and move the landscaping. On the west side, the pavement actually
70 crosses the property line, so we've contacted and received consent from the owner, to remove the pavement and
71 re-grade the area. Overall we will be removing the pavement as shown, the old building, the dumpster pad and an
72 old playground. We will then build a new parking area, add green space and install a sediment basin. He then
73 explained the drainage flow as shown on the plans and said the proposed grades will maintain the drainage
74 pattern. The seasonal water is high, just above the elevation of the wetlands, so we're using the sediment basin to
75 get the sand and silt out but we're not using it as infiltration basin. For the larger storms the water will flow out
76 and into the wetlands. Out front we will be removing some pavement and we've submitted application to the NH
77 DOT. They are happy with that and have asked that we reduce the radius which this plan depicts. Landscaping
78 will be planted along the property line near the sediment basin and in the islands. We received staff comments
79 today regarding adding shrubs along the frontage and we have no problem dressing up that area. The lighting on
80 the building will remain and we propose to replace the existing pole lights with two downcast pole lights which
81 we feel will be sufficient to cover the entire parking area and there will be no bleed over into the adjacent
82 property. We've applied for a Shoreland permit as this is within 250 ft of the river; however, this plan decreases
83 the overall impervious area on the site.

84 J. Langdell inquired about utility lines. J. Heavisides said we will be bringing in power for the new water pump
85 house and a new pole will be installed, but we are not sure if it will be under or above ground from there.

86 K. Bauer asked for clarification about the runoff on the western side into wetlands; would it be polluted from
87 cars? J. Heavisides said currently it all flows straight back to the wetlands now and the proposed sediment basin
88 will filter out the sand and silt for one and two year storms which will stay contained in the sediment basin. It
89 will be vegetated so the plant roots will take up the pollutants.

90 P. Amato inquired if the old maple trees in front on the State property would stay. J. Heavisides replied that they
91 were to be removed and discussion ensued. K. Andrade stated that they would try to save one of the trees,
92 depending on the health and quality of the tree. J. Heavisides added that the ROW has to be green space.

93 J. Langdell read the interdepartmental memo from the Conservation Commission dated 11/18/13. J. Heavisides
94 said there was no consideration to put in pervious pavement because there isn't enough depth with the seasonal
95 water table. Pervious pavement is considered to go down 24"-26" so we would need to have an underdrain and
96 then it has to go someplace. Overall we are reducing the amount of impervious surface area and a lot of it is in
97 the State ROW and we're going down to a 24ft wide driveway. K. Andrade said that the parking lot gets pretty
98 crazy from Friday through Sunday and this will make it safer for the customers. P. Amato noted that the
99 referenced catch basin exists there now and has been since there since before we can remember. G. Balcom
100 added that they are putting filters into that catch basin that weren't there before. They are doing a good job and it
101 will not be going into the river unfiltered.

102 J. Langdell read the interdepartmental comments from the Heritage Commission dated 11/13/13 and asked if
103 anyone had approached the applicant about relocating the old building. Gary Balcom stepped forward and stated
104 that he and Mr. Andrade have had discussion regarding saving that building and possibly moving it onto his
105 property next door. The structure is too big and too tall to move anywhere else. We have a short timeframe and
106 still have to work out all the final details, but I have the means and way to move the building. Between the two of
107 us and our two businesses, we can make this work. They are good neighbors and good to work with. I also
108 understand that I may have to come back to the Board for the changes to my property. J. Langdell said bravo that
109 is an excellent grass roots effort.

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

112 J. Langdell reviewed the staff memo dated 11/19/13.

113 K. Andrade stated that landscaping is important so we will move forward with the recommendations. J. Langdell
114 said your willingness to try to keep one of the trees out front, improving the access and adding the additional
115 landscaping, captures some of the principals and redevelopment ideas of the West Elm Street Gateway guidelines.

116 J. Heavisides said Fred Elkind inquired about a NPDES permit and since we are only disturbing a little over
117 20,000SF, a permit is not required. T. Sloan mentioned that SoRLAC will review this plan on Thursday night.

118 P. Amato inquired if there has been any talk regarding the State's proposed improvements to 101. J.
119 Levandowski replied that there have been no recent updates. G. Balcom added that the State is still in the process
120 of gathering information to make their decision and it is not slated for several years.

121 P. Amato made a motion to grant approval of the application subject to the staff recommendations, in addition to
122 the two items discussed; saving one of the trees in the State ROW and planting the additional landscaping. T.
123 Sloan seconded and all in favor.

124 **Carol Colburn – Osgood Rd & Woodhawk Dr – Map 51, Lot 1;** Public Hearing for a major open space
125 subdivision creating twenty-seven (27) new residential lots. Original design review was held on 2/20/2007.

126 *Abutters present:*

127 *Cornelia Campbell Roy, Osgood Rd*

128 Chairperson Langdell recognized:

129 Jay Heavisides, Meridian Land Services, Inc.

130 Carole and Steve Colburn, Owners

131 Penny Seaver, Bean, Seaver & Smith

132 Chairperson Langdell read the notice of hearing into the record and stated that the application was complete per
133 the staff memo. P. Amato made a motion to accept the application. T. Sloan seconded and all in favor. S.
134 Duncanson made a motion that this application did not pose potential regional impact. T. Sloan seconded and all
135 in favor. S. Wilson read the abutters list into the record.

136 J. Heavisides presented plans dated 10/15/13 on behalf of Carole Colburn and reviewed the history of the project.
137 This has been through design review in 2007 and approved for a thirty-two (32) lot open space subdivision. We
138 had wetland approval, site specific approval and subdivision approval and then the economy tanked. There are
139 twenty-seven (27) new lots remaining because we lost one (1) lot due to the reconfiguration of the area and
140 currently there are four (4) lots. Three (3) of the houses are built with access off a shared driveway with a
141 common easement where the proposed road was designed. We are proposing to extend this road and connect to
142 Woodhawk Dr making a through connection to Badger Hill. There will also be a short dead-end road that we've
143 designed for fire trucks to turn around, but the Fire Department has requested a cul-de-sac instead of the
144 hammerhead shown on the plan which will have to be discussed. He reviewed the existing conditions of the
145 property and explained how the two wetlands flow in different directions; both to the north and the south. Two
146 wetland crossings are proposed and will include two 4x4 box culverts set 1ft into the ground for critter crossings.
147 A 12" culvert will take care of the stormwater. To manage the stormwater, there are multiple detention basins and
148 a treatment swale. The total open space for the two (2) lots is approximately 45 acres and will be adjacent to
149 other Town owned open space and the Hitchiner Town Forest. The open space will connect the existing open
150 spaces and legitimize the trail that comes through that area currently. We've been before the ZBA and received
151 approval for 10,000Sf of wetland impact and 19,500Sf of buffer impact. We have resubmitted application to the
152 Wetland Bureau for our expired wetlands permit and we've been notified that they received comments from
153 abutters and I'm not sure where that is right now. There is also a request before the ZBA to rehear their decision
154 to be heard later this week.

155 J. Langdell inquired about the management and ownership of the open space. S. Colburn said it would be open
156 space and the property owners would not own that land. J. Langdell noted that DPW would like to have the plans
157 sent out for engineering review relative to roadway, drainage and stormwater management, so that is probably
158 something we should do. P. Amato said it makes complete sense for this particular development with this scope
159 and these wetlands. S. Duncanson agreed with all. J. Heavisides said it is totally understandable for a
160 development of this size. J. Levandowski noted that she requested an updated estimate from CEI, Inc. who
161 provided an estimated cost back in 2007 of \$3,800.

162 P. Amato brought up the road location which is right along a property line. We have no representation from lot
163 46/38, yet we are giving them a great deal of frontage on a new town road. In addition to possibly three (3)
164 frontage lots, one could add other roads off this proposed road; however, that is not part of this subdivision.
165 Maybe it's good planning, but it is odd. J. Heavisides confirmed that was the location of the road on the original
166 plan. J. Langdell said there could be further development down the road, but one would think that would be
167 captured with the processes and regulations that we have in place today. She referenced a tract of land on
168 Jennison Rd and the ability to create a master plan and also referenced land on Ponemah Hill Rd where the
169 location of a new connection was identified for future development.

170 Chairperson Langdell opened the meeting for public input.

171 C. Campbell Roy said I've watched this very carefully for over twenty years now, the same way I watched the
172 wetland after each development up there. We are only 550ft from the closest proposed lot in this subdivision and
173 extend back to one of the lots going into conservation. We first noticed the differences up there in the summer of
174 2000 when they blasted for Badger Hill. The blasting area was the size of a very large quarry and shortly after
175 that we noticed a difference in our water. This is an adult household with a well that is over 550 ft deep and after
176 careful babying over seven years that well went totally dry. With the blasting, the communal well and with all the
177 additional houses, Badger Hill has basically sucked us dry. Even now being a two adult household, we exercise
178 the greatest of care with that well; we don't water and we're constantly checking everything. Not that I'm a total
179 altruist, but in the interest of the people that might buy these homes, what are they going to do for water? Are
180 they going to have sufficient water with everything else that has just been put in, to provide their families with
181 decent water, especially with every well they drill and when every septic system they dig, is one on top of
182 another? Those are just basic human values. At the same time, I have watched that land come back from being

183 totally devastated of wildlife including some species which are under watch. No one has ever taken a science
184 based survey of those, so we did ask someone to come over and take a look for us. They confirmed what we
185 already know, as I have worked for the Cooperative Extension for years as a wildlife and resource monitor and
186 master gardener. I have species out there that are rarely seen anywhere else around this area, in addition to
187 incredible quantities of more common wildlife. This is a major wildlife migration trail from Central
188 Massachusetts to Northern New Hampshire. They have good intentions with the culverts, but it doesn't make
189 much sense if you're going to throw in a 3ft culvert to have my 7ft moose wander through there. Is he going to
190 wander through my living room sliders instead? We have taken great pains to build our house and maintain our
191 house in as gentle a manor as possible, to the environment and the flora and fauna. It's a shame to see that go to
192 waste. We have the most incredible population of whippoorwills, but they are under watch for endangerment and
193 there are other species as well. The vernal pool which is about 75ft directly behind our house has enlarged since
194 we've been there and that is due to our efforts to encourage native growth in the area. The number of wood frogs
195 there sounds like thousands of chickens coming out of the barn in the mornings. There are homes that encircle
196 that area and depend on that wetland to feed their aquifer and then be used by the people in the area. We also
197 don't have any idea what will happen in Brookline where they just harvested 200-400 acres of timber last
198 summer. If they go in and put up 50, 80, or 100 houses, what will happen to this side where we share the
199 watershed? Also, the traffic on Osgood Rd is uncontrollable. My husband and I were driving 40 mph the other
200 day when somebody passed us on the curve going 50 mph. I also count the number of cars that go over the edge
201 every winter. In summation, the concerns pertain to this being a major wildlife corridor, the migration pattern, a
202 source of water, the vernal pool, the wetlands that flow into two different watersheds and traffic on Osgood Rd.

203 J. Langdell said we will be getting more input from the Conservation Commission. C. Campbell Roy said that
204 was sorely lacking and no one can find where it was even looked at by the Commission. J. Langdell said it was
205 not lacking; this is the first hearing for the final plan and we will be involving the Commission going forward as
206 we always do. We are not going to debate this subject at tonight's meeting. There will be test pits done for the
207 wells and water, and they will need to prove to the State that there are sufficient resources to obtain a State
208 subdivision permit. J. Heavisides clarified that they do test pits for septic systems and do not do testing for the
209 individual wells on each lot. There is no municipal water available here and we are not proposing a community
210 well.

211 J. Langdell closed the public portion of the hearing.

212 P. Amato made a motion that this application be tabled to the 12/17/13 meeting for engineering review and to
213 address staff comments. S. Duncanson seconded and all in favor.

214 **OLD BUSINESS**

215 **St. Joseph Hospital – Nashua St – Map 31, Lot 32; Design review of a new medical building with associated**
216 **site improvements.**

217 *No abutters were present.*
218

219 Chairperson Langdell recognized:
220 Kyle Bouchard, Meridian Land Services, Inc.
221 Danielle Santos, Lavallee Brensinger Architects
222 Bob Demers, St Joseph's Hospital
223 Kathy Cowette, St Joseph's Hospital
224 Steve Clayman, Lavallee Brensinger
225 Brad Westgate, Winer & Bennett
226 Brenner Webb, Winer & Bennett
227

228 K. Bouchard presented plans dated 11/19/13 and said we have incrementally adjusted the site plan to respond to
229 program adjustments inside the building, as well as meetings with the neighbors and meetings with Town staff.
230 D. Santos stated that the building has been reduced 18ft on the west side creating more of a buffer between the
231 building and the neighboring properties. K. Bouchard said that the building footprint is smaller and the MRI turn
232 around has also been moved away from the neighbors and we will likely be able to save more of the existing
233 plantings. The dumpster is roughly in the same location as it is today, but in a different configuration and the
234 enclosure will architecturally match the building. The new building will also match the existing medical office

235 building that it will be connected to. This Board granted a waiver for 16ft spaces along the frontage and we have
236 taken advantage of that but we are also utilizing 18ft spaces for the patients' convenience and trying to minimize
237 any possible conflicts with overhanging bumpers and the retaining wall. We have added some retaining walls to
238 deal with different grading issues; there will be one along Nashua St, one will support the road along the wetland
239 buffer on the east side of the property, one will be at the MRI pad along the back grade at the neighbor's property
240 and depending on the final configuration of utility connections coming into the building there may be a wall to
241 create an access into a utility room below the main level of the building. We are working through many utility
242 issues and coordination with PSNH is ongoing. There will be a transformer pad and a placeholder for a small
243 residential size emergency generator which will be screened and have a sound attenuating enclosure. We are
244 working on a landscaping plan with a dense assortment of plantings along Nashua St and at various points around
245 the property, although we have to be mindful of the types of trees and heights of plantings within the PSNH
246 easement. Supplemental plantings will add to the existing vegetation for abutting neighbors. There is a
247 photometric plan showing twelve (12) proposed light poles and will be done in accordance with Town
248 requirements. The pole heights will typically be 20ft above grade of pavement but will be less along Nashua St as
249 that grade is 4-6 ft below the elevation of the street. The configuration will be adjusted slightly for the final plans.

250 Part of the existing building will need to remain and provide services during construction, so we have developed
251 an initial phasing plan. We don't have a construction manager yet and the construction sequence has not been
252 finalized, so this is still conceptual. Phase I will include building the new access, the roadway, the retaining wall
253 to support the road and the stormwater management facility. There will likely be utility connections made and the
254 dumpster pad will be reconfigured. We will also demolish the parking area in front and the unused portion of the
255 existing building which includes the barn structure and a portion of the house. The elevator in that house will
256 remain in service for patients. These activities could affect access to Kaley Park temporarily; however, stipulation
257 can be made with the contractor that access must be maintained at all times. The grade is not changing much, but
258 there will be a lot of road and utility work in that area. Phase II would incorporate more utility connections,
259 paving, creation of interim handicapped parking, construction of the new building, interim drainage connections,
260 open the new access road and demolish the center parking area. The final phase of construction will open and
261 occupy the new building, demolish the old building and complete the remainder of the site work for the MRI pad,
262 Nashua St access and widening of Nashua St as well as the remaining parking, retaining walls and landscaping.
263 The timeline will be set by the construction manager and it will take roughly 12 to 14 months.

264 J. Langdell inquired about the MRI pad. K. Bouchard clarified that the truck will pull in and leave the trailer
265 parked for months. The truck will now be able to back out without going into Nashua St and affecting the traffic.

266 K. Bouchard reviewed the proposed renderings and D. Santos noted the differences since the last meeting.

267 P. Amato questioned the 4-6 ft along Nashua St. K. Bouchard explained that it will be more of a barrier between
268 the two because the height difference between the pavement level of Nashua St and the site will fluctuate; there is
269 a constantly changing grade level along Nashua St. The conceptals depict several points along that line and he
270 further described the berm, wall and landscaping elements in detail. The height and screening wouldn't change
271 much if we went with all 16 ft spaces but it would affect the visitors and users at the site. P. Amato said you
272 propose dropping the parking lot down, but you are within inches of the existing grade. K. Bouchard said at the
273 east end, there is a limit to how much we can lower the entire site given the connection of the new building to the
274 existing medical office building. This is more of the reality, scaled to 1:1 per the Board's request and the trees
275 depicted will be full canopy trees. He then referenced the landscaping plan. P. Amato inquired about the fence at
276 the retaining wall. K. Bouchard replied that it would be in front of the wall and there will also be three light poles
277 right in line with the wall along Nashua St that face into the parking lot. P. Amato asked about the width of the
278 area between the 4ft walk and the retaining wall. K. Bouchard said it is 10 ft; however, we may propose the walk
279 to be 5ft as consideration for access and change the berm to 9ft. Every 100-200 ft of walkway, there needs to be
280 an area for wheelchair turnaround and the plantings will still fit.

281 J. Langdell brought up correspondence from the NRPC dated 10/8/13 regarding considerations relative to the
282 Nashua Elm Street Corridor Overlay District; meandering sidewalks and creating green areas between the
283 roadway and the parking lot. If we want this berm and want this parking protected, then we are very limited in
284 terms of what the design would be of that eventual walkway. P. Amato said the Nashua St Corridor guidelines
285 strongly suggest that you don't have parking right out to the road. The applicant has told us that in order to make

286 this work in phases, the most logical place to put parking is right out by the road. I'm not sure that a 9ft berm,
287 with the parking not lower than the road accomplishes what we would expect from our overlay district. It's a start
288 but we should expect some consideration for that. K. Bouchard added that the images shown should be quite
289 accurate in terms of what you would see and the parking is pretty representative of what you would see driving on
290 the road. P. Amato said it's still a large building. D. Santos described the building sizes and said the proposed
291 building will have an average height of 33ft above grade while the existing barn is 35ft above grade, so it is
292 comparable in size to the barn that is on site now and it's on the same plane in terms of distance from the street.
293 The finished floor level of the proposed building is actually 5' below the finished floor of the barn but they are
294 approximately the same height. The intent of showing the renderings is to show that there is not a clear view
295 across into the site; there are elements that affect the view.

296 J. Langdell asked if there were additional examples for improvements that could be presented relative to the
297 parking issues. P. Amato said he was not the engineer or designer, but one of the problems is that 9 or 10 ft is not
298 a lot of room to do a berm and landscaping for it to be an affective berm. Their parking requirements are right out
299 to the street. D. Santos said in general our preference would not be to have parking on the street, as well. As we
300 have explained, in order to keep the existing facility, which is pretty much occupying the streetscape now,
301 operational throughout the construction process and because of the PSNH easements, the wetlands and the
302 property boundaries, the box we could build in was pretty well defined by all those constraints. By driving down
303 Nashua St and from the meetings here, we've tried to build up as much a berm as possible and if you travel
304 eastbound further down Nashua St there is a car dealership and Giorgio's with parking in front and a landscaping
305 buffer the may be larger than 10ft but not significantly. J. Langdell noted that those sites were outside the
306 corridor area where it is more commercialized. D. Santos added that we really made an effort to block the view of
307 cars in the parking area.

308 T. Sloan said it may not be what we envisioned, but it is miles ahead of where they were the last time before this
309 Board. I am really encouraged by some of the ingenuity and should the site be developed and end up looking
310 something like this, I'd be pleased and think they would be proud of their accomplishment as well as would the
311 remainder of the community.

312 J. Langdell referenced staff comments regarding improving the stormwater management plan and added that was
313 a major concern voiced by a variety of abutters. K. Bouchard explained that there is a stormwater pond near the
314 entrance to the site and the wall came into play as a way to collect more runoff that discharges into a level
315 spreader before it gets to the setback line for the wetlands on the far east corner of the property. The remainder of
316 the site will be collected at a focal point, a water treatment measure, and detained on its way to outfalling on the
317 existing pond and over to the Souhegan River. There are criteria set for the management of both the peak runoff
318 and the volume of runoff from the site by the Town and by the State of NH and we are in full compliance with all
319 those regulations on this site. It is a requirement of the Town that there can be no increase in volumetric runoff
320 from this site for a ten year storm event. We are in compliance with that and as well as attenuating any peak
321 discharges that discharges that result from this site. There is an increase of about 6/10's of an acre of impervious
322 area across this entire site, but again that's managed in these two stormwater facilities. J. Langdell asked if these
323 measures will improve some of the current issues such as water on the downslopes that goes back to the
324 development of the medical office building and maybe earlier. K. Bouchard reiterated that they are meeting the
325 stormwater requirements to manage the water on the site, before it leaves the site. The issues referenced are
326 further off the site don't have a direct causal relationship to this site. Some may speculate that is the case but
327 there may be other factors that we don't know about that may cause these conditions to occur and it is not
328 something we are addressing with this plan. There is no direct way to determine the causes and therefore because
329 we are in compliance there is no reason to think this will exacerbate any situation. P. Amato said if what the
330 neighbors are seeing is outside the ten year storm occurrence, then they don't know how this will affect the area.
331 K. Bouchard stated that the Town and State make us look at the 2 year, 10 year, 25 year and 50 year storm events.
332 The requirements for each event are different, but we are meeting all. Other flooding like the Mother's Day storm
333 in 2006 and the spring flooding in 2007 are outlying events but are also coincidentally the first springs after the
334 medical office building was built, so I can't say what occurred. It is hard to say this would have caused that
335 situation, given the stormwater management techniques that were designed and built; however, I do understand
336 the concern and I did walk down that hillside, but I don't see how what we are designing will make the situation
337 any worse.

338 J. Langdell also brought up the crosswalk location and design. K. Bouchard said there is an existing crosswalk
339 that goes to the sidewalk across the street, but it would make sense to have a crosswalk connect to the ADA
340 compliant walk in front and that is something we were anticipating. J. Langdell agreed that we need a safe way
341 for people to cross Nashua St that will be ADA compliant on both sides.

342 K. Bouchard said the Nashua Street Corridor Guidelines are codified in the Zoning Ordinance and this Board has
343 the purview to waive some of those requirements if something doesn't apply. We're bound by those requirements
344 being in this corridor and because of the constraints of the site and the unique conditions that exist on this site,
345 there will be some guidelines that are not applicable or which we can't comply with and so we are seeking
346 guidance how to approach the Board with an appropriate request to address the Nashua Street Corridor Overlay
347 District. J. Langdell suggested submitting a list of those items. P. Amato suggested that you try to work in any
348 benefit to the town. J. Langdell said to note the mitigation and justification.

349 K. Bouchard mentioned the lot line adjustment between St. Joseph's and the Town. There is a process to go
350 through the Board of Selectmen in order to do a lot line adjustment which has the effect of a consolidation to
351 bring the two separated lots together and the timeline is unclear at this point. Discussion on that process and the
352 land improvements followed. J. Langdell said a conditional approval could pertain to the site improvements
353 based on a final decision by the Town of Milford relative to the exchange of land, parcels, etc. K. Bouchard
354 clarified that if the land swap did not happen, the site could still be developed with the Town's concurrence with
355 cross action easements and such. B. Westgate said we do have to have the Town's signature on the application as
356 we did with the ZBA variance application and that lets us come before this Board to do this process. We don't
357 know whether the Selectmen will want to authorize and implement the land swap or not, but they already have the
358 authority to process land swaps and it will not have to go to Town vote. We are planning to go before the
359 Selectmen for a public hearing soon, in a matter of weeks. No matter what happens, whether the land swap
360 occurs or not, we have to restructure our easement arrangement. Presently we have an easement just for a small
361 portion of the driveway near Kaley Park and the Town has easement rights generally to come into the main
362 entrance for Kaley Park and that has to be changed no matter what. That is a Board of Selectmen act as well. The
363 physical improvements on the site plan aren't going to change it's only a function of who owns the land
364 underneath it and who has what easement rights. Since your goal is to approve the best possible physical site plan
365 design, my sense was that we have a note on the final plan that indicates the present ownership of the properties
366 and contemplates either a restructuring of the easements or the land swap with a similar commensurate
367 restructuring of the easements. The approval isn't conditioned on the land swap, if you will; it's conditioned on
368 one or the other occurring. We should prep a note for you to consider on the plan that contemplates both options.
369 K. Bouchard added that neither of the parties will change, both the Town and St. Joseph's Hospital are entering
370 into this agreement. B. Westgate said we wanted to get through the variance process first, then get this Board's
371 guidance on some of the design steps and then go before the Selectmen for the land swap.

372 Chairperson Langdell opened the public hearing for comment; there being none, the public portion of the meeting
373 was closed.

374 J. Langdell inquired about the bus turn out mentioned in the NRPC memo and said as we think about future
375 transportation options, a bus stop would be beneficial. K. Bouchard said this does speak to the overlay district
376 and we would include a rationale for the hardship of trying to provide that given the constraints of what we have
377 along Nashua St and the widening that's being provided.

378 K. Bauer said when you consider the constraints that have been discussed at length I think you have carefully
379 done a very good plan here. It's a big facility and you can't completely hide it. One of the details that I like is the
380 way the line of sight from the street is always up over the parking, not looking down on it.

381 T. Sloan made a motion to close the design review hearing and request the applicant return with final application
382 for a major site plan. S. Duncanson seconded and all in favor.

383 Chairperson Langdell called for a five minute recess.

384 **OTHER BUSINESS:**

385 Discussion regarding potential zoning changes to the land at South St, adjacent to the NH 101 bypass.

386 Chairperson Langdell recognized Steve Desmarais representing Salt Creek Properties, LLC and explained that
387 there have been inquiries, suggestions and ongoing discussion pertaining to the overall benefit to the Town of
388 Milford and Milford's Master Plan ideas about improving economic development and commercial opportunity as
389 well as related to housing. A conceptual plan dated 11/20/13 was submitted.

390 P. Amato explained the potential rezoning from Residence A to the Commercial District on lot 43/20. S.
391 Desmarais said this conceptual plan better fits the topography of the land and office buildings would be a better
392 use than just residential. The topography drops off steeply, so the four lots on Prospect would look over the roof
393 of any buildings there. The transition pieces of this property, include a couple of office buildings with parking on
394 the east and west sides to transition into the commercial area on South St. We have several interested tenants and
395 possible buyers and the buildings would be constructed in an adaptable or open concept using cubicles. P. Amato
396 asked if there would be a buffer. S. Desmarais said if you or the abutters felt it was important then I'd be open to
397 that. J. Langdell said she noticed the tree work being done along South St and said it's noticeable; it's right there.
398 We're charged with taking the needs of the Town of Milford into consideration and one of those needs, identified
399 by the Selectmen, EDAC and the Master Plan is the need to do some things to help the community's economic
400 vitality and Mr. Desmarais has come forward with some ideas about additional business and commercial
401 development. Again we're trying to meet your needs as well as the Town's needs; it's the bigger picture.

402 P. Amato said that the Board has had discussion about including lot 43/69 in the rezoning of the Hammond Rd /
403 South St area to ICI. S. Desmarais said he didn't understand the ICI districts and would need to think about that.
404 J. Langdell explained the districts and noted that there were limitations in the ICI District pertaining to multi-
405 family housing and automobile sales. S. Desmarais then explained his reasoning for a condominium complex
406 around the quarry. It is the solution to the problems with quarries and referenced the Quarry Condos. Milford
407 quarries are a difficult thing to own because kids like to go there and I don't see how the future owners are going
408 to police it if it's in the ICI. J. Langdell said this was thrown out as an idea because the abutting lots have
409 residential uses. S. Desmarais said if that was the final proposal he'd want to also ask the owner of the odd
410 shaped lot to be included in whatever changes as well because they are right on the highway. J. Langdell said the
411 location is at our South St Gateway and its right on and visual to the bypass; there is economic benefit to doing
412 this and that is why we are having this discussion. This is a good area to create a business framework. P. Amato
413 suggested an office park around the quarry and discussion ensued. S. Desmarais stated that he would be open and
414 wants to do what is best. The proposed zoning line is really based on a geographical division and the property
415 contains Medlyn Brook, old logging roads, and ravines so there will be a lot of open space that will end up as
416 trails, and discussion of the ownership will happen later. The entire tract yields 245 units but he envisioned doing
417 something like the workforce housing just built in Amherst at maybe four (4) units per building. There haven't
418 been any of those type of developments been built in a long time and they don't have a big drag on the
419 community. Also, there are potential road and access connections on his and adjacent lots and he is in active
420 discussion with several of the abutters, including PSNH. We are also looking at extending the sewer service from
421 near the DPW barn along South St and putting a pump station in below Webster St. That would bring the other
422 side of the bypass that much closer, so there is real logic for the Town to possibly create a TIF district for this area
423 and use these building's tax money to construct additional infrastructure. J. Langdell thanked Steve for coming in
424 and said it's good to have this idea put on the table so that we can identify what needs to be done as we move the
425 town forward. The Board will continue this discussion at upcoming worksession.

426 The meeting was adjourned at 9:30pm; P. Amato made the motion and C. Beer seconded with all in favor.

427
428 **MINUTES OF THE NOV 19, 2013 PLANNING BOARD PUBLIC HEARING APPROVED _____, 2013**
429

430 Motion to approve: _____
431

432 Motion to second: _____
433

434 _____ Date: _____

435 Signature of the Chairperson/Vice-Chairman:



TOWN OF MILFORD, NH

OFFICE of COMMUNITY DEVELOPMENT
1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620
www.milford.nh.gov

MEMORANDUM

Date: December 17, 2013
To: Janet Langdell, Chairperson, & Members, Planning Board
From: Jodie Levandowski, Town Planner
Subject: **Agenda Item # 4- Salt Creek Properties LLC/34 Hammond Road LLC – Hammond & Ponemah Hill Roads – Map 43, Lots 69 & 70;** Public hearing for a lot line adjustment.

BACKGROUND:

The applicant is before the Board to adjust the lot line between 43/69 (Salt Creek Properties, LLC) and 43/70 (Hammond Road, LLC). The lot line adjustment will expand lot 43/70 to include a 2.643 acre parcel taken from lot 43/69, along the southeastern edge of the property. There are no new lots being created.

The two parcels in question are situated in different zoning districts; lot 43/69 is located in the Residence 'B' District and lot 43/70 is located in the Commercial 'C' District. Lot 43/70 will be gaining 2.643 acres of Residential 'B' land while, the remaining 7.656 acres will be zoned Commercial.

Please find the attached plan

WAIVERS:

No waivers requested

NOTICES SENT:

Abutter notices were sent by certified mail to all abutters on December 6, 2013

APPLICATION STATUS:

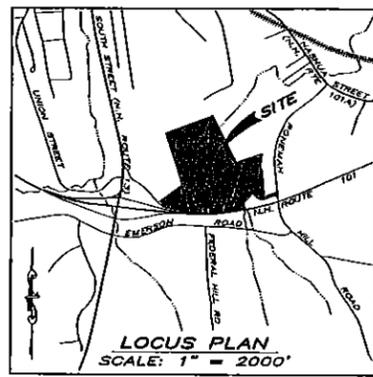
The application is complete and ready to be accepted at this time. The Board will need to make a determination of regional impact. Please find the attached plan set.

INTERDEPARTMENT REVIEWS:

Water Utilities, Fire, Ambulance, Code Enforcement and DPW all have no comment on the proposed Lot Line Adjustment Plan. No comments were received as of December 12, 2013 from Police or Assessing. The Heritage Commission and Conservation Commission's regular meeting were held after staff memos were distributed, if any comments come in, Staff will let the Board know at the meeting.

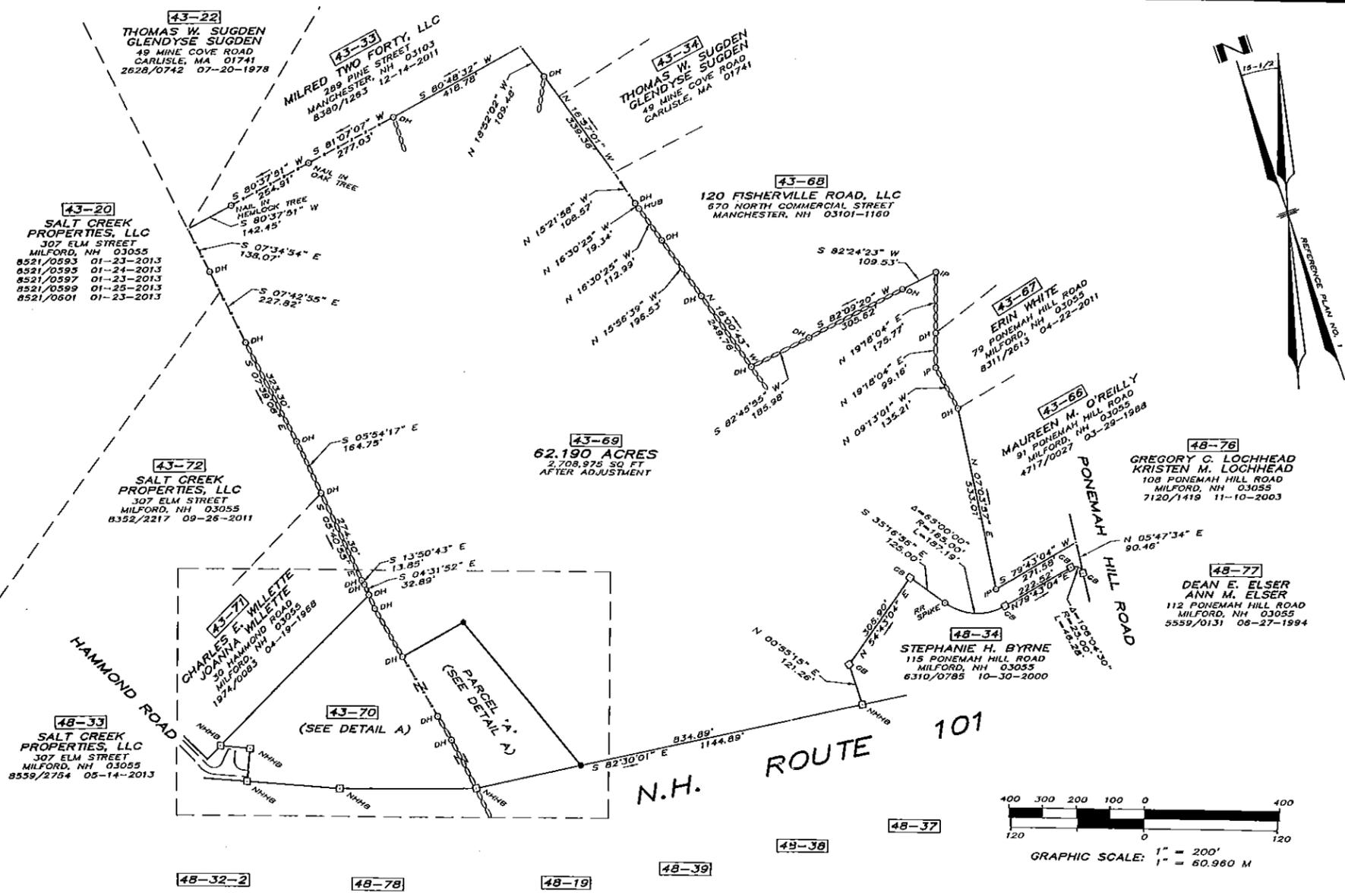
STAFF RECOMMENDATIONS:

Staff has no issues with the proposed lot line adjustment.



ADDITIONAL ABUTTERS

- 48-19**
ROGER G. CHAPPELL
BONNIE L. CHAPPELL
P.O. BOX 424
MILFORD, NH 03055
5370/1288 09-17-1992
- 48-32-2**
BEEHIVE INVESTMENTS, LLC
5 GRAND HILL ROAD
MONT VERNON, NH 03057
5692/1954 12-28-1995
- 48-37**
TDK REALTY, LLC
35 EMERSON ROAD
MILFORD, NH 03055
7842/0494 04-30-2007
- 48-38**
ADAM M. VAILLANCOURT
67 ARMORY ROAD
MILFORD, NH 03055
8038/2061 12-03-2008
- 48-39**
DELMAR H. PATTON
BARBARA FATTON
59 EMERSON ROAD
MILFORD, NH 03055
2505/0366 01-17-1977
- 48-78**
34 HAMMOND ROAD REALTY TRUST
RHONDA J. YOUNG, TRUSTEE
18434 BLACK BEAR TRAIL
NORMAN, OK 73072/9504
7812/2300 01-29-2007



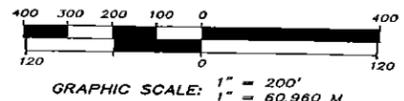
REFERENCE PLANS:

1. "SUBDIVISION PLAN, PONEMAH HILL ROAD, MILFORD, NEW HAMPSHIRE, PREPARED FOR M.E. YOUNG, INC." SCALE: 1" = 100' DATED MAY 8, 1978 PREPARED BY ALLAN H. SWANSON, INC. (HCRD PLAN NO. 11331).
2. "SITE & GRADING PLAN, MAP 43 / LOT 70, J. P. PEST SERVICES, 34 HAMMOND ROAD, TOWN OF MILFORD, HILLSBOROUGH COUNTY, NEW HAMPSHIRE" SCALE: 1" = 40' DATED JUNE 13, 2011 LAST REVISED AUGUST 11, 2011 ON FILE WITH THE TOWN OF MILFORD.

NOTES:

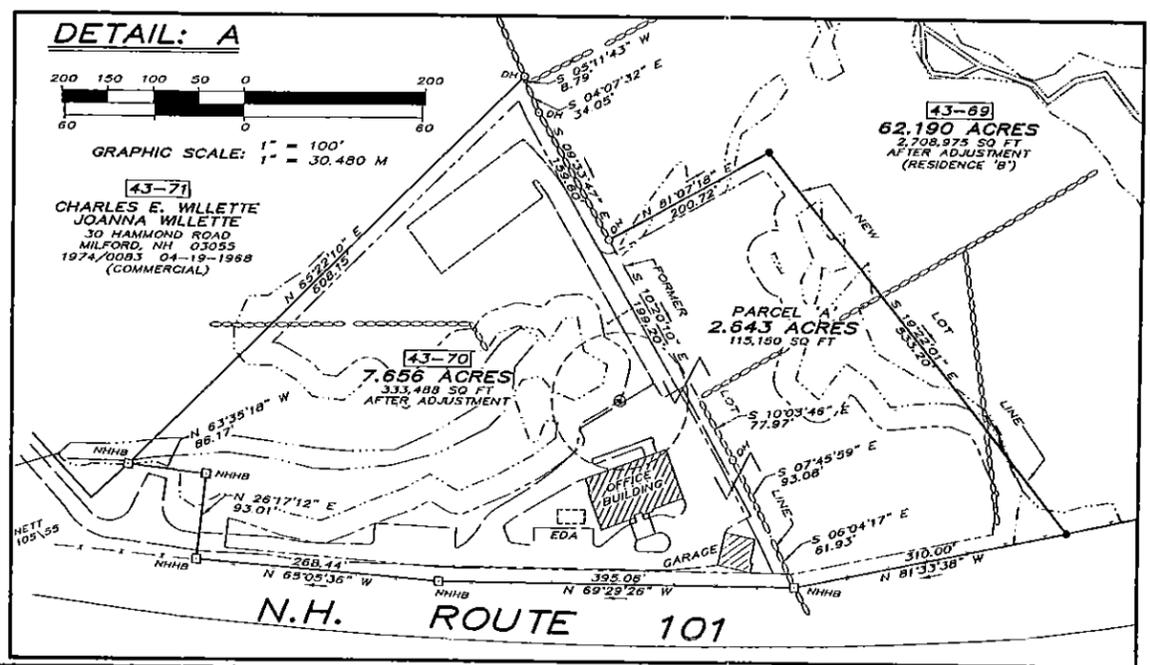
1. OWNER OF RECORD OF LOT 43-69 IS SALT CREEK PROPERTIES, LLC, 307 ELM STREET, MILFORD, NH 03055.
2. TITLE REFERENCE TO LOT 43-69 IS HCRD BOOK 8420 PAGE 1386, DATED APRIL 19, 2012.
3. OWNER OF RECORD OF LOT 43-70 IS 34 HAMMOND ROAD, LLC, 17 GRANT DRIVE, BEDFORD, NH 03110.
4. TITLE REFERENCE TO LOT 43-70 IS HCRD BOOK 8270 PAGE 2555, DATED DECEMBER 3, 2010.
5. THE INTENT OF THIS PLAN IS TO ADJUST THE LOT LINE BETWEEN LOTS 43-69 AND 43-70.
6. ZONING DISTRICT FOR LOT 43-69 IS RESIDENCE 'B'.
7. ZONING DISTRICT FOR LOT 43-70 IS COMMERCIAL.
8. 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 459 OF 701, COMMUNITY-PANEL NO. 33011C 0459D, EFFECTIVE DATE SEPTEMBER 23, 2009.
9. LOT 43-69 LIES PARTIALLY WITHIN A LEVEL 1 GROUNDWATER PROTECTION AREA AND PARTIALLY WITHIN A LEVEL II GROUNDWATER PROTECTION AREA. LOT 43-70 LIES ENTIRELY WITHIN A LEVEL I GROUNDWATER PROTECTION AREA.
10. BOUNDARY INFORMATION SHOWN HEREON FOR LOT 43-69 WAS TAKEN FROM REFERENCE PLAN NO. 1, AND IS NOT THE RESULT OF A SURVEY BY THIS OFFICE. BOUNDARY INFORMATION SHOWN HEREON FOR LOT 43-70 WAS TAKEN FROM REFERENCE PLAN NO. 2, AND IS NOT THE RESULT OF A SURVEY BY THIS OFFICE.
11. LOT AREAS BEFORE AND AFTER ADJUSTMENT:

BEFORE	AFTER
43-69 64,833 ACRES (2,824,125 SQ FT)	62,190 ACRES (2,708,975 SQ FT)
43-70 5,012 ACRES (218,338 SQ FT)	7,656 ACRES (333,488 SQ FT)
12. PARCEL 'A' IS NOT TO BE CONSIDERED A SEPARATE BUILDING LOT, BUT IS TO BE ANNEXED TO AND BECOME A PART OF LOT 43-70.
13. WETLAND BOUNDARIES WERE DELINEATED ON THE GROUND BY EARL J. SANDFORD, CERTIFIED WETLAND SCIENTIST.
14. ISSUANCE OF BUILDING PERMITS FOR THE LOTS SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE XII OF THE TOWN OF MILFORD ZONING ORDINANCE, GROWTH MANAGEMENT & INNOVATIVE LAND USE CONTROL.
15. ISSUANCE OF BUILDING PERMITS FOR THE LOTS SHALL BE SUBJECT TO THE COLLECTION OF APPLICABLE IMPACT FEES.
16. A STORMWATER PERMIT IS NOT REQUIRED FOR A LOT LINE ADJUSTMENT PLAN. NO IMPROVEMENTS ARE PROPOSED ON THE LOT AT THIS TIME.



OWNER'S SIGNATURE LOT 43-69
 SALT CREEK PROPERTIES, LLC _____ DATE _____

OWNER'S SIGNATURES LOT 43-70
 34 HAMMOND ROAD, LLC _____ DATE _____



- LEGEND**
- EDGE OF PAVEMENT
 - - - EDGE OF GRAVEL
 - - - EDGE OF WETLAND
 - ~ ~ ~ EDGE OF WATER
 - STONE WALL
 - - - WIRE FENCE
 - BUILDING SETBACK LINE
 - DHF DRILL HOLE FOUND
 - NHNB N.H. DOT HIGHWAY BOUND
 - UTILITY POLE
 - WELL
 - SIGN
 - MONUMENT TO BE SET

REV.	DATE	DESCRIPTION	DR	CK
FILE	1633	TYPE	LLA	IDX
			1633LLA420	FB

APPROVED
 MILFORD, NH PLANNING BOARD

SUBDIVISION # _____
 DATE APPROVED: _____
 SIGNED: _____

NOV 22 2013
 TOWN OF MILFORD RECEIVED

LOT LINE ADJUSTMENT PLAN OF LAND LOT 43-69 SALT CREEK PROPERTIES, LLC AND LOT 43-70 34 HAMMOND ROAD, LLC MILFORD, NEW HAMPSHIRE

SCALE: 1" = 200' NOVEMBER 18, 2013

MONADNOCK SURVEY, INC. LAND SURVEYORS AND PLANNERS
 WILTON STATION - 99 MAIN ST. - PO BOX 607 - WILTON, N.H. 03086
 TEL: (603) 854-2345 FAX: (603) 854-9894 WWW.MONADNOCKSURVEY.COM



TOWN OF MILFORD, NH

COMMUNITY DEVELOPMENT DEPARTMENT
1 UNION SQUARE, MILFORD, NH 03055

TEL:(603)249-0620
www.milford.nh.gov

MEMORANDUM

Date: December 17, 2013
To: Janet Langdell, Chairperson, & Members, Planning Board
From: Jodie Levandowski, Town Planner
Subject: Agenda Item #5. Carol Colburn – Osgood Rd & Woodhawk Dr – Map 51, Lot 1; Public Hearing for a continuation of a Major Subdivision

Background:

The applicant was before the Board in November for a 27-lot subdivision off of Osgood Road and Woodhawk Dr. At that time the Board tabled the application to allow for cost estimate for outside drainage and roadway review of the proposed subdivision by the Board's consulting engineer, Comprehensive Environmental, Inc. (CEI). The applicant has received copies of the cost to review and is working to compile the necessary fees and information for submittal in January 2014.

Staff Recommendation:

Staff recommends the Board table the application to the January meeting or if the applicant wishes to be tabled until February, the applicant should request an extension from the 65-day approval timeframe per RSA 676:4. Once the Board grants the extension approval the application can be tabled to either the February or March meeting to allow time for the applicant to submit the escrow funds and CEI to complete their review.



TOWN OF MILFORD, NH

OFFICE of COMMUNITY DEVELOPMENT
1 UNION SQUARE, MILFORD, NH 03055

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www.milford.nh.gov

MEMORANDUM

Date: December 17, 2013
To: Milford Board of Selectmen, Conservation Commission, Economic Development Advisory Council, Zoning Board of Adjustment, and members of the Milford community
From: Milford Planning Board
Subject: Proposed Rezoning (Tax Map Parcels 43/20 and 43/69)

PROPOSED ZONING CHANGE

Amend Article III: ZONING MAP – Zoning District Changes, Section 3.010 Districts: to change the zoning of the following parcels of land on or abutting: Webster Street, Prospect Street, South Street, Ponemah Hill Road and Route 101 from Residence “A” to Limited Commercial Business “LCB”, and parcels of land on Ponemah Hill Road from Residence “B” to Commercial “C” and Limited Commercial Business “LCB”:

Map 35, Lots 5, 4, 6-1, 16, 18, 17, 36, 37, 33;

Map 43, Lots 20-1, 76, 72, 71, 70, 21, 22, 33, 69, 68, 67, 66, 69, 30, 43, 44, 45, 46, 47, 48, 51;

Map 48, Lot 34

BACKGROUND

In September 2013, representatives of Salt Creek Properties, LLC, met with the Milford Planning Board to present a proposal to rezone 15 acres of Map 43/20 from Residence ‘A’ to ‘C’ - Commercial and 25.5 acres of Map 43/69 from Residence ‘B’ to ‘C’ - Commercial. The properties are currently undeveloped.

Throughout the fall and most recently at its December 3, 2013 worksession, the Milford Planning Board met to evaluate and consider the proposed rezoning request within the context of Milford’s current and future needs. Through much discussion and research, the Board concluded that the areas off of Ponemah Hill Road, South Street, Webster Street and Prospect Street would be more suitably zoned as Limited Commercial Business (LCB) given that the allowed uses in LCB are limited and less intense than those allowed in the Commercial zone, therefore, more compatible with the surrounding neighborhoods and commercial connections. The Board also determined that rezoning a portion (53.83 acres) of lot 43/69 from Residence ‘B’ to Commercial ‘C’ would offer both economic and tax positive benefits to the Town while still allowing for some continued opportunity to maintain Milford’s diverse supply of housing options.

Map 43/69, with frontage on Ponemah Hill Road consists of 65 acres of which the easterly half (11.47 acres) is proposed for Limited Commercial Business ‘LCB’ zoning and the remainder (53.83 acres) is proposed for Commercial ‘C’ zoning. (See attached map)

Map 43/20, with frontage on South Street consists of 26 acres of which the easterly half (3.5 acres) is proposed for Commercial ‘C’ zoning and the remainder (22.5 acres) is proposed for Limited Commercial Business ‘LCB’ zoning. (See attached map)

AREA INFORMATION

The parcels proposed for rezoning are bounded by South Street (Rte 13) on the west, Rte 101 on the south, and Ponemah Hill Road on the east. On the north lies developed residential areas zoned both Residence 'A' (primarily a single-family residential zone) and Residence 'B' (primarily a multi-family residential zone) as well as an undeveloped parcel zoned Residence 'B' (Map 43/22). Two multi-family developments abut to the north and east, Woodland Heights (apartments) and Quarrywood Green (condominiums). A Public Service Company of NH (PSNH) easement traverses a portion of the sites, and a PSNH substation is located on PSNH-owned property at the southwesterly corner. Abutting parcels to the west on South Street are zoned Commercial.

The topography of the parcels consists of slight to steep slopes with several quarries interspersed throughout the area. There are wetlands and surface waters on the site which have been delineated. The area has recently been timbered in accordance with all State forestry requirements. The parcels also lie partially within the Town's Groundwater Protection district, both Level I and Level II. Regulatory requirements will apply but do not preclude development.

CONSIDERATIONS FOR REZONING

Rezoning this area of Milford is consistent with the goals and objectives of the Milford Master Plan and with the Town's stated interest in fostering economic development. The location of the proposed development 'within' the compact and urbanized area of Town deters residential sprawl and encourages economic development. Currently, there exists little inventory of available and developable commercially-zoned vacant land in town. The parcels proposed for rezoning are prime commercial sites given their visibility from the commercial South Street corridor and the Route 101 Bypass. These routes also provide direct access for commercial traffic to the area to be rezoned.

The rezoning of 26.0 acres of Residence 'A' and 65.0 acres of Residence 'B' to allow for non-residential development would provide the Town with desirable and tax-positive commercial land. While, the rezoning does not eliminate the potential for single-family and multi-family development, it does however discourage residential development as commercially-zoned property has a higher assessed value when developed or sold for commercial uses.

The proposed commercial area can be served by extensions of municipal water and sanitary sewer. The existing roadway capacity and anticipated traffic generation from rezoning and future development can be accommodated by the adjacent road network. Existing regulatory controls and requirements will insure that future commercial development does not burden the Town's ability to provide services and that development is consistent and compatible with Town site design standards and future access and roadways connections.

This section of Town includes a number of valuable environmental features including old quarries, wetlands, streams, and trails. With thoughtful design and collaboration along with the current regulations, these features can be adequately protected and maintained.

The cost to the community of new commercial development is a 'positive cost' relative to the cost to the community if residential development were the only option available given the existing zoning. The proposed rezoning provides connections to existing commercially zoned parcels and offers opportunity for economic development and increased job availability and retention in Town.

