



## AGENDA

November 18, 2014

**Town Hall BOS Meeting Room - 6:30 PM**

### MINUTES:

1. Approval of minutes from the 10/21/14 meeting.

### OTHER BUSINESS:

2. **Ashwood Development, LLC – Falcon Ridge Development – Maple St/Falcon Ridge Rd – Map 3, Lots 5 through 5-45.** Request to amend revised improvement timetable and security relating to Falcon Ridge Development. *(Tabled from 10/21/14)*
3. **James W. and Beverly Brown – Union St – Map 42, Lots 37-11 through 37-38.** Request for a one year extension of approval of the Curtis Commons Subdivision to complete active and substantial development. *(SD#2012-07, signed and recorded on 12/10/12)*
4. **2014 Planning Board Distinguished Site Award** – Review of nomination submissions.

## WORKSESSION

1. **Discussion- 2015 Zoning Changes**
2. **Updates (as necessary):**
  - a. Distinguished Site Awards
  - b. CAC-CIP
  - c. Brox Community Land Review
  - d. Connectivity Plan
  - e. Community Facilities Committee
  - f. Recreation Master Plan
  - g. EDAC
  - h. SoRLAC
  - i. NRPC

### Future meetings:

12/02/2014- Worksession

12/16/2014- Regular Meeting

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

1 MILFORD PLANNING BOARD PUBLIC HEARING ~ DRAFT ~  
2 October 21, 2014 Board of Selectmen's Meeting Room, 6:30 PM  
3

4 **Members Present:**

5 Chris Beer, Acting Chairman  
6 Paul Amato  
7 Kathy Bauer  
8 Steve Duncanson  
9 Janet Langdell  
10 Susan Robinson, Alternate member

**Staff:**

Jodie Levandowski, Town Planner  
Shirley Wilson, Recording Secretary  
George Horta, Videographer

11 **Excused:**

12 Judy Plant  
13 Tom Sloan  
14



- 15  
16  
17 1. Approval of minutes from the 9/16/14 meeting.  
18 2. Approval of worksession minutes from 6/3/2014, 6/24/2014, 7/8/2014, 8/5/2014, 9/16/2014, and 9/23/2014  
19

20 **PUBLIC HEARING:**

- 21 3. Per NH RSA 675:6, the Milford Planning Board will hold a public hearing for the following:  
22 **2015-2020 Capital Improvements Plan**  
23

24 **OLD BUSINESS:**

- 25 4. **San-Ken Properties, LLC, et al – Mile Slip, Wolfer and Boynton Hill Roads – Map 45, Lots 3, 17, 18**  
26 **and Map 40, Lot 104-4;** Design review for a proposed residential subdivision.  
27 *(Continued from 9/16/14)*  
28

29 **OTHER BUSINESS:**

- 30 5. **Ashwood Development, LLC – Falcon Ridge Development – Maple St/Falcon Ridge Rd – Map 3, Lots**  
31 **5 through 5-45.** Request to amend revised improvement timetable and security relating to Falcon Ridge  
32 Development.

33 Chairman Beer called the meeting to order at 6:30PM. He introduced the Board and staff and explained the  
34 ground rules for the public hearing. S. Robinson, alternate member was called to sit.

35  
36 **MINUTES:**

37 J. Langdell made a motion to approve the minutes from the 9/16/14 meeting, as submitted. K. Bauer seconded, P.  
38 Amato abstained and all else in favor.

39  
40 Worksession minutes:

41 J. Langdell suggested changing the titles of all the worksession “notes” to “minutes” and said she would submit a  
42 few grammatical revisions to staff.

43  
44 P. Amato made a motion to approve the minutes from the 6/3/14 worksession, as amended. S. Duncanson  
45 seconded, K. Bauer abstained and all else in favor.

46  
47 J. Langdell questioned line 52 on the 6/24/14 worksession minutes. C. Beer clarified the intent and requested that  
48 the last sentence be changed to read *Developments tend to rely less on the automobile*. P. Amato made a motion  
49 to approve the minutes from the 6/24/14 and 7/8/14 worksessions, as amended. S. Duncanson seconded, and all  
50 else in favor.

51  
52 No action was taken on the 8/5/14 minutes and the 9/23/14 minutes were postponed due to lack of quorum.

53  
54 S. Duncanson made a motion to approve the minutes from the 9/16/14 worksession, as amended. J. Langdell  
55 seconded, P. Amato abstained and all else in favor.

56  
57 **PUBLIC HEARING:**

58 Per NH RSA 675:6, the Milford Planning Board will hold a public hearing for the **2015-2020 Capital**  
59 **Improvements Plan.**

60  
61 Chairman Beer recognized:  
62 Paul Dargie, CIP Advisory Committee Chairman  
63 Joe O’Neil, Vice-chairman  
64 Tim Finan, member

65  
66 P. Dargie recognized the other committee members; Gil Archambault, Steve Duncanson, Judy Plant, Matt Lydon  
67 and Rose Evans. He then gave an overview of the CIP process. Beginning in May, the committee met with the  
68 various department heads and reviewed the proposals. We tried to minimize the tax impact changes from year to  
69 year and prioritized the projects. The report was then presented to the Selectmen and the Planning Board.

70  
71 2015 projects by priority:

72 Public Works Highway (DPWH14-01) – Bridges Year 2015 - \$290,980

73 The 10 year comprehensive bridge repair document contains a total of \$9M for all 19 projects scheduled out over  
74 several years. We postponed some of the projects until 2022 with the expectation that state matching funds will  
75 kick back in. Those projects with real safety concerns are listed in the CIP. 2015 contains \$291,000 for  
76 bridgework to include minor repairs and small maintenance projects.

77  
78 Public Works Highway (DPWH10-01) – Truck, 36K GVW, 8 CY, D/P/S - \$185,000

79 This vehicle, part of the DPW vehicle sequencing plan, is fifteen years old and in bad shape so it’s a high priority.  
80 In general, the committee is in favor of this plan that sequences one piece of equipment each year.

81  
82 Public Works Highway (DPWH12-04) – Sidewalk Tractor/Plow with Sander - \$ 150,000

83 This current tractor/plow is fourteen years old with many issues and breakdowns.

84  
85 Public Works Highway (DPW14-02) – Storm Sewer Video Inspection and Cleaning - \$ 172,800

86 Originally, this was part of a six year plan but we will do the project now because the Town qualifies for 20%  
87 forgiveness on the principal from the NH DES Revolving Loan fund, if done all at once.

88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142

J. Langdell noted that this also fits into the MS4 stormwater requirements. J. O’Neil added that it also ties back to one of the sidewalk tractors and the cleanouts.

Wadleigh Memorial Library (LIBR01-01) – Addition and Renovation of Wadleigh Memorial Library-\$4,958,000

This project has been on the CIP for a very long time and the Library Trustees have done an excellent job in coming up with a new plan that keeps the existing building open during construction of the three phases. The committee was somewhat split on the prioritization of this item, so it fell to the middle of the list; however, the consensus was that the project should go to warrant and let the voters decide.

J. Langdell noted that the Planning Board has not had the privilege of seeing the current plan, so our vote is for inclusion of the project on the CIP. P. Dargie clarified that the committee’s opinions and decisions are strictly for the prioritization and inclusion in the report only, not whether or not we support the project and the Selectmen ultimately decide what goes on the warrant.

Community Development (CD10-03)–Nashua Street/Ponemah Hill Road Sidewalks and Signalization-\$665,000

This project has also been on the CIP for a long time with various incarnations but now they are all combined into one project. J. Langdell said this fits into the new Connectivity Plan and asked for some feedback as to why this project is ranked as #6. This is an area in town that could significantly benefit from safe pedestrian passability. P. Dargie explained that prioritization has only been done within the past two years and was only from the members’ perspective and is separate from the criteria for the bigger picture; urgency, cost benefit, or importance to the town. J. O’Neil added that we had very thoughtful conversation about this project.

Water Utilities (WTR14-02) – West Elm Water Main Extension - \$625,000

This item will not be on the Town Warrant but the Water and Sewer Commissioners may put their own warrant on. This project is urgent due to the upcoming state road work; however, we didn’t learn about the importance of the project until after our voting. Had it been identified beforehand, the priority could have been different.

Water Utilities (WTR14-01) – New Water Source – Phases 1 and 2 - \$122,500

The Water and Sewer Commissioners are looking for a new well in Town. They are in discussions, but we don’t have any details yet. Phase 1 is for studies and Phase II is to purchase the property and together they will cost \$520,000 or higher. Phase III is to build the well and has a rough estimated cost of \$1M. The funding split was not worked out at the time of the presentation so we had to guess at the amounts. We arbitrarily used a 35% town match with Water Utilities covering the balance. After a lengthy discussion it was noted that this will not be going forward at this point in time.

P. Dargie reviewed the remaining items:

2016:

Fire (FIRE10-01) – Engine 1 Replacement - \$500,000

Water Utilities (WTR14-03) – New Water Source – Phase 3 - \$350,000

Public Works – Highway (DPWH14-03) – Bridges Year 2016 -\$212,250

Public Works – Highway (DPWH12-02) –Loader, 2-3 CY Bucket - \$145,000

Public Works - Highway (DPWH13-02) – Backhoe, Tractor Loader with Thumb Attachment - \$145,000

2017:

Administration (ADMN10-01) – Town Hall Renovations - \$2,000,000

This is a “placeholder” and it could be broken up into multiple projects but an overall plan needs to be developed and we’re just not there yet, so when and how it happens, remains to be seen. J. Langdell said the BOS are handling this item, not the facilities committee and noted that Selectmen Putnam was tasked to do a detailed report in June. A lengthy discussion on the recent SMP report, project phasing, and costs followed.

Fire Department (FIRE11-01) – Upgrades to Downtown Station - \$1,500,000

Public Works – Highway (DPWH14-04) – Bridges Year 2017 - \$665,756

Public Works – Highway (DPWH12-03) – 8 CY 36,000 GVW Dump Truck with Plow and Sander Assembly (#2) - \$ 185,000

143 Community Development (CD11-02) – Osgood/Armory/Melendy Roads – Pedestrian and Bicycle Improvements  
144 - \$140,000

145 This was originally scheduled for 2015 as there was 80/20 funding available through a grant this year, but the  
146 Selectmen voted not support it and the project was moved out two years. The Osgood Rd sidewalk has been on  
147 the CIP for a long time and the Melendy Rd and Armory Rd elements were added for the Connectivity Plan. J.  
148 Langdell stated that the expansion of this project ties in with some of the Conservation Commission’s needs at the  
149 rail trail and to a very densely populated area in town. Also, there is no guarantee of 80/20 grant money in 2017.

150

151 2018:

152 Public Works – Recreation (DPWR13-01) – Brox Recreation Fields - \$500,000 “Placeholder”

153 Field development at the Brox property.

154 Public Works – Highway (DPWH14-04) – Bridges Year 2018 - \$617,923

155 One complete bridge replacement.

156 Ambulance (AMB14-01) – Replace 2003 Ambulance - \$229,500

157 This is for the replacement of the 2003 ambulance. P. Dargie explained the rotation plans for primary, secondary  
158 and back up ambulances. J. Langdell noted that the decision to keep the current back-up ambulance was  
159 predicated on traffic to and from St. Joseph’s Emergency Department, not the Urgent Care.

160

161 2019:

162 Public Works – Highway (DPWH13-03) – 8 CY 36,000 GVW Dump Truck with Plow and Sander Assembly  
163 (#3) - \$195,000

164 Public Works – Transfer Station (DPWTS13-01) – Truck Rolloff for Transfer Station

165

166 2020:

167 Fire (FIRE14-01) – Replace Rescue 1 - \$675,000

168

169 **Other projects**

170 Public Works – Highway – Bridges Years 2021-2024

171 It is hoped that there will be some matching funds available in 2022 for the remainder of the bridge projects.

172 Fire – West End Fire Station

173 For future needs in the west side of town.

174 Public Works – Recreation – Keyes Field Expansion Project

175 In the near term, this will provide access from 127 Elm St when the Keyes access road is shut down next summer.

176 Public Works – Solid Waste – Solid Waste Management Improvements/Transfer Station Upgrades

177 For future needs.

178

179 **School projects**

180 P. Dargie said a lot of renovations for critical items were done over the summer, so we think we can go another  
181 year without any huge problems like we’ve had in the past and we won’t be going forward with the HVAC item.  
182 Next year the school system will do an overall capital plan, with an extensive outlook that will be done during  
183 April to September and completed by budget season. The district wide renovations are still slated as a \$5M  
184 project as a placeholder. The extent of the project remains to be seen. The school does a lot of purchasing at a  
185 lower level, so these are the more extraordinary items, such as the HVAC system for the Middle School. The  
186 district does purchase items in excess of \$75,000 from the regular budget, such as technology or a new roof or  
187 windows.

188

189 P. Amato noted that the town part is juggled around so that we don’t have a huge impact on the tax rate in any  
190 given year and a lengthy discussion on planning, process and bonding ensued.

191

192 J. Langdell inquired about the CIP tax impact table and asked if the annual % increase in town tax rate was only  
193 for municipal projects. P. Dargie replied yes, it didn’t include the school. The annual % increase in town tax rate  
194 compares the total tax rate base, including the school and county portions, but the change is only for the town  
195 portion. The school’s \$5M project would come in under 2017 with an increase from 5¢ to 33¢ per thousand.

196

197 Chairman Beer opened the meeting to the public; there being no comments, the public portion of the meeting was  
198 closed.

199 J. Langdell thanked the committee for their hard work, time and the thoughtful deliberations put into analyzing  
200 the cost needs and projects for the town. This is a “slice in time” planning tool that will aid in long-term planning  
201 and assist in providing services for our community. K. Bauer added that this document is extremely helpful to the  
202 Selectmen.  
203

204 J. Langdell made a motion to adopt the 2015-2020 CIP plan as presented. S. Duncanson seconded and all in  
205 favor.  
206

207 **OLD BUSINESS:**

208 **San-Ken Properties, LLC, et al – Mile Slip, Wolfer and Boynton Hill Roads – Map 45, Lots 3, 17, 18 and**  
209 **Map 40, Lot 104-4; Design review of a proposed residential subdivision.**  
210

211 P. Amato recused himself.  
212

213 *Abutters Present:*

214 *Paul Amato, Sand Creek Sand and Gravel*

215 *Lionel Vallier, Mile Slip Rd*  
216

217 Chairman Beer recognized:

218 Nathan Chamberlin, Fieldstone Land Consultants, PLLC  
219

220 N. Chamberlin presented plans dated 9/26/14 and stated that we’ve been doing a lot of work. Soil testing on all  
221 the lots came back good and we don’t anticipate a lot of blasting to put the road in. We’ve identified the three  
222 wetland crossings and tried to minimize impact with the road design, which is mostly on the north end. The  
223 crossing on Boynton Hill is permitted through phase II of that subdivision. It has lapsed, so we’ll have to get that  
224 re-approved. There are also three driveway crossings. We’ve graded out some of the driveways on the more  
225 challenging lots, per staff’s request; however, that is not in your regulations and is a very labor intensive exercise.  
226 We are proceeding with the final design. We are looking at getting a traffic engineer and will set up a meeting to  
227 determine the scope of that study. We have revised the plan based on comments from Conservation from the last  
228 meeting by revising the open space and adding strips to provide access, but they don’t meet the requirements at  
229 only 30-40 ft and we don’t need them in the calculations. The strip by lots 10 and 11 is 50ft. This plan meets the  
230 open space requirements set forth by the regulations and this is the ownership mechanism we’re proposing. We  
231 met with the Conservation Commission on the 11<sup>th</sup> and we received a letter from them today dated 10/16/14,  
232 restating the original concerns. We will continue to work with them and work through the staff memo as we  
233 proceed forward.  
234

235 K. Bauer reminded the applicant that wetland and buffer impact will require ZBA approval. N. Chamberlin said  
236 the wetlands presented are preliminary, but 4,300 SF of impact is minor for a project of this magnitude with  
237 5,000ft road and 184 acres.  
238

239 *Interdepartmental comments:*

240 N. Chamberlin stated that they will meet with all departments for review of the final plans. J. Levandowski  
241 verified that interdepartmental comments were based on the 9/26 plan presented tonight.  
242

243 *Snow plowing concerns in the wetland buffer:*

244 N. Chamberlin said the driveways will not come off the end of the road but they will take a look at  
245 reconfiguration.  
246

247 *Conservation Commission memo dated 10/16/14:*

- 248 1) The 50ft wide strip is not necessary so much for the open space % calculations but it provides buffer to the  
249 abutting lots and access to the open space. J. Langdell said that could be handled by a no-cut easement and  
250 asked what is there to preserve, noting it is not accessible from a walkable standpoint.
- 251 2) The width is 30-40 ft.
- 252 3) One of those lots already has a bridge on it that just needs to be rehabbed.

- 253 4) There is plenty of upland and we are confident that we can get a house on each lot without impacting the  
254 wetland or buffer. To combine them would really not serve a purpose other than to reduce the lot count.  
255 There is no minimum lot size.
- 256 5) Those two lots were created from two tracts, and again, we are comfortable that we can get a house with  
257 driveway and septic on each lot.
- 258 6) To be discussed later.
- 259 7) When we initially came before the Board, there were two open space lots, both as easements, and the Board  
260 expressed preference to standalone open space lots instead of easements and we revised the plan.  
261 Unfortunately, part of the sales agreement is that the seller wants to retain that parcel with the easement.  
262 What is the difference between an easement over the whole top or on just one lot; they are both viable forms  
263 of ownership in your regulations.
- 264 8) To be discussed later.
- 265 9) The wetlands were delineated in 2006 or 2007.
- 266 10) Does the 2010 Highest Ranked Wildlife Habitats in NH report consider wetlands in general? J. Langdell  
267 explained it was a large study that was done and although it may not be specific to this property, but it  
268 included this property as part of the unfragmented block.
- 269 11) See item 10.
- 270 12) The cul-de-sac may impact the buffer a little bit, but roads are an allowed use in the buffer.
- 271

272 There was consensus of the Board to hold a site walk with the Conservation Commission on Saturday, 11/8/14 at  
273 9:00am. Everyone should meet at Nate Ball's driveway off Mile Slip Rd. J. Levandowski offered to coordinate  
274 the details and will send information out by email.

275

276 J. Langdell stated that the applicant is working on a traffic study to include Mile Slip Rd, Boynton Hill Rd and the  
277 intersection of Mile Slip and Mason Rd with the concerns of the Board and residents. Drainage and stormwater  
278 plans will also need to be done for the final plan and reviewed by our engineering firm. N. Chamberlin added  
279 that no off-site improvements were anticipated from the original meeting with DPW in May, but we will know  
280 more after the traffic study is done. J. Langdell noted that they may have only been considering drainage and  
281 culverts, not roads that far off, but there is reasonable concern with any type of development in this area given the  
282 slopes, the amount of water and the traffic impacts. J. Levandowski said the applicant should also review the  
283 groundwater study done from the Mitchell Brook Development and update as necessary to assess any impact to  
284 private wells, as this was of concern to many of the abutters.

285

286 Chairman Beer opened the discussion to the public.

287 L. Vallier brought up the S-curves on Mile Slip Rd and said there was a roll-over accident a few weeks ago. Is  
288 there a certain grade that has to be met for the new road and will any wetlands be affected? Are the wetlands in  
289 the upper area part of the open space? Also, was there a moratorium when the former developer was trying to  
290 develop this area?

291

292 C. Beer clarified that the traffic study will include all roads impacted by this development. Our regulations have a  
293 maximum grade of 8% that will have to be met for the new road. The open space will have to remain  
294 undeveloped and clarified the wetland areas on the plan. Also, it was noted that staff and the Board were not  
295 aware of any moratoriums from the town.

296

297 A. Frazier, chairperson of the Conservation Commission explained that the memo went out today because she  
298 didn't get a quorum until last night and then reviewed the correspondence. We consider the open space behind  
299 lots 11, 12 and 13 to be unmanageable. We have to walk the boundaries to monitor the open space and the fifty ft  
300 strip doesn't provide any advantage or added value. Also, owners of those lots tend to open their land out into the  
301 open space area and it is impossible to monitor. We do prefer to have wetlands out of house lots and there are  
302 significant wetlands behind lots 48 and 49 that we feel are a perennial or intermittent stream. In general, the  
303 access to the open space is not in the spirit of the open space. C. Beer reiterated that the wetlands were moved  
304 from the open space to the house lots based on a specific request by the Planning Board at a previous meeting  
305 because it made for an unmanageable section of open space.

306 A. Frazier said the two access strips do reflect wetlands and although they do provide access to the open space,  
307 they don't really allow people walk or hike in; we feel that there could be better access places. Also, we feel that

308 open space section 1 would not be used much for connectivity trails due to the amount of wetlands on it. If the  
309 strip was widened there might be a good viewing area for the wetlands, but we haven't walked the property. The  
310 original size of lot 18 is 63.8 acres and the current owner will be retaining 36.6 acres, so we're trying to figure out  
311 what the relationship actually is to the whole subdivision. An open space area easement like this is nearly  
312 impossible to monitor due to the number of pins at the boundaries. The easement language could also get  
313 complicated as it abuts town land and we could be in a difficult position if for example it allowed wheeled  
314 vehicles where the town land does not. P. Amato said he agreed that enforcement is always a challenge but we  
315 could accomplish what the Conservation Commission is looking for through the language in the easement of that  
316 open space. A. Frazier then brought up the conflict in the language between the Development Regulations and  
317 the Zoning Ordinance regarding private ownership of open space. C. Beer read both sections and said the Board  
318 will work to resolve that. J. Levandowski ended a brief discussion by reading Section 1.03.2 of the Zoning  
319 Ordinance. A. Frazier asked if only 31 acres are being sold by the original owner, is this really part of the  
320 subdivision and can it be included in the open space calculations? She understands the intent, but said this is  
321 confusing. Would we be able to get input from all the owners? N. Chamberlin explained that there are currently  
322 four lots having different owners and San-Ken Homes has signed a P&S to subdivide the land, but he is not sure  
323 of the mechanics. P. Amato inquired if the plan had been signed by all the owners. J. Levandowski verified that  
324 the application was signed by all owners. A. Frazier said that general practice is to have wetlands delineated  
325 every five years and NH DES requires a five year review for all crossings. Again, it's hard for us to depict the  
326 wetlands this small print, so we'd like to see a larger plan with the wetlands delineated. The 2010 Highest  
327 Ranked Wildlife Habitat in NH was done by the state and is accessible through the DES website. It depicts this  
328 area as an unfragmented area and shows intermittent and perennial streams on this property that are a great  
329 concern to us. Per the Development Regulations, the Planning Board could request that an environmental impact  
330 study be done. We're curious to see what stormwater measures will be used near the cul-de-sac.

331  
332 Chairman Beer closed the public portion of the meeting.

333  
334 N. Chamberlin said they have a good plan and will work to address the concerns brought up tonight.

335  
336 Chairman Beer re-opened the meeting for public comment following a discussion pertaining to the retention of  
337 36.6 acres of the original 68.5 lot and the inclusion of 25 acres of privately owned open space.

338  
339 A. Frazier said if this were all going to be one type of open space with easements, we would have different types  
340 of comments. P. Amato said the purpose of our open space regulations is to allow people to not build scattered  
341 developments with more roads for the town to maintain and allows for smaller lots that are clustered, just as this  
342 has been done. Both the Development Regulations and the Zoning Ordinance call for many different types of  
343 ownership so there is an easement issue no matter who owns the land. There will still be a conservation easement  
344 document with language that states what can and cannot happen on that land. J. Langdell added that we would  
345 have already heard from the Conservation Commission if these areas were not protecting valuable land in the open  
346 space. We just need to be transparent as to how this is being structured because it is a little different. A. Frazier  
347 reiterated that she was not comfortable that the developer is meeting the open space calculations without the  
348 inclusion of the open space being retained by the original owner. There are not a lot of wetlands in that area while  
349 there are significant amounts of wetlands going into house lots or on the fringes of other developed areas. The  
350 borders around the wetlands are minimal and we would rather see larger buffers in other areas rather than that  
351 much upland property. P. Amato said we've criticized developers in the past for giving us crappy land and here  
352 they are giving the best land. This is a good plan that follows the layout of the road from the former proposed  
353 development and there is less disturbance and offshoots. We are saving forever, the best part of this hilltop and  
354 this is a great win for the Town.

355  
356 Chairman Beer closed the public portion of the meeting.

357  
358 There was consensus from the Board that the following studies be submitted with final plans:

- 359
- 360 • An updated wetlands delineation that including perennial and intermittent streams and vernal pools.
  - 361 • Stormwater management plan
  - Review and update of the prior Groundwater plan

362 J. Langdell made a motion to close the design review application. K. Bauer seconded and all in favor.  
363

364 **OTHER BUSINESS:**

365 **Ashwood Development, LLC – Falcon Ridge Development – Maple St/Falcon Ridge Rd – Map 3, Lots 5**  
366 **through 5-45.** Request to amend revised improvement timetable and security relating to Falcon Ridge  
367 Development.  
368

369 C. Beer reviewed the memo dated 10/21/14. J. Levandowski gave a brief overview of the request and said that  
370 Bill Parker has been in contact with Carl Kasierski regarding the improvements. All off-site work is part of the  
371 Phase I improvements which includes the intersections at North River Rd/Wilton Rd and North River Rd/Maple  
372 St. Staff met with Attorney Drescher on Monday 10/20/14 and per his request, we are asking the Board to table  
373 the extension request to allow more time for further review of additional materials, timeframes and updated costs.  
374 Attorney Drescher asks that the Board not make any decisions right now.  
375

376 P. Amato noted that no matter what happens, the offsite improvements won't be done this year. Also, in reading  
377 the information provided in the staff memo, it is unclear if Ashwood Homes owns any of this land and whether  
378 Mr. Kasierski has the right to represent all the owners, so during the next month he would like some clarification  
379 as to who we can deal with. In another month, we can call the bond or give another one year extension but we  
380 need to work with the entity that has the ability to act on it. If we are so inclined to not grant the extension, what  
381 would the process be for the Town to take control and get the work done sooner? We should look at all our  
382 alternatives and discussion on the history and ownership ensued.  
383

384 J. Langdell added that the approval for the Pine Valley Mill development was in part, predicated on the off-site  
385 improvements being done to the intersection at North River Rd and Wilton Rd. While being sensitive to the fact  
386 that the real estate market has been slow over the past few years, this is still something that needs to be done and  
387 is still their responsibility. Also, we should give credit to staff and Attorney Drescher for wanting to review the  
388 development agreement because two years out, the bonding costs might have changed. There is nothing  
389 preventing us from granting a six month extension through July or August of 2015 to get the work done next year  
390 and the focus needs to be on the off-site improvements. Could we get input from Attorney Drescher on granting  
391 the extension through to 6/30/15?  
392

393 S. Duncanson noted that the Pine Valley Mill developer said they would do the improvements if Ashwood didn't.  
394 J. Levandowski stated that it was not a condition of approval. J. Langdell brought up a discussion from the last  
395 worksession and said Ashwood could approach Dakota Partners to come to some type of mutual solution. P.  
396 Amato said he would also like to split the final road paving from the intersection improvements because they are  
397 two separate things. S. Duncanson referenced developments in North Hampton at Boynton Hill Rd and  
398 discussion on road maintenance followed.  
399

400 C. Beer stated that during the next month, staff and Attorney Drescher will research current ownership, determine  
401 if the Board can reduce the extension timeframe, obtain updated construction costs, clarify Phase I and II onsite  
402 and off-site improvements, and provide information on how to pull the bond if the extension is not granted and  
403 the implications thereof.  
404

405 S. Duncanson made a motion to table the extension request to the 11/18/14 meeting for town counsel to review  
406 the resolution and additional items as discussed tonight. P. Amato seconded and all in favor.  
407

408 The meeting was adjourned at 9:07.  
409

410 MINUTES OF THE OCT 21, 2014 PLANNING BOARD PUBLIC HEARING APPROVED \_\_\_\_\_, 2014  
411

412 Motion to approve: \_\_\_\_\_  
413

414 Motion to second: \_\_\_\_\_  
415

416 \_\_\_\_\_ Date: \_\_\_\_\_  
417

Signature of the Chairperson/Vice-Chairman:



# TOWN OF MILFORD, NH

COMMUNITY DEVELOPMENT DEPARTMENT  
1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620  
[www.milford.nh.gov](http://www.milford.nh.gov)

## STAFF MEMO

**Date:** November 18, 2014

**To:** Town of Milford Planning Board  
Jodie Levandowski, Town Planner

**From:** Bill Parker, Community Development Director

**Subject:** **Falcon Ridge Subdivision** – Status of On-Site and Off-Site Improvements  
*(Item Tabled from October 21, 2014 Planning Board Meeting)*

At Staff's request, the Planning Board tabled action on the request by Ashwood Development for an extension of time to complete required Off-Site and Phase I On-Site improvements for the Falcon Ridge Subdivision to the November 18<sup>th</sup> meeting. The reason for the tabling was to allow time for additional updated research and legal review prior to providing the Board with recommendations.

Although Staff and the Town's Attorney have been working on this matter over the course of the past month, more time is needed. The purpose of this memo is to respectfully request that the Planning Board again table this item to its next regular meeting to allow time for all parties to resolve outstanding matters that relate primarily to update construction cost estimates that may need to be reflected in the existing security documents.



# TOWN OF MILFORD, NH

COMMUNITY DEVELOPMENT DEPARTMENT  
1 UNION SQUARE, MILFORD, NH 03055

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

## STAFF MEMO

**Date:** November 18, 2014  
**To:** Town of Milford Planning Board  
**From:** Jodie Levandowski, Town Planner  
**Subject:** James W. and Beverly Brown – Union St – Map 42, Lots 37-11 through 37-38. Request for a one year extension of approval of the Curtis Commons Subdivision to complete active and substantial development. (SD#2012-07, signed and recorded on 12/10/12)

### **HISTORY:**

The applicant was last before the Board in August of 2008 for a 28-lot subdivision off of Union St. The board granted conditional approval of the subdivision, subject to staff recommendations. Final plans were submitted and signed by the Planning Board Chair on December 12, 2012. As per the letter dated October 16, 2014 from the Law Office of Thomas F. Quinn, Prof Corp, the applicant is now before the Board requesting a one (1) year extension to complete active and substantial development.

Pursuant to the Town of Milford Development Regulations, section 4.08, Subdivision Extension and Expiration of Approval, prior to expiration, the Applicant may apply at a regular Planning Board meeting for a single twelve (12) month extension of approval to allow time to complete active and substantial development or building. The below language has been provided for the ready review and consideration of the Board:

#### **4.08 SUBDIVISION EXTENSION AND EXPIRATION OF APPROVAL**

[...]

*Signed major subdivisions have two (2) years from the date of signing to submit the required bonding and complete active and substantial development or building as defined in these regulations, on the plan or in the development agreement. **If the applicant fails to complete active and substantial development or building within that time they may, prior to expiration, apply at a regular Planning Board meeting for a single twelve (12) month extension of approval.***

*If active and substantial development or building is not accomplished by the end of the extension period, the subdivision will not be subject to the five (5) year exemption per RSA 674:39, as amended.*

*Extensions of approval must be granted at a public hearing but do not require abutter notification.*

Please find the attached letter dated October 16, 2014 from Thomas Quinn of the Law Office of Thomas F. Quinn, Prof Corp, requesting a one (1) year extension.

### **STAFF RECOMMENDATIONS:**

Staff has no issue with this extension request. If the Planning Board decides to grant an extension, the new date of expiration will be November 18, 2015 to complete active and substantial.

LAW OFFICE OF  
**THOMAS F. QUINN**  
PROF. CORP.

TOWN OF MILFORD RECEIVED		
OCT 20 2014		
PB	ZBA	Office

62 Elm Street  
Milford, NH 03055

E-MAIL: [tquinn@tfqttitle.com](mailto:tquinn@tfqttitle.com)

PH: 603-554-1662  
FAX: 603-554-1495

October 16, 2014

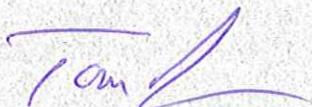
Shirley Wilson, Adm. Assistant  
Community Development Office  
Town of Milford  
One Union Square  
Milford, NH 03055

Re: Beverly Brown / Subdivision Map 42, Lot 37

Dear Shirley,

Please consider this letter as a request for an extension of the approval, issued for this subdivision, for an additional year, pursuant to Section 4.08 of the Town of Milford Development Regulations. Thank you.

Sincerely yours,



Thomas F. Quinn

TFQ/cs

File 10-0101

**REFERENCE PLANS**

- SEE PLAN ENTITLED "LOT LINE ADJUSTMENT AND SUBDIVISION PLAN-PHASE 2" BY RIESLAND ENGINEERING FOR JAMES AND BEVERLY BROWN DATED APRIL 1994 AND RECORDED AS PLAN 28929 H.C.R.D.
- SEE PLAN ENTITLED "SUBDIVISION PLAN-PHASE 1" BY RIESLAND ENGINEERING FOR JAMES AND BEVERLY BROWN DATED APRIL 1994 AND RECORDED AS PLAN 28928 H.C.R.D.  
FOR FURTHER PLAN REFS SEE THOSE LISTED ON ABOVE PLANS
- DAVID PARK DEFINITIVE SUBDIVISION PLAN OF LAND MILFORD, NH JULY 7, 1983 BY AMHERST SURVEY ASSOCIATES, INC. H.C.R.D. PLAN #16203
- SUBDIVISION PLAN MILFORD, NH PREPARED FOR MRS. ANNE M. CURTIS BY HOWARD O. WADSWORTH H.C.R.D. PLAN #15823
- SUBDIVISION PLAN OF LAND PREPARED FOR ARTHUR J. & ARLENE F. MORELL BY THOMAS F. MORAN INC. H.C.R.D. PLAN #20429
- NH DOT PLAN FOR RTE 101 BY-PASS PROJ. NO. F010-1(11)
- SUBDIVISION PLAN MILFORD WATERFALLS LLC - DAVID DRIVE - MILFORD, NEW HAMPSHIRE OWNED BY MILFORD WATERFALLS LLC AND RECORDED AS PLAN 36496 H.C.R.D.

**CURVE TABLE**

CURVE	LENGTH	RADIUS
C1	41.66	23.00
C2	15.22	225.00
C3	27.66	225.00
C4	28.77	175.00
C5	33.18	425.00
C6	40.37	25.00
C7	39.27	25.00
C8	23.36	375.00
C9	30.18	225.00
C10	6.91	225.00
C11	31.64	175.00
C12	6.59	425.00
C13	51.98	375.00
C14	36.16	225.00
C15	26.79	216.62
C16	179.24	216.62
C17	129.19	223.00

**LINE TABLE**

LINE	LENGTH	BEARING
L10	7.95	S11°12'33"W
L11	49.69	S23°39'59"W
L12	49.91	S23°39'59"W
L13	63.69	S23°39'59"W
L14	114.77	S23°39'59"W
L15	25.13	S23°39'59"W
L16	49.16	S37°05'54"W
L17	61.29	N20°30'57"W
L18	51.77	N27°26'19"E
L19	52.99	S76°41'53"E

**DRAIN EASEMENT LINE TABLE**

LINE	LENGTH	BEARING
D1	60.00	S71°56'38"E
D2	60.00	N17°17'35"E
D3	158.00	S87°36'13"E
D4	86.00	N5°42'01"E
D5	50.00	N15°51'06"W
D6	81.00	N68°35'12"W
D7	23.62	N61°38'44"W
D8	43.81	S81°45'48"W
D9	110.00	S24°24'16"E
D10	81.83	S89°04'18"W
D11	140.06	S86°20'01"E
D12	23.89	S84°41'53"E
D13	23.62	N70°47'06"E

- SHEET INDEX**
- SUBDIVISION PLAN
  - GEOMETRY PLAN
  - GRADING & DRAINAGE PLAN
  - PROFILE 0+0 TO 1+50
  - SEWER & WATER PLAN
  - STORM WATER MANAGEMENT PLAN
  - DETAILS I
  - DETAILS II
  - DETAIL III
  - DETAILS IV
  - PLANTING PLAN
  - CROSS SECTIONS 0+50 TO 5+50
  - CROSS SECTIONS 6+00 TO 10+50
  - CROSS SECTIONS 11+00 TO 14+50
  - CROSS SECTIONS 15+00 TO 18+00
  - CROSS SECTIONS 18+50 TO 22+50

**LEGEND**

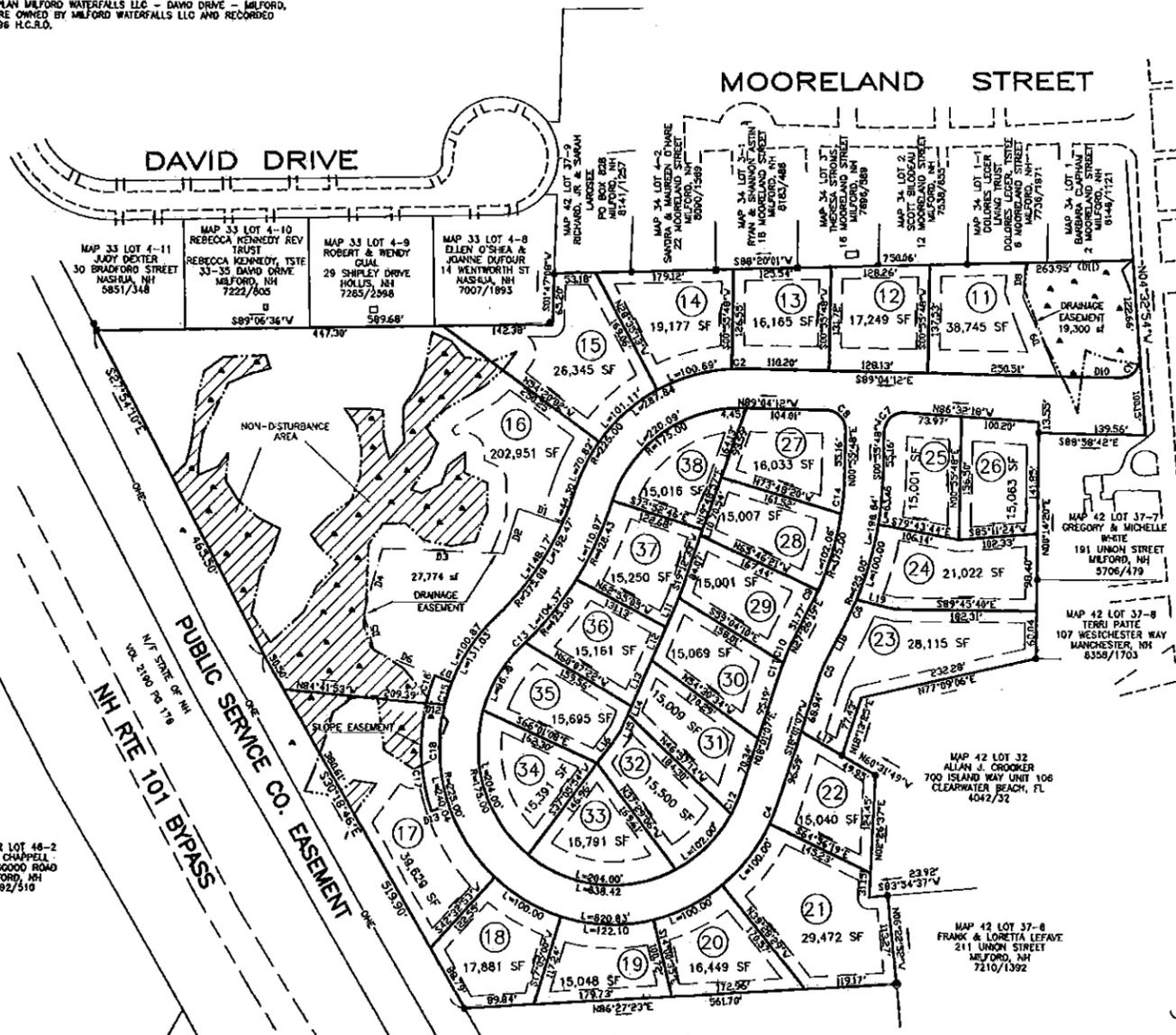
- REBAR TO BE SET
- ⊙ DRILL HOLE FOUND
- GRANITE BOUND FOUND
- IRON PIPE OR REBAR FOUND
- - - FENCING
- ⊘⊘⊘⊘⊘ STONE WALL



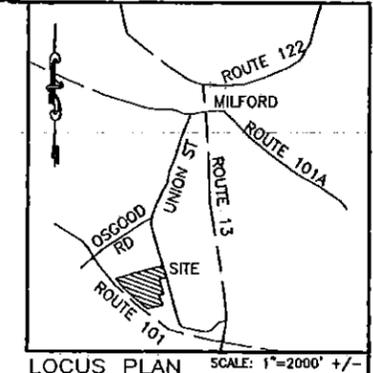
I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY, PERFORMED BY THIS OFFICE, AND THAT IT HAS AN ERROR OF CLOSURE NO LESS THAN 1 PART IN 10,000.

Donald E. Duval 10/19/07  
DONALD E. DUVAL, L.L.S. # 610 DATE

DUVAL SURVEY INC.  
14 DARTMOUTH STREET  
HOOKSETT, NH  
(603) 668-2125



18. TAX MAP 42, LOTS 37-11, 37-16 & 37-17 ARE SUBJECT TO A NON-DISTURBANCE AREA SHOWN ON THIS PLAN. NO STRUCTURE OR IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED IN THE NON-DISTURBANCE AREA. NO FILL SHOULD BE INTRODUCED, SOIL REMOVED OR TOPOGRAPHICAL CHANGES MADE TO THE NON-DISTURBANCE AREA, EXCEPT IN CONNECTION WITH THE GRADING AND BACK FILLING ACTIVITIES CONTEMPLATED BY THE APPROVAL OF THE PLANS AND RELATED TO THE CONSTRUCTION AND MAINTENANCE OF DWELLINGS TO BE BUILT ON SAID LOTS 37-11, 37-16 & 37-17. THE NATURAL FLOW OF GROUND OR SURFACE WATER IN THE NON-DISTURBANCE AREA SHALL NOT BE OBSTRUCTED, DISEASED AND DEAD VEGETATION MAY BE REMOVED FROM THE NON-DISTURBANCE AREA AND VEGETATION MAY BE MAINTAINED USING THE BEST MANAGEMENT PRACTICES ESTABLISHED BY THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES SO AS TO BE KEPT IN A HEALTHY AND ATTRACTIVE CONDITION. SATURATION FENCING IS TO BE LOCATED AT THE BOUNDARY OF THE NON-DISTURBANCE AREA WITHIN THE SAID LOTS.



**NOTES**

- THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE LOT 42-37 INTO 28 SINGLE-FAMILY RESIDENTIAL LOTS
- OWNER OF RECORD IS JAMES & BEVERLY BROWN PO BOX 45 BARNET, VT 05821-0045
- DEED REFERENCE IS: H.C.R.D. B 5488/P.1881 (11/04/1993)
- ZONING OF THIS AND ADJUTING PARCELS IS RESIDENCE "A"
- DIMENSIONAL REGULATIONS: MIN. AREA 15,000 sq ft MIN. FRONTAGE = 100'
- SETBACKS: FRONT YARD = 30' SIDE YARD = 15' REAR YARD = 15' WETLAND SETBACK = 25'
- LOTS WILL BE SERVICED BY TOWN SEWER AND WATER.
- TOTAL AREA OF PARCEL IS 832,870.9 sq ft / 19.12 ac WETLAND AREAS = 91,934 sq ft
- PARCEL DOES NOT LIE WITHIN THE GROUNDWATER PROTECTION DISTRICT
- PARCEL DOES NOT FALL WITHIN A 100-YEAR FLOOD PLAN
- SUBDIVISION TO BE PHASED AS FOLLOWS: A MAXIMUM OF TEN (10) LOTS IN ONE (1) YEAR ARE ALLOWED
- A PERMIT FOR THE TOWN'S STORMWATER MANAGEMENT AND EROSION CONTROL REGULATIONS MUST BE OBTAINED BEFORE THE START OF ANY WORK ON THE PROJECT.
- A SIGN SHALL BE POSTED AT THE ENTRANCE TO SUBDIVISION PRIOR TO THE ISSUANCE OF THE FIRST CO READING AS FOLLOWS: THIS ROAD HAS NOT BEEN ACCEPTED BY THE TOWN OF MILFORD, UNLESS THE STREET HAS BEEN ACCEPTED, THE TOWN ASSUMES NO RESPONSIBILITY FOR MAINTENANCE, INCLUDING SNOW REMOVAL, NOR ANY LIABILITY FOR DAMAGE RESULTING FROM THE USE THIS ROAD, RSA 874:11
- EACH BUILDABLE LOT IS SUBJECT TO POLICE AND LIBRARY IMPACT FEES. EACH BUILDABLE LOT IS SUBJECT TO WATER AND SEWER CONNECTION FEES, WITH THOSE FUNDS GOING TO THE WATER UTILITIES DEPARTMENT.
- STATE APPROVAL NUMBERS: DREDGE AND FILL PERMIT # 2008-01416 SITE SPECIFIC APPROVAL # A07-0067
- SLOPES EXCEEDING 25% - 7,540 SF WETLAND AREA - 90,800 SF (2.084 ACRES)
- ALL FRONT LOT CORNERS AND ROAD GEOMETRY ARE TO BE MARKED WITH A 4"x4" STONE BOUND. ALL REAR CORNERS ARE TO BE IRON PINS.
- THE PLANNING BOARD GRANTED A WAIVER AT THE 10/21/08 MEETING TO REDUCE THE REQUIRED ROADWAY WIDTH TO 22 FEET WITH THE EXCEPTION OF THE DIVIDED ENTRANCE AT UNION STREET.

**APPROVED**  
**MILFORD PLANNING BOARD**  
SUBDIVISION # SD2012-07 DATE APPROVED 10/22/08  
SIGNATURE: [Signature] DATE SIGNED 12/1/08

NO.	DATE	DESCRIPTION	BY
13	11/27/12	REMOVE NAME, ADD DT3 GRWN ESMT.	DED
12	05/03/12	ADDRESS P.B. LETTER OF 06/22/2011	ROK
11	10/27/10	REVISE EASEMENT DIMENSIONS	ROK
10	12/30/09	ADD NOTES 16, 17 & 18	DED
9	12/29/09	REVISE EASEMENTS, & NOTE #14	DED
8	5/18/08	ADD EASEMENTS, REMOVE LOT	ROK
			BY

**SUBDIVISION PLAN**  
MAP 42 LOT 37  
UNION STREET  
MILFORD, NH

PREPARED FOR  
**JAMES & BEVERLY BROWN**  
10/19/2007 1"=100'

