

Also attached in this e-mail are **all** abutter and general public comments (rec'd to date) in regards to the proposed **Variance** for Marmon Utilities, LLC. (**Case #2024-03 VAR**). No other abutter or general public comments have been rec'd regarding the **Special Exception Case** (#2024-02 SE)

Abutter Comments (previously provided to each of you on Tuesday, April 23rd...no new changes!)

Email #1

From: Ron Racicot <gogideon@hotmail.com>

Sent: Thursday, April 4, 2024 8:24 AM

To: Terrence Dolan <tdolan@milford.nh.gov>

Subject: Marmon zoning board of adjustment meeting April 4th 7:00 pm

Dear Terrance Dolan

I am unable to attend tonight's meeting regarding Marmon Case # 2024#-03 and Case #2024-02

I am an abutter owning the residential property on 21 Old Wilton rd known as the Hutchinson Homestead

directly west of this residence is another residence with a large yard and a green space acting as a buffer to

property that is Marmon plant and pool yard.

We have gotten a taste of what life would be like with the removal of this greenspace as this past summer

Marmom removed a fence and brought spools up to the residence to the west of us. This resulted in a lot of

noise as well as bright lights casting into our property and loss of sleep. Marmon runs 3 shifts and the

third shift is very active for moving spools. The spools make a loud **band** when they are dropped on ground

the forklifts shine lights and have bells going off at 4:00-6:00 am.

We have put up black landscaping cloth on the chain link fence and installed insulating window shades and three layers

over the windows to try and mediate this.

We are very concerned about the loss of all the greenspace and the removal of the residential property next to us

as this will have a negative impact on the value of our property and limits its use as residential.

We realize the industrial zone is transforming but when we purchased the home it peacefully coexisted with several other residential

homes and factories on Old Wilton rd. The plan to go from 27% greenspace instead of the required 30% has now become a plan for

only 5% green space. The solution to give the land across the street on the south side to make up for this greenspace does not take into account the

fact that on our side the north side no buffer no greenspace will have a negative impact on our property.

Thank you for your consideration in this matter.

respectfully submitted

Ronald Racicot

Email #2

The 2nd paragraph should read the spools make a loud" **bang**" not band.

Thanks again

Ronald Racicot

Other **General Public Comments:**

From: Fournier Suzanne <broxenvironcitizens3@gmail.com>

Sent: Tuesday, April 2, 2024 10:54 AM

To: Terrence Dolan <tdolan@milford.nh.gov>

Cc: Darlene Bouffard <dbouffard@milford.nh.gov>

Subject: Comments -- ZBA case #2024-03 Marmon Utilities – Open Space

Tuesday, April 2, 2024

RE: Comments -- ZBA case #2024-03 Marmon Utilities – Open Space

Dear Mr. Dolan, Town Planner [copied to Office Manager Darlene Bouffard]

I'm writing to provide you for the ZBA several factual observations and comments on the proposed Open Space related to development on Marmon/Hendrix' northern Lots 14-8 and 14-9. I plan to participate in the hearing on Thursday, April 4, via Zoom.

Factual observations

1. Lack of Lot 7-16-1 adjacency: Whereas it is stated in staff documents that the two southern lots (Map 38-6 & Map 7, Lot 16-1) are "adjacent", the fact is that only Lot 38-6 is actually adjacent to the northern Lot 14-9, although it is across Old Wilton Road. Lot 7-16-1 is not adjacent to lot 14-9 and is remote. Therefore, Lot 7-16-1 should be excluded from the Open Space calculation and agreement.

2. Lack of location adjacency: The proposed location of the 5-acre Open Space on Lot 38-6 is not adjacent to the northern Lot 14-9, nor Lot 14-8, as the Open Space area begins approximately 200 feet south of Old Wilton Road. The distance from the road prevents the "visual" open space benefit to the public for the 15.5 acre project on the north side.

3. 30% calculation yields 6.64 acres: The project on the north side of Old Wilton Road proposes to use about 15.5 acres. Therefore, the Open Space calculations based on 30% Open Space regulation is as follows:

15.50 acres = 70% of a lot size that is equal to 22.14 acres.

6.64 acres = 30% of a lot size that is equal to 22.14 acres.

4. The proposed Open Space is not "recreational": Whereas the Open Space map submitted by the applicant is titled "5.0+/- Recreational Easement (Open Space)", only the 15-foot proposed

trail is slated for recreation. The 15' trail starts at the boundary with the Town's Lot 38-5 and proceeds through Marmon/Hendrix' Lot 7-16-1. The applicant's attorney told the Conservation Commission that there will be no right of access by the public to the proposed 5 acres of Open Space, except through the trail.

Comments

5. Proposed 5 acres is insufficient: Based on the calculation of 30% Open Space, the project needs 6.65 acres for Open Space, not the approximately 5 acres that is being proposed by the applicant.

6. Open Space adjacency: The proposed Open Space map shows the designated area on Lot 38-6 as being located on the east side of the lot where it would be adjacent to the storage facility's Lot 7-16, rather than being on the west side of the lot adjacent to the Town's Brox Land at Lot 38-5. It's more reasonable that the Open Space be adjacent to the Town's Lot 38-5, given that this is an agreement between the Town and the applicant.

7. Buffer size of Tucker Brook: At the Conservation Commission meeting of March 14, the CC members and the applicant misstated the wetland buffer size of Tucker Brook as being 25 feet. Per the Zoning Ordinance 6.02.3.E, *Tucker Brook and its adjacent very poorly drained wetlands are protected by a fifty (50) foot buffer*. Although today's Open Space agreement is not impacted by the presence of a large area of Tucker Brook wetlands and 50' buffer to those wetlands, future projects would be. They would also be impacted by the presence of threatened & endangered wildlife species who utilize the Tucker Brook area that have been documented by the Natural Heritage Bureau.

To summarize, the applicant is proposing a 5-acre Open Space where 6.64 acres are needed to meet the 30% regulation; the Town should request that the Open Space area begin physically at Old Wilton Road, and not 200 feet south of it; the Town should request that the Open Space be adjacent to the Town's Brox Lot 38-5 and that all of the Open Space be open to the public, not just the trail.

Thank you for your consideration of my analysis and comments that are made to the best of my knowledge.

Sincerely,

Suzanne Fournier, Coordinator

Brox Environmental Citizens

Working to Protect Wetlands & Wildlife at Special NH Places

9 Woodward Dr.

Milford, NH