



AGENDA
September 16, 2014
Town Hall BOS Meeting Room - 6:30 PM

MINUTES:

1. Approval of minutes from the 8/19/14 meeting.

OLD BUSINESS:

2. **San-Ken Properties, LLC, et al – Mile Slip, Wolfer and Boynton Hill Roads – Map 45, Lots 3, 17, 18 and Map 40, Lot 104-4;** Design review for a proposed residential subdivision.
(Continued from 8/19/14, Request to table until October 21, 2014 meeting)
3. **Badger Hill Properties LLC – Timber Ridge Dr – Map 50, Lots 26-124, 26-126, 26-128, 26-129, 26-131, 26-133, 26-160, 26-162, 26-164, 26-166, 26-167, 26-168, 26-169, 26-171, 26-173, 26-175, 26-177, 26-179, 26-180, 26-181, 26-182, and 26-183; Map 51, Lots 26-47, 26-123, 26-125, 26-126, 26-127, 26-152, 26-170, 26-172, 26-174, 26-176, 26-178, and 26-184; Map 55, Lots 26-130, 26-132, 26-134 thru 26-151, 26-153 thru 26-159, 26-161, 26-163 and 26-165.**
Amendment to Conditional Approval received on August 19, 2014.

OTHER BUSINESS:

WORKSESSION

1. Discussion on Milford's Future Housing
2. Updates (as necessary):
 - a. Distinguished Site Awards
 - b. CAC-CIP
 - c. Community Planning Grant
 - d. BroxCommunity Land Review
 - e. Pedestrian Network Plan
 - f. Community Facilities Committee
 - g. Recreation Master Plan
 - h. EDAC
 - i. SoRLAC
 - j. NRPC

Future meetings:

09/23/14 Worksession
10/07/14 Worksession
10/14/14 Worksession
10/21/14 Regular meeting

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

4 Present:

5
6 **Members:**

7 Janet Langdell, Chairperson

8 Paul Amato

9 Kathy Bauer

10 Chris Beer

11 Steve Duncanson

12 Tom Sloan

13 Susan Robinson, Alternate member
14

Staff:

Jodie Levandowski, Town Planner

Shirley Wilson, Recording Secretary

David Bosquet, Videographer

15
16
17 **PUBLIC HEARING:**

- 18 1. In accordance with NH RSA 675:6, the Milford Planning Board will hold a public hearing on the following:
19 **Proposed 2014 update and recommendations to the BROX Property Community Land Master Plan**
20 **Proposed revisions and amendments to the Milford Gravel and Earth Removal Regulations**
21

22 **MINUTES:**

- 23 2. Approval of minutes from the 7/15/14 meeting.
24

25 **NEW BUSINESS:**

- 26 3. **Cynthia & Robert Nute – 9 Powers St – Map 30, Lot 38-1;** Public Hearing to request a waiver from
27 Development Regulations Section 6.05.3.B, *Parking Space Dimensions*, to allow an eighteen (18') ft
28 driveway aisle width.
29 *(New application)*
30
31 4. **34 Hammond Road LLC/JP Pest Services – Hammond Rd – Map 43, Lot 70:** Public Hearing for a major
32 site plan to replace an existing garage and construct a new 2,520SF garage with additional parking and
33 associated site improvements.
34 *(New application – Sandford Surveying & Engineering)*
35
36 5. **San-Ken Properties, LLC, et al – Mile Slip, Wolfer and Boynton Hill Roads – Map 45, Lots 3, 17, 18**
37 **and Map 40, Lot 104-4;** Public Hearing for the design review of a proposed residential subdivision.
38 *(New application-Fieldstone Land Services)*
39

40 **OLD BUSINESS:**

- 41 6. **Badger Hill Properties LLC – Timber Ridge Dr – Map 50, Lots 26-124, 26-126, 26-128, 26-129, 26-131,**
42 **26-133, 26-160, 26-162, 26-164, 26-166, 26-167, 26-168, 26-169, 26-171, 26-173, 26-175, 26-177, 26-179,**
43 **26-180, 26-181, 26-182, and 26-183; Map 51, Lots 26-47, 26-123, 26-125, 26-126, 26-127, 26-152, 26-**
44 **170, 26-172, 26-174, 26-176, 26-178, and 26-184; Map 55, Lots 26-130, 26-132, 26-134 thru 26-151, 26-**
45 **153 thru 26-159, 26-161, 26-163 and 26-165.**

46
47 Continuation of application for multiple lot line adjustments for Badger Hill-Phase VI involving sixty
48 (60) residential lots and three (3) open space lots; and to approve Phase VI-A for eight (8) buildable lots
49 in the Residence R District including a waiver request from Milford Development Regulations, Section
50 7.02 Roadway Standards Charts.

51 *(Continued from 7/15/14)*
52
53
54

55 Chairperson Langdell called the meeting to order at 6:30PM. She introduced the Board and staff, then explained
56 the ground rules for the public hearing, and read the agenda into the record. S. Robinson, alternate member was
57 called to sit.
58

59 **PUBLIC HEARING:**

60 In accordance with NH RSA 675:6, the Milford Planning Board will hold a public hearing on the following:
61

62 **1) Proposed 2014 update and recommendations to the BROX Property Community Land Master Plan**
63

64 J. Langdell read the notice into the record and stated that the Brox property and the Master Plan has been on the
65 Planning Board's work plan for a number of cycles and we were very fortunate to get a committee of interested
66 citizens and department heads that wanted to move forward with this. We felt this planning tool was important
67 because simultaneously, the Milford Community Athletic Association (MCAA) had been doing their work to
68 analyze field needs within the town and this goes hand in hand. Also, this will help to get the work on Chapter 4
69 of the Master Plan, *Recreation/Facilities* going again. The committee meetings were public meetings, this master
70 plan document was also discussed at a Planning Board meeting in July. J. Langdell also thanked the committee
71 members: Tom Sloan, Planning Board; Audrey Fraizer, Conservation Commission; Tim Finan, Recreation
72 Commission; Dustin Ayotte, Justin Wisbey, MCAA Fields Committee; Rick Riendeau, DPW; and Gerry Guthrie,
73 Citizen at Large. We also received input from the Milford School Board, the Recreation Department and from the
74 Cemetery Trustees. This has been a great effort by a number of stakeholder groups and also a number of other
75 people, such as the Brox Environmental Citizens who have given input to this plan as well. P. Amato clarified
76 that this report pertained to the residential portion of the Brox Property, the Community Lands piece.
77

78 B. Parker noted that the Community Development Office provided staff support for this project and said the plan
79 is similar to the original 2005 plan that was based on community needs. He reviewed the changes and said the
80 proposed extension to Heron Pond Rd which would someday provide secondary access to the Brox property from
81 Perry Rd was shifted southerly to provide more buffer for the significant Heron Pond wetland complex and to
82 keep more open space north of the extension. The uses and needs on this plan are fairly similar to those listed on
83 the 2005 plan.
84

85 Chairperson opened the meeting for public comment.
86

87 Suzanne Fournier, Coordinator for Brox Environmental Citizens, gave a presentation and explained that we are a
88 grass roots group working to help bring good conservation to the Brox property for future generations. This was
89 promised to the people in 2000, *preservation of environmentally sensitive lands for open space and conservation*
90 in the write up for the warrant article. While others voted for industrial and community land uses, many voted to
91 buy the land for conservation. There is a problem of bias within the Brox Committee; it was run well, but because
92 the committee did not include representation of the needs and wishes of cyclists, teachers, and abutters like
93 Beaver Brook Association, the plan is swayed in favor of the activities of some and not others. J. Langdell
94 interjected and pointed out that there was a thirty day public comment period that was well publicized to this
95 entire community. J. Levandowski said staff only received one comment during that period, from Mark Fougere.
96 J. Langdell added that if all the people you are saying were left out of this process had a need to be part of the
97 process, they had a period with which to make comment. S. Fournier acknowledged that and further stated that
98 the Brox Environmental Citizens have been studying the natural resources of the Brox property but were not part
99 of the committee either and we did supply comment, but Jodie didn't mention that. J. Langdell said you were at
100 many of the meetings and supplied comment at those meetings. This has been open public process. S. Fournier
101 retorted that to be on the committee is a little different than giving comment as a member of the general public.
102

103 S. Fournier brought several posters and gave a presentation. She said it is premature to carve up the land when
104 the natural resources inventory, including wildlife, is not yet in. The results will show an amazing wetland
105 complex with vernal pools. This habitat sustains the Blanding's turtle, an umbrella species as well as a State
106 endangered species that needs special protection to survive in New Hampshire. The people of Milford have had
107 the benefit of twenty years of no development. The forest gives us clean air. The waters and groundwater are
108 clean. There is opportunity right now for lots of recreation, just not for the organized sports. Much of these
109 benefits are at risk if an earth removal operation is allowed to wipe out the forests, hills and pretty much level

110 everything. We can learn by example from the 124 acre sand and gravel pit in Henniker. J. Langdell inquired if it
111 was an active operation that had not been reclaimed yet. S. Fournier replied yes and then compared it to
112 Milford's 22 acre existing gravel pit, and the proposed additional 65 acres. She also mentioned the 50 acre open
113 wound on Elm St. I hope the people in town will not want to risk losing the scenic beauty already at the Brox
114 property. I am asking the Planning Board to please wait for the natural resources inventory and to not include,
115 hastily, an earth removal operation.

116
117 Bob Hall, owner of Souhegan Cycleworks, said he wanted to show support for recreational use of the property.
118 Since 2002, he has seen more recreational uses, especially north of the black line on the plan, which has seemed
119 to curb some of the earlier motorized activities. He asked that recreation uses of the land, outside of the MCAA
120 areas, be considered to include passive recreation such as cycling, hiking, training and nature walks. It would be
121 nice to see a cross-country meet held there at some point and it would also be nice to see the trails expanded into
122 where the recreation areas are. He referenced Mines Falls in Nashua and said the trails are used while the soccer
123 and baseball games are going on. It's a pretty cool thing to see in person and we have the potential to create
124 something like that here in Milford where people can use the land for both organized sports and individual/group
125 activities. That whole area including Tucker Brook has become very popular with cyclists who are impressed
126 with what the town has created. We do like to bring groups, sponsored by the shop, to those areas to guide them
127 and show off the beauty of Tucker Brook and the Heron Pond area as it expands and develops. After we're done
128 riding, we try to go out and promote local establishments as do other groups that come on the weekends, so I
129 encourage you to think about the recreational trail possibilities, even on the other side of the property and
130 expanding it for events and activities in the future.

131
132 Edward Dunn, Whitten Rd resident, commented that we see the gravel pit right now; it's really turning into a
133 dump. The more noise we make, the more we push wildlife into a smaller and smaller area and we haven't seen a
134 reclamation plan yet. From experience, it will take twenty to forty years for the trees come back to where they are
135 now and he will not be alive to see that. We're taking away from our kids.

136
137 Mary Jane Burns, Brookview Dr resident, said I'm all for planning but I think you have to be sure to get your
138 natural resource plan in action before making any final decisions as to what you want to do with this property.
139 Right now it's quite a place, aside from recreation; there's a lot of wildlife that should not be destroyed or
140 compressed.

141
142 J. Langdell explained that this report was originally done in 2005 as a future projection of what the town might
143 need to use this land for and because that report is nearly ten years old, we thought this was a good time to revisit
144 that question and ask what the town might need going out to the year 2035. It is a way to do some long range
145 planning. This plan, as it stands, is not the end of the process. It does not define and it is not prescriptive of what
146 is going to happen on the Brox Community Lands area. It is an inventory of what various groups and departments
147 felt we would need going forward. This 2014 inventory is for good town facilities and services planning. It is
148 also possible that the Conservation Commission might have some further recommendations or suggestions once
149 the Natural Resources Inventory comes forward. We want to keep the momentum and conversation going on
150 what these lands could potentially be used for. P. Amato added that we only have power to put together the plan.
151 Before any money is spent or anything done, it would have to go to the voters by town warrant or as a part of the
152 Selectmen's budget and there would have to be detailed specifications.

153
154 S. Fournier added that an RFP to begin the engineering process for earth removal on the Brox property has
155 already been posted with Selectmen approval. It is something real and tangible. It is proceeding forward and it
156 mentions this report, so there is a direct connection. J. Langdell explained that with or without this document in
157 2005 or in 2014, the Board of Selectmen have every right to put forward a possible plan and ask for an RFP; this
158 is Town owned property.

159
160 B. Parker read Section IV.B *Conservation and Open Space Planning recommendations* from the Brox Property
161 Community Land Master Plan report. He also said that Mr. Hall brought up some good points about trails and
162 future connections and that the committee did take into account many of those concerns brought up tonight. If
163 these recommendations are followed in the future, the concerns will be addressed as planning goes forward. J.
164 Langdell agreed that Mr. Hall brought up several good points and added that there is an overlap between

165 recreation and conservation. This is not an all or nothing, we're looking for a balanced approach and this is a
166 "slice in time" report.

167
168 Suzanne Schedin, Ox Brook Woods Rd resident, said she is a teacher at Heron Pond Elementary School and has
169 taken numerous students on hikes through the trails. One of the third graders' favorite days is Autumn Adventure
170 Day where we do a big hike all the way around the trail and find all kinds of signs of animals and many tracks.
171 We also take trips to study rocks, minerals and erosion control out on those trails. The enrichment groups go out
172 on hiking trips to learn about nature. It is a gem to have so close to the school and I hope we don't ruin it.

173
174 Chairperson Langdell closed the public portion of the meeting.

175
176 K. Bauer noted that it is good to bring up the students' educational piece because we're including people who will
177 be interested in preserving these lands as they get older and as they have children of their own.

178
179 J. Langdell stated that the report contained some specific items for 2015, such as more field space. The word
180 should was used and hopefully any future planning would also include the consideration of other properties.

181
182 S. Duncanson made a motion to approve the Brox Community Lands Master Plan committee report. C. Beer
183 seconded and all in favor.

184
185 **2) Proposed revisions and amendments to the Milford Gravel and Earth Removal Regulations**

186 J. Langdell read the notice into the record and stated that last year we worked on updating and adopted the
187 regulations in October, 2013. At a public hearing relative to other proposed zoning changes, Gary Daniels
188 brought forward some minor changes; a revision to the definition of earth to add a reference to dimension stone
189 and the RSA and a correction to reclamation. All changes are on page 3 of the Regulations.

190
191 Chairperson Langdell opened the meeting to the public; there being none, the public portion of the meeting was
192 closed.

193
194 C. Beer made a motion to approve the Milford Gravel and Earth Removal Regulations, as amended. S.
195 Duncanson seconded and all in favor.

196
197 **MINUTES:**

198 C. Beer made a motion to approve the minutes from the 7/15/14 meeting, as amended. S. Duncanson seconded
199 and all in favor.

200
201 **NEW BUSINESS:**

202 **Cynthia & Robert Nute – 9 Powers St – Map 30, Lot 38-1;** Public Hearing to request a waiver from
203 Development Regulations Section 6.05.3.B, *Parking Space Dimensions*, to allow an eighteen (18') ft driveway
204 aisle width.

205 *No abutters were present.*

206
207 Chairperson Langdell recognized:
208 Robert Nute, owner
209 Peter Nute

210
211 J. Langdell read the notice into the record and stated that the application was complete. S. Duncanson made a
212 motion to accept the application. C. Beer seconded and all in favor. C. Beer made a motion that this application
213 did not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters into
214 the record.

215
216 B. Nute presented revised plans dated 8/18/14 and explained that the waiver request is to keep the drive aisle
217 width at eighteen (18') ft. We looked into expanding the width to the required twenty-four (24') ft but felt it
218 crowded the area at the building access. The parking spaces are only on one side and there will be minimal
219 traffic.

220 J. Langdell stated that staff has not had a chance to review the revised plans, so we have no comment as to
221 whether they meet all other criteria as discussed at the last meeting. Note #2 should be revised to state that you
222 are asking for a waiver request and if granted the date be added to the note. Also, the language on the waiver
223 request form is confusing with one lane of travel and one-way at a time. Note #8, the parking calculations could
224 also be revised to include the usage; a twelve seat café and revise the calculations to clarify four (4) spaces for
225 patrons, one (1) handicapped space and one (1) employee space. Will the tree have to be removed? R. Nute stated
226 that the tree should stay. J. Langdell said that tree is balancing out the landscaping requirements of an existing
227 site and if it were to be removed, we would want to see additional compensations for the landscaping
228 requirements. She inquired if the handicapped space would have curbing. R. Nute replied no, it is a gravel area
229 and there will be signage. Also, the plan shows the fence coming around the corner at space #1, but our intent is
230 to not make it a fixed part of the post and rail but to put a removable object so that we're not pushing snow on the
231 neighbor's property.

232
233 S. Robinson agreed with the Chair about the wording one the waiver request. One lane of travel wouldn't be
234 accurate and could it be removed. J. Langdell suggested that the applicant work with staff to revise the language
235 on Note #2.

236
237 Chairperson Langdell opened the meeting to the public; there being none, the public portion of the meeting was
238 closed.

239
240 P. Amato made a motion to grant this waiver request from Development Regulations Section 6.05.3:B, to allow
241 an eighteen (18') ft driveway aisle, contingent upon the notes being revised per discussion tonight and to work
242 with staff to verify all prior conditions have been met. S. Duncanson seconded and all in favor.

243
244 **34 Hammond Road LLC/JP Pest Services – Hammond Rd – Map 43, Lot 70:** Public Hearing for a major site
245 plan to replace an existing garage and construct a new 2,520SF garage with additional parking and associated site
246 improvements.

247 *No abutters were present.*

248
249 Chairperson Langdell recognized:
250 Joseph Pestana, 34 Hammond Road LLC/Beehive Investments, Inc.
251 Raymond Shea, Sandford Surveying & Engineering, Inc.

252
253 J. Langdell read the notice into the record and stated that the application was complete. C. Beer made a motion to
254 accept the application. S. Duncanson seconded and all in favor. C. Beer made a motion that this application did
255 not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters into the
256 record.

257
258 R. Shea presented plans dated 7/9/14 for a proposed 2,520 SF storage garage with additional parking and site
259 improvements. He gave an overview of the business, J. P. Pest Services and prior development on the property.
260 A lot line adjustment was recently completed and an additional 2.5 acres to the east was purchased. We would
261 like to raze the existing garage, construct a new two-bay garage and create a new parking field for 38 parking
262 spaces parallel to the existing parking area at the southeast corner of the site. We have much more parking than
263 is required but between company vehicles and employees, we sometimes run low on parking for training sessions.
264 We did oversize the detention area to handle future impervious site improvements. There are no specific plans
265 right now, but we tried to anticipate future drainage needs in case there would be a third phase that way we
266 wouldn't have to redesign, reconstruct or disturb the detention area. The landscape plan shows the snow being
267 pushed beyond the spaces around the parking area. If there is a lot of snow, we may use up a few of the extra
268 spaces, but we will still have 50% more than the required number of spaces. We are amenable to installing a
269 barrier, per the Conservation Commission's request, to keep any snow away from the detention area. There is
270 enough area for the detention basin and we would prefer not to use pervious pavement at this time. We will also
271 change the specs and plans to show wattles per discussion with Fred Elkind and Conservation's request. The
272 majority of the stonewall which was the former lot line will be staying along with the large oak trees to keep the
273 aesthetics and we will only remove the portions that we need to.

274

275 S. Duncanson inquired as to why a 34' high two-bay garage was needed. R. Shea said he will verify the height,
276 but doesn't think it's that high. The garage will be used to store equipment and there will be no maintenance
277 performed there. J. Pestana listed some of the equipment they use; dehumidifiers, air exchangers, tractors and
278 materials that are purchased by the pallet. The clearance inside is approximately sixteen (16') ft, enough to clear
279 two pallets on a pallet rack and will be very similar to the garage that will be taken down.
280

281 P. Amato inquired about the architectural. J. Pestana said the intent is to put up a pre-fab Morton Building, with
282 steel construction outside and wood on the inside, similar to Crowe Fence on 101A. P. Amato noted that it is
283 good to see the building moved further back.
284

285 J. Langdell referenced the staff memo and noted there would be 80,000 SF of disturbance, but no State or Federal
286 stormwater permitting would be required. J. Levandowski added that the applicant will go through the Milford
287 stormwater process with Fred Elkind. R. Shea said we are working with Mr. Elkind and have three items to
288 address; an addition to the drainage report, the wattles and provide a post construction maintenance schedule. R.
289 Shea gave an explanation of the two types of wattles. J. Levandowski noted that wattles were used during the
290 original construction in 2011 and currently at the Cumberland Farms site.
291

292 Chairperson Langdell opened the meeting to the public; there being none, the public portion of the meeting was
293 closed.
294

295 J. Langdell reviewed staff comments and recommendations from the staff memo dated 8/19/14.
296

297 P. Amato made a motion to approve this application based on staff recommendations, and tonight's discussion.
298 S. Duncanson seconded and all in favor.
299

300 **San-Ken Properties, LLC, et al – Mile Slip, Wolfer and Boynton Hill Roads – Map 45, Lots 3, 17, 18 and**
301 **Map 40, Lot 104-4;** Public Hearing for the design review of a proposed residential subdivision.
302

303 Paul Amato recused himself.
304

305 *Abutters present:*

306 *Paul Amato, Spring Creek Sand & Gravel*

307 *Jason & Crystal Barbeta, Mile Slip Rd*

308 *Denise & Warren Buchanan, Wolfer Rd*

309 *Dennis Clemens, Mile Slip Rd*

310 *Steven & Shelley Lasalle, Mile Slip Rd*

311 *Roy Leal, Wolfer Rd*

312 *Monica Leo, Mile Slip Rd*

313 *Leo Vallier, Mile Slip Rd*
314

315 Chairperson Langdell recognized:

316 Nate Chamberlin, Fieldstone Land Services, PLLC

317 Chad Branon, Fieldstone Land Services, PLLC

318 Ken & Sandra Lehtonen, San-Ken Homes, Inc.

319 Kenny Lehtonen, San-Ken Homes, Inc.
320

321 J. Langdell read the notice into the record. J. Levandowski verified that all owners have signed the application
322 and that the application is complete. S. Duncanson made a motion to accept the application. C. Beer seconded
323 and all in favor. C. Beer made a motion that this application did not pose potential regional impact. S.
324 Duncanson seconded and all in favor. S. Wilson read the abutters into the record.
325

326 N. Chamberlin presented plans dated 6/18/14 & 7/28/14. He explained that there are two conventional plans; Plan
327 A, the original submittal from the conceptual discussion showing 54 lots and Plan B, yielding 61 lots, both
328 proving out to a 54 lot open space subdivision. The proposed open space plan doesn't require any waivers or
329 variances. There is approximately ten (10) acres of wetlands and twenty-three (23) acres of steep slopes on the

330 186.4 acre property. Based on previous Board comments that stand-alone lots are preferred to easements for the
331 open space, we have revised the open space plan accordingly but still have one lot with an open space easement.
332 The seller wanted to retain a thirty (30) plus acre parcel and it is part of the P&S agreement, so lot #26 will have a
333 twenty-five (25) acre open space easement on it and the buildable area will be eleven (11) acres. The remaining
334 open space will all be separate lots. We have rough graded the road to prove it out, but have not gotten into the
335 detailed design yet. Staff supports this design and we will work with the Conservation Commission to address
336 their concerns. We are aware of the comments and studies from the staff memo dated 8/19/14 and they will all be
337 taken care of during the design process. We have met with DPW early on and they're fine with the curb cut
338 locations. They have seen these plans but will reserve comment for the final design.
339

340 J. Langdell brought up the formula approach to calculate the density. C. Branon said the regulations state that we
341 have two ways to prove out the density and the applicant chose to do the plan which involved a considerable
342 amount of effort and money. We always check that calculation in house and the mathematical calculation is
343 typically more conservative but this time the density came out roughly the same at 53.7. J. Levandowski stated
344 her calculations came out to 53.5. J. Langdell inquired what mechanism will be used for ownership of the
345 remaining open space areas. N. Chamberlin said it would be dedicated as conservation lots if the Conservation
346 Commission would want to take it over.
347

348 S. Duncanson inquired about the size of lot #42 at fifteen (15) acres. N. Chamberlin replied that it was a
349 threshold for different marketing, an estate lot.
350

351 S. Robinson inquired if any of the wetlands were on privately owned lots and noted that the Conservation
352 Commission seemed to be concerned with the presence of wetlands on individual lots. N. Chamberlin said that
353 the majority of the wetlands are in the open space areas but there are some fingers on the lots. He referenced the
354 previous conceptual plan that tried to keep all wetlands on the open space, but there was resistance to the narrow
355 strips of open space by the Board. The wetlands are protected by a buffer that you can't go into, but we can
356 certainly take that into consideration of that is what the Board wants. J. Langdell said the only way to avoid
357 individual lots would be to change the configuration of the lots and possibly reduce the number of lots. C. Branon
358 said our next step would be to go before the Conservation Commission to discuss the configuration and come to
359 some balance. The open space configuration can change going forward, but it doesn't mean the overall density of
360 the project has to change. Ultimately the client can make the decision, but because there is no minimum lot size
361 in the regulations and because we can address the open space area in easement form, we could place an easement
362 over the lots and find a happy medium to address everyone's concerns. J. Langdell said it comes back to the
363 desirability of the lots you are left with and that's what we have to keep in mind; again, it's balancing.
364

365 C. Beer stated that the open space on this plan is much better defined than the previous conceptual plan and
366 inquired about the terrain for lots 27, 28 and 29. There are oddly shaped lots on the south side of the plan. Would
367 there be a way to change the shape to rectangular lots without losing any lots by possibly adding a road or cul-de-
368 sac? We've had people have to come before the Board for lot line adjustments because of odd shaped lots where
369 they built sheds on their neighbor's property. K. Bauer disagreed and said she didn't see the potential problems
370 with the shape of these lots because of their size. N. Chamberlin said we could possibly take a look at that, in
371 final design. The open space requirement that states if a lot abuts the perimeter, they have to have 200ft of
372 frontage; that's what's driving this configuration.
373

374 Chairperson Langdell opened the meeting to the public.
375

376 Audrey Fraizer, Conservation Commission Chair stated that the commission didn't see the conceptual plan shown
377 to the Planning Board so she didn't have any comments on that, but what we always endeavor to do is to have
378 trail connections. Tucker Brook isn't far from the end of Boynton Hill Rd and we would like to try to get a dry
379 area to make a trail connection for a short walk over to Boulder Dr to get to Tucker Brook. This property also
380 abuts two parcels of conservation land and the headwaters to Great Brook which is a huge aquifer, so there is
381 concern with the amount of blasting for proposed roads and house lots. Were the mentioned wetland crossings for
382 forestry or were they formal crossings? N. Chamberlin said they were existing culverts.
383

384 D. Clemens expressed concern with traffic adding fifty-four (54) more houses up there. I've been on Mile Slip
385 Rd for twenty-three (23) years and it has expanded quite a bit from the original eight (8) houses. The road has
386 been paved, but it was never changed. There is an S-turn just below where Wolfer Rd comes in, that is much
387 more drastic than what you see on the map and there is a blind corner at the intersection of Mile Slip Rd with
388 Mason Rd. Will there be studies on traffic flow and road improvements to Mile Slip when you add this kind of
389 traffic? There are also future plans about connecting from Badger Hill and concerns with one-way roads, but I
390 don't think Mile Slip Rd was ever designed to handle this kind of traffic. Will there be a study done for the
391 aquifer prior to this going forward so we know the water isn't affected? J. Langdell stated that there are a number
392 of water and drainage plans to be done for this project and CEI, Inc. will be coming in to evaluate the runoff
393 issues, so there will be a number of things happening.

394
395 S. Lasalle said thanks to all the original residents of Mile Slip Rd for putting up with us coming in fourteen years
396 ago. She then noted that the traffic issues came up six or seven years ago with a proposed 98 house subdivision
397 and said she's surprised that there hasn't been a fatality at the entrance to Mile Slip Rd because of that corner.
398 Also, the S-curves are a good point to bring up and thank you Paul for taking all those trees down; now you can
399 actually see the headlights of cars coming and going there. To smooth out those curves would make a huge
400 difference but also change the landscape. We never heard if any of those issues would be addressed. J. Langdell
401 added that plan did not go forward.

402
403 J. Barbetta added that there is a big hill where cars and trucks do 40-45 mph on a 25mph road, so there may be a
404 lot more accidents than you think. Also, water table levels are a concern with adding fifty-four (54) more houses
405 and fifty-four more wells. What does that mean for everybody else who lives already here?

406
407 J. Langdell inquired if the review by CEI would include the water table impact. J. Levandowski answered that
408 they do review all our regulations and we can ask them to expand their review to include some state regulations.
409 J. Langdell stated that we should be clear about what they will be evaluating, as there are concerns from residents
410 as well as the Conservation Commission.

411
412 M. Leo said she's lived on Mile Slip for a little over a year and the increase in traffic concerns her. I have two
413 children and I don't let them ride their bikes on Mile Slip because there is a lot of excess speeding, when the
414 speed limit is 25 MPH. She presented pictures of tire and skid marks at the intersection of Mile Slip and Mason
415 Roads and also coming down the first half mile of Mile Slip. In addition, she brought in a bag of trash from
416 cleaning up yesterday along that same stretch of road. I also use water conservation measures at home, so I also
417 have concerns about the water table. J. Langdell suggested Ms. Leo forward those pictures to staff who will in
418 turn forward to the Board. Also, there is a second entrance to this development from Boynton Hill Rd.

419
420 P. Amato said this development will give some of Mile Slip Rd another way out from a dead-end road, which is a
421 good thing. If it helps to improve the intersection of Mile Slip and Mason Rd, that's also a good thing. There
422 used to be a yield sign because there were so few houses out there. The S curve is a horrible corner, and yes it is
423 easier to see with the trees gone, but while it would be good to straighten it out, it currently serves as a speed
424 bump. You can only go around that curve so fast, so if we fix that, the traffic will go faster. The proposed access
425 onto Mile Slip Rd, currently Mr. Ball's driveway, should be looked at carefully as it is pretty steep and cars will
426 have to stop to turn left to get out. Also, I'd like to see a plan that delineates the wetlands because it's hard to see
427 the lots that the density calculation is based on in order to say those are useable lots. Fifty-four (54) lots for this
428 size parcel is appropriate; I'm just not sure whether this layout is the best way to do it. The other good news is
429 that this is not ninety-eight (98) lots.

430
431 L. Vallier said some of the culverts on Mile Slip Rd, prior to the S-curves, have started leaning in and have
432 become flattened out from big trucks going up and down the road. The Mile Slip/Mason Rd intersection is very
433 dangerous and you almost have to stop out onto the road to see oncoming cars. Also, maybe guard rails could be
434 put in along those S-curves because I've seen several cars go off the road and hit trees. It's not safe for people
435 who walk their dogs.

436

437 W. Buchanan said this property was logged two or three years ago and this past summer it took almost to the
438 beginning of July for my front yard to dry up; it was a sponge. All the water came right down onto my property
439 which is at the bottom of this mountain. If they cut more trees, I'll get flooded out.
440

441 J. Langdell noted that water impact, water runoff, and traffic are all concerns that have to be considered. She then
442 closed the public portion of the meeting.
443

444 N. Chamberlin stated that we are amenable to providing some trail connectivity through the proposed subdivision
445 and into the open space. There were a lot of valid concerns raised tonight and we will certainly work to address
446 all those concerns as we proceed to final design. It will be up to the traffic engineer to determine how many cars
447 will be using each of the two access points. No off-site improvements were anticipated when we met with DPW,
448 but that could change with the traffic study. Stormwater will be addressed with the final design and this project
449 will fall under the state AoT permit, which requires no increase in runoff for the 2, 10 and 50 year storms, so
450 stormwater will be mitigated.
451

452 There was consensus from the Board that this application proceed as an open space subdivision.
453

454 S. Robinson expressed concerns about traffic and noted that the sight lines are very important. She just wanted to
455 make sure that the effects of the density are discussed at some point.
456

457 J. Langdell said that staff has reviewed this plan and the applicant has proved that they can get fifty-four (54) lots
458 on there. She also agrees that we need to see all the wetlands, but that can be a design issue as opposed to a
459 number issue. There are also a number of details that will have to be worked out.
460

461 C. Beer made a motion to grant approval for a determination of fifty-four (54) lots. S. Duncanson seconded and
462 all in favor.
463

464 N. Chamberlin said we will meet with the Conservation Commission, highlight the wetlands, and provide trail
465 connectivity to show the Board. J. Levandowski suggested the applicant also start the process with the ZBA for
466 any wetlands crossings. J. Langdell reiterated the importance of getting the Conservation Commission involved
467 in this process early on as this is a prime area. The Board will also want to take a site walk at some point in time.
468

469 C. Branon said he thought the design review was strictly for the density, but we will get with the Conservation
470 Commission and it makes sense to continue the design review to the next meeting and allow us to work out the
471 details and layout of the open space and the lot geometry. Also, he'd like to request that CEI, Inc does a review
472 of the aquifer in their determination. J. Levandowski noted that we will send the final plans out to CEI, Inc for
473 review and will clarify the scope of their review.
474

475 C. Beer made a motion to table the application to the 9/16/14 meeting. S. Robinson seconded and all in favor.
476

477 Chairperson Langdell called for a five minute recess.
478

479 **OLD BUSINESS:**

480 **Badger Hill Properties LLC – Timber Ridge Dr – Map 50, Lots 26-124, 26-126, 26-128, 26-129, 26-131, 26-**
481 **133, 26-160, 26-162, 26-164, 26-166, 26-167, 26-168, 26-169, 26-171, 26-173, 26-175, 26-177, 26-179, 26-180,**
482 **26-181, 26-182, and 26-183; Map 51, Lots 26-47, 26-123, 26-125, 26-126, 26-127, 26-152, 26-170, 26-172,**
483 **26-174, 26-176, 26-178, and 26-184; Map 55, Lots 26-130, 26-132, 26-134 thru 26-151, 26-153 thru 26-159,**
484 **26-161, 26-163 and 26-165.**

485 Public Hearing for phase VI of Badger Hill for multiple lot line adjustments involving sixty (60) residential
486 lots and three (3) open space lots; and to approve Phase VI-A for six (6) buildable lots in the Residence R
487 District.
488

489 Paul Amato recused himself.

490 *No abutters were present.*

491 Chairperson Langdell recognized:
492 Jon Lariviere, Badger Hill Properties, LLC
493 Scott Frankiewicz, Brown Engineering & Surveying, LLC
494

495 **Subdivision:**

496 S. Frankiewicz presented plans dated 8/19/14 that showed an overall view of the entire subdivision with the open
497 space connections, not based on the tax maps, and said a site walk was held on 8/2/14. We did receive a review
498 for the AoT permit and we have six comments that have to be addressed and subdivision approval is pending.
499 The former easement for the trail connection to Brookline has been changed to provide a separate twenty (20) ft
500 wide connection. There have been no changes to the roadways. Lot #79 will remain a non-buildable lot and as
501 such we've added an additional lot in the upper left side of the horseshoe as part of Phase 6, keeping the total
502 number of lots at 180 for the subdivision. J. Levandowski said staff counted total lots this afternoon and also
503 noted that the 2007 plans with the offshoots were also approved for 180 lots. J. Lariviere brought up the fact that
504 other developers built the road first and then came back for the lot line adjustments; with this plan we will
505 construct to current road specifications at an additional cost of several hundreds of thousands of dollars. We are
506 not complaining, but wanted the Board to be aware that we will be building a substantially better roadway than
507 what I feel we are entitled to build as had been happening in the prior phases of the approved subdivision. J.
508 Langdell noted that traditionally, roads are built to current standards.
509

510 Chairperson Langdell opened the meeting to the public for discussion pertaining to the proposed lot line
511 adjustments.
512

513 P. Amato brought up correspondence from Bill Parker dated 8/6/14 pertaining to the overhead utility lines and
514 said it was interesting and somewhat puzzling how the decisions were made and he was not sure that grandfathers
515 the applicant from not installing underground utilities for this section of the subdivision. We approved the plan
516 with underground utilities and now we know how it got changed, but the people who made those changes did not
517 have the authority to do so at that time. The change just happened without coming to the Planning Board, so why
518 are we stuck with that change now, on all plans moving forward? J. Langdell said the lack of substantiating
519 documentation related to the decision is quite peculiar, but why has this not been brought up with the other phases
520 of lot line adjustments. P. Amato said it was brought up but we were told we couldn't do anything about it and no
521 one really asked how it happened until now and now that we see how it happened, it is appalling. Those decisions
522 were not based on a safety standpoint or a planning standpoint. The utilities should have all been underground as
523 you still have one way in and out. Every road in this subdivision is a dead-end road and it doesn't make sense to
524 not do it here when we make a five lot subdivision on Melendy Rd install underground utilities. We've been told
525 since 2000 that it has been decided and we can't change things. Well, the applicant can change things to suit
526 them, but we're not allowed to do so because it's been grandfathered. This is a great subdivision and I'm not
527 opposed to it, but all the power should have been underground and shame on the Board for not asking. J.
528 Langdell said that although many nice neighborhood pockets have come out of this subdivision, it has been an
529 extremely difficult development for a variety of reasons across the board and mistakes have been made.
530

531 J. Lariviere said it has been our intention to construct the road to today's standards, but didn't feel he has any
532 obligation to. We could have renewed the former AoT permit and put the road in at previous standards, per the
533 approved plans. We have also brought the water system up to current standards, after the fact, so we have been
534 working at improving things, at unanticipated additional expense. Yes, there is one way in and one way out of the
535 subdivision, but not for this section. In any instance for this section, there are two ways out, upon completion. I
536 am not prepared to go underground for this section of the plan in addition to the other major items which I have
537 agreed to. It is also incorrect to say that I as a developer can come in and make all kinds of changes to a plan
538 when the Board can't. I am not making changes to this plan; I am making lot line adjustments and am agreeing to
539 significant costs to improve a mile of roadway. If the rest of the development was underground, I would want to
540 do that, but underground here will not create additional value and you still have to come through the rest of the
541 neighborhood with above ground utilities. It is inappropriate to ask for this change, at this late stage in the
542 development.
543

544 Chairperson Langdell closed the public portion of the meeting.
545

546 J. Langdell said she agreed with Mr. Amato and was also appalled at the content of the memo and how this
547 apparently came about. This is a prime example of something that should have come back to the Planning Board;
548 it is not a field decision, period. That said, I am respectful of safety, but I am having a difficult time with asking
549 the developer to underground at this point.

550

551 S. Robinson asked if there was future development potential beyond this subdivision. J. Lariviere said lot #79, if
552 used for future development comes into an area with existing overhead utilities and the two new locations would
553 have two choices along that horseshoe to exit out so we're not creating any new instance although that situation
554 may already exist in Badger Hill.

555

556 C. Beer agreed that asking the developer to go underground is unnecessary and out of scope, at this point.

557

558 **Dead-end road length waiver request:**

559 S. Frankiewicz said the existing 250ft road does not have a turnaround, so a temporary turnaround will provide
560 benefit. This waiver will also allow for a reasonable phasing of the roadway with an expected multi-year build
561 out and will push out the maintenance costs for the Town on the future town road. We are requesting 1,250 ft
562 instead of the 1,000 ft is because of the safety concern by the DPW Director. This will bring the turnaround to a
563 flatter and safer area at the crest of the hill.

564

565 C. Beer made a motion to grant the waiver request from Development Regulations Section 7.02 *Roadway*
566 *Standards Charts* to allow a 1,250 linear ft temporary dead-end road length. S. Duncanson seconded and all in
567 favor.

568

569 S. Frankiewicz explained the AoT requests in detail and as well as the replies:

570

- 571 1. We will submit a copy of the overall designed plan.
- 572 2. Will address the Fish & Game concerns and fix the culvert appropriately.
- 573 3. We will add a small treatment swale or filter swale at the discharge of that catch basin.
- 574 4. The existing detention pond was not originally designed for treatment or cleaning the water so it will be
575 revised to specifications that meet today's standards. It will be a permanent pool of water.
- 576 5. See #4.
- 577 6. We will add the drip edges to the houses to take the rain water from the roof into the ground immediately,
578 which will help us with our peak rate of runoff.

579

580 Chairperson Langdell reviewed the interdepartmental comments and recommendations from the staff memo dated
581 8/19/14. She stated that any motions would be conditional upon working with the Environmental Coordinator to
582 resolve any outstanding issues, obtaining the AoT and Stormwater Management permits, obtaining approval from
583 Pennichuck Water, and obtaining State Subdivision approval. She also thanked the applicant for creating the
584 dedicated land area that connected to the trails in Brookline; that was very important to some of the residents.

585

586 J. Lariviere noted that all the work has been completed for the water system but he hasn't gotten any permits from
587 Pennichuck Water yet. Pennichuck has operation approval from the State and we will provide a letter to staff.

588

589 J. Levandowski added that the word *Chairman* be corrected in the signature block on both plans and she will
590 work with the applicant to correct the "Non-buildable Open Space" wording on the plans. Since the Board has
591 granted the waiver request, a note stating the motion and the date be added to the plan.

592

593 C. Beer made a motion to conditionally approve the application, based on the staff recommendations and items
594 discussed tonight. K. Bauer seconded and all in favor. A lengthy discussion on the wording of the notice, plan
595 and staff memos ensued. J. Lariviere clarified that their intention was that Phase 6A was for the roadway and
596 temporary turnaround that provided access to the eight (8) lots and Phase 6 was for the entirety of Timber Ridge
597 Dr and 60 lot line adjustments. There are two applications and we wanted to create Phase 6 and Phase 6A, which
598 has been amended from the original six (6) lots, as a sub-phase from what was originally all of Phase 6.

599

600 P. Amato stated that the Board hasn't even talked about any additional phasing and the application's wording is
confusing. The history of this project involves past developers with plans to finish it, but didn't and subsequent

601 owners didn't have privy to all those past conversations. Mr. Lariviere has done an excellent job of trying to pick
602 up the pieces of a cluster development and turn it into an open space development, but we need to be clear. J.
603 Lariviere confirmed that if they want to create another sub-phase with any length road, say 6B then they would be
604 changing the plan and would have to come back to the Board. If we're not altering the plan, then we wouldn't
605 need to come back. The application says "and", and it is for both Phase 6 and Phase 6A.
606

607 C. Beer made a motion to rescind the previous motion. S. Duncanson seconded and all in favor. S. Duncanson
608 mad a motion to grant approval for the sixty (60) lot line adjustments for phase 6 of the overall development with
609 all staff recommendations and items discussed tonight and to add that further sub-phasing of Phase 6 or anything
610 less than the completion of the Timber Ridge Dr loop would need to come back before the Board. C. Beer
611 seconded and all in favor.
612

613 **OTHER BUSINESS:**

614 J. Levandowski brought up the Pumpkin Festival on 10/10/14-10/12/14 and the Souhegan Valley Business Expo
615 on 10/18/14. It would be good visibility for the public to see what the Board is currently working on as well as
616 opportunity to promote the new Connectivity Plan, the Distinguished Site Plan Award, and any proposed zoning
617 changes, should the Board want to host and booths at either event. After a brief discussion there was consensus of
618 the Board to not have a booth at the Pumpkin Festival as there may not be the depth or enough critical pieces to
619 promote this year. P. Amato and S. Robinson volunteered to help staff the Expo booth. J. Langdell suggested
620 that possibly the Conservation Commission could include the Connectivity Plan at their booth. J. Levandowski
621 offered to contact Conservation tomorrow.
622

623 The meeting was adjourned at 9:40.
624

625 **MINUTES OF THE AUG 19, 2014 PLANNING BOARD PUBLIC HEARING APPROVED _____, 2014**
626

627 Motion to approve: _____
628

629 Motion to second: _____
630

631 _____ Date: _____
632

Signature of the Chairperson/Vice-Chairman: _____

Jodie Levandowski

From: Chad Branon <cebranon@fieldstonelandconsultants.com>
Sent: Wednesday, September 10, 2014 10:10 PM
To: Jodie Levandowski
Subject: RE: San-Ken

Hi Jodie,

I met with the client this evening to review the plans and the decision was made to wait on going before the Planning Board. We are currently performing test pits on-site and want to pull together more design items before we go before the Board again. As we discussed earlier we are before the Conservation Commission tomorrow evening so we would like some time to address any of their comments too. So with this said can this email serve as a request for continuance to your next scheduled meeting or should I prepare a formal letter?

Thank you, Chad

Chad E. Branon, P.E.

Civil Engineer / Project Manager



206 Elm Street – Milford NH 03055 ****PLEASE NOTE WE HAVE MOVED****

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TOWN OF MILFORD, NH

COMMUNITY DEVELOPMENT DEPARTMENT
1 UNION SQUARE, MILFORD, NH 03055

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STAFF MEMO

Date: September 16, 2014
To: Town of Milford Planning Board
From: Jodie Levandowski, Town Planner
Subject: Badger Hill Properties LLC – Timber Ridge Dr – Map 50, Lots 26-124, 26-126, 26-128, 26-129, 26-131, 26-133, 26-160, 26-162, 26-164, 26-166, 26-167, 26-168, 26-169, 26-171, 26-173, 26-175, 26-177, 26-179, 26-180, 26-181, 26-182, and 26-183; Map 51, Lots 26-47, 26-123, 26-125, 26-126, 26-127, 26-152, 26-170, 26-172, 26-174, 26-176, 26-178, and 26-184; Map 55, Lots 26-130, 26-132, 26-134 thru 26-151, 26-153 thru 26-159, 26-161, 26-163 and 26-165.
Amendment to Conditional Approval received on August 19, 2014.

HISTORY:

At the August 19, 2014 Planning Board meeting the applicant was before the Board to modify the lot lines of sixty (60) residential lots and three (3) open space lots to provide the required acreage for individual on-site septic systems. At that meeting, the Board made a motion to grant conditional approval for the sixty (60) lot line adjustments for phase 6 of the overall development with all staff recommendations and items discussed at the meeting and to add that further sub-phasing of Phase 6 or anything *less* than the completion of the Timber Ridge Dr loop would need to come back before the Board.

Consequently, this condition would allow the applicant to build out the remainder of Timber Ridge Drive without proper drainage and engineering review excluding the approved eight (8) lots of 6A. Staff does not believe this was the Planning Board's intent, as the submitted application was for Phase 6 to include the 60 lot line adjustments in its entirety, and Phase 6A was for the roadway and temporary turnaround that provided access to eight (8) lots, and that any further development or phasing must return to the Planning Board for engineering review.

Furthermore, after eliminating lot 79 as a possible building lot and placing the additional lot in the subdivision along Timber Ridge Road, it was found that there are 61 lots remaining along Timber Ridge Drive that the applicant is looking for lot line adjustment approval for, and not 60. The conditional approval issued at the August 19th meeting was stated as 60 lots. This was a staff error that was missed during review.

STAFF RECCOMENDATIONS:

Regarding the Planning Board's conditional approval on August 19th of the lot line adjustment plan, staff would recommend the Planning Board formally amend Condition #2.A to read:

2. The application for Phase VI of the overall development consisting of ~~sixty (60)~~ **sixty-one (61)** lot line adjustments be conditionally approved subject to:

a. A note be added to the plan stating that ~~Any development, less than the completion of the Timber Ridge Drive loop is required to come back to the Board~~ **Planning Board approval will be required for any subsequent partial phasing of development, or full completion in a single phase, in accordance with applicable Development Regulations.**

The intent of this proposed amended condition is clarify that if a single phase consisting of **all** the remaining lots was submitted it would need the same review and approval by the Board as any smaller phase would.

