

1 MILFORD PLANNING BOARD WORK SESSION MINUTES ~ APPROVED

2 AUGUST 1, 2023 Board of Selectmen Meeting Room, 6:30 PM

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4 **Members Present:**

5 Doug Knott, Chairman
6 Janet Langdell, Vice Chairman
7 Paul Amato, Member
8 Susan Robinson, Member
9 Pete Basiliere, Member
10 Dave Freel, Selectman's Representative

Staff:

Terrey Dolan, Community Development Director
Andrew Kouropoulos, Videographer

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12 **Excused:**

13 Susan Smith, Alternate
14 Darlene Bouffard, Recording Secretary

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17 **1. Call to order:** Chairman Knott called the meeting to order at 6:30 p.m. indicating that tonight is
18 a work session. Planning Board members and staff were introduced by D. Knott who noted that
19 Susan Smith is excused from the meeting tonight.

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21 **2. Work Session Item: Capital Improvement Program, Selection of Planning Board member**
22 **representatives to the CIP Committee; Selection of full CIP Committee membership)2024-**
23 **2029.** Terrey Dolan explained the CIP will have the first kick off meeting on August 9 for a meet
24 and greet, we are trying to identify where the meeting will be held. J. Langdell noted that the
25 Board heard from Elaine Cohen that she is stepping down, but J. Langdell asked if she will stay
26 on the CIP as a Planning Board Representative. T. Dolan thought that in her e-mail Elaine
27 explained that she must step down from both. P. Amato asked if the e-mail was sent to the
28 members? T. Dolan indicated it was only sent to the Chair and Vice-Chair. J. Langdell noted that
29 the Board is very happy for Elaine, that her business is doing well but are very sad that she is
30 leaving the Planning Board. D. Knott noted that her position on the Planning Board will need
31 replacement and for the CIP Planning Board rep. Last year there were 8 members of the CIP and
32 Lincoln Daley was not a voting member. J. Langdell asked if anyone know one of the people
33 volunteering, as Janet has never heard of the person and has a difficult time recommending anyone
34 if she does not know them. P. Amato noted that there are a lot of people in Milford that he does
35 not know and he feels that we need to broaden out and we have lot of people that also serve on the
36 Budget Committee but P. Amato thinks we need to broaden that. J. Langdell responded that this
37 is why we have tried to broaden this year so there are not multiple members on the committees.

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39 Doug Knott noted that there is a nice mixture of newer and previous members on the CIP list.
40 There are four new members and four members that were previously on the CIP, it is a good mix.
41 There were a couple of previous members that were interested, but have not been reached. P.
42 Basiliere indicated he spoke to Peg Seward today, she served last year on the CIP and she would
43 be interested if she is needed either on the committee or as an alternate. D. Knott suggested adding
44 Peg Seward as an alternate and that should complete the list. P. Basiliere indicated in years past.
45 Lincoln Daley was a voting member. J. Langdell would like to check the RSA on that. D. Freel
46 asked if Chris Labonte could be on the CIP, since he was last year. J. Langdell said that typically
47 there is not a Selectman on the CIP Committee and now Chris is a Selectmen. The CIP is a tool
48 for the Selectmen to use for budgeting purposes. Janet can collect all the information supporting
49 that, but she does not have it here tonight. P. Amato indicated we have a good mix and enough
50 people, why don't we move forward with this? S. Robinson said there is only one Planning Board
51 member, do we need another? J. Langdell said we can have one or two, and if Susan Smith wants
52 to join, she can. P. Amato made a motion to nominate those people on the sheet called "Capital
53 Improvement Program Committee Members" provided in tonight's packet for the CIP Committee

2024-2029 as listed and that Peg Seward be added as an alternate. P. Basiliere seconded. S. Robinson in favor, P. Amato in favor, P. Basiliere in favor, D. Freel in favor, D. Knott in favor, with J. Langdell opposed because she does not know one person on the list. Motion passed.

3. **Mark Fougere – discussion on Affordable Housing Ideas for Milford.** D. Knott invited Mark Fougere up to the Board table for his presentation on affordable housing. M. Fougere said he wanted to float an idea with the Planning Board about the downtown area and if this gets legs we can talk further down the line as to where those lines would be in the Commercial zone. Multi-family density with five units per acre, but in reality what is here is significantly greater than that; it does not match what is on the ground. With the access to utilities downtown and a very walkable downtown area and a struggling oval area, he thinks increasing the density significantly would be an asset to the community. There are a lot of underutilized properties with a lot of vacant properties, properties that need investment. It seems the density and square footage per unit are all over the place. D. Knott asked what prompted Mr. Fougere to come to the Board about this. M. Fougere indicated he has always felt when the zoning came it, it was signed off but did not match the actual density of the neighborhood. These would be studio units with one bedroom and a small property, that would more match what is on the land. M. Fougere would be willing to write an ordinance if that is desired. D. Freel asked if he has properties to develop, what is the point of this? The school taxes will go up, how will that be combatted? M. Fougere said the school numbers are decreasing; and the number of children in these units will not be many.

Janet Langdell added that the studies she has seen shows that the number of children going into the school systems is not coming from apartments and multi-family, they are coming from single family homes. Mark Fougere is talking about the parcels that are a half-acre or less. Right now, a parcel that is a half-acre could have two units. When some zoning was put in, P. Amato said that was done to slow the growth in town, and now looking at it, was that a good idea? J. Langdell suggested there is currently an avenue for people to convert properties, M. Fougere agreed, stating they have to go to the Zoning Board, which Janet indicated would not need to be done, it would be by right instead. Mark Fougere agreed, and he thinks that improving any property is a good thing and it increases the value at the same time. An example, said Mr. Fougere is the gas station across from the Post Office that has been vacant for years, it is an eyesore. The zoning is in place and the interest rates are going up but when looking at the zoning and what is actually there, there is a huge disparity.

Mr. Basiliere asked if it is being suggested that instead of five units per acre, that it be changed? Mr. Fougere asked how many units of elderly housing are in town? P. Amato suggested that this is not about a developer coming in to buy a bunch of lots, it is more about possible re-investment. Older properties could be re-developed into more up-to-date properties. D. Knott mentioned that we all are aware of the housing issues in NH and Mr. Fougere has brought forward an idea that the town might be able to participate in. Janet Langdell also noted that Mr. Fougere has been in town for a long time and works in land use, and to rush into something might not be prudent, but how do we address this? Paul Amato indicated that Milford has added overlay districts on top of the zoning regulations. P. Basiliere asked what could be done to the ordinances to expand on ability to build? M. Fougere indicated that in some places the 15,000 square foot lots would work because that is what the neighborhood is, but that all has to be looked at. P. Basiliere does not see that it does not work now with the zoning and the Board of Adjustment for variances etc. M. Fougere noted that going to the ZBA can be very challenging to do. J. Langdell asked what part of town would this apply to, she is not in favor of a broad brush, since something that works in one area may not work in another area of town. M. Fougere suggested he come back with another review and have suggestions for areas in town to find a density that everyone is comfortable with. This

would be a good opportunity to improve the investments owners have or expand on the properties that they currently have.

D. Knott asked if there was an opportunity for a plaza to add another story to add apartments; there is parking, it could be close to downtown, is that possible to add residential to existing commercial? J. Langdell indicated the zoning was changed a couple years ago to allow residential/mixed use in the same building, so the precedent is there now. P. Amato it is being built that way now, stores and restaurants on the first floor and residential on the second floor. M. Fougere indicated that a lot of the malls and regional plazas are converting to mixed use with residential and commercial. M. Fougere would be happy to continue this discussion and come back with additional ideas. Jessica Hudson, 64 Tonella Road, said as one person who has been renting residences for years, it has become very easy to advertise her rentals, the rent gets raised every time a new place is available. If there were regulations more towards studios and the one-bedroom units for the single people, it would be helpful both for the people looking for that and for the Town. Hardships are coming our way, commercial insurance is skyrocketing right now. As far as going to the ZBA, we might be able to prove the variance, but it costs a lot of time and money and there is no guarantee. Ms. Hudson would like to see additional discussions on this topic. J. Langdell agreed this should continue to brew (WANGAL), to think about the ideas. J. Langdell thinks this is a valid discussion to have and it has kind of stalled because of the Master Plan update; she would like to continue the conversation and bring in some other people. This is a huge topic for something that can become a chapter in the Master Plan. P. Amato said there are folks that do this for a living downtown, that have multiple properties and he would like to hear from more of them. J. Langdell would also like to scope out the WHERE for the conversations to continue. D. Knott thanked Mr. Fougere for coming and bringing this topic to the Planning Board.

P. Amato had one more topic for M. Fougere, in the R zone it went from 2-acre zoning with 150 feet of frontage, to one-acre with lesser frontage and the vast majority of houses in the R Zone are built that way, that was at a time when we were trying to squelch, so we actually can go back to two acres in the R district, Paul was not sure of what we are trying to accomplish or if we want to look at that to see if it hurt the town in any way? That is something we can do to make housing more affordable. J. Langdell thinks this is a great idea. D. Knott asked if this could be coordinated with the Master Plan? P. Amato said the last time, we just had a zoning change in March. M. Fougere said the change could be used for leverage to get the work force housing. D. Freel commented that if the R Zone was dropped from 2-acre to 1-acre, the price of that house will not drop, the builders will go in and build a house for a high sale price, the only way D. Freel sees the price of housing dropping is when there is an abundance of housing or an abundance of properties available; there were a lot of new people that came into NH during Covid but people aren't moving away like they used to, people are staying put, not moving to other states. The only way the prices are going to drop is if there are more available than people that are looking for them. To D. Freel the Workforce Housing is a myth because the maximum dollar will always be gotten for the properties. M. Fougere said there can be incentives created to incentivize the developer.

4. 2. Potential 2024 Town Articles – General Description

Mr. Boette, Marmon Utility, formerly known as Hendrix Wiring and Cable; was here to represent the possible amendment to the zoning ordinance, Marmon Utility is looking to grow, and is growing, now the parcel is down to 29% open space, going to the ZBA is not a guarantee; we enjoy being in Milford and look to grow in Milford. The company would like to have less required in the way of open space, other communities require just 10% in the Industrial Zone. The company is on a very small parcel, they are not looking to change throughout town, but there is nothing else that will go on this small parcel, if we can create a different Industrial Zone in order to add a building here and there to add as the company grows. As a large industrial plant and large tax

base, this would allow Marmon to continue to grow. J. Langdell asked what amount of green space would work? Mr. Boette answered getting it to 10% would be helpful, right now they are at 29% (from the 30% that is required). If the request went to the ZBA and it gets denied, then it is all done, can't be done. P. Amato noted that the town would like to keep Marmon here as well.

P. Basiliere asked what the 10% would be equal to in square footage? Mr. Boette said he would need to reference his map. J. Langdell said that rather than go there, we should wait until everything is in front of the Board and Terrey Dolan can pull it all together. P. Basiliere asked what that will look like when driving by the location? Mr. Boette, answered that it will not change drastically, we are looking to grow and would like to grow in Milford. Across the street there are 42 acres that belongs to the company. What he is looking to do is to adjust the green space for Industrial properties, it will not change the look of the property, it will allow the company to grow.

P. Amato indicated the 30% open space has changed over time and you play games to meet the 30% for Industrial. D. Freel does not see this as a big deal; it might be looked at as advantageous to other properties and they might want more green space. Mr. Boette said they are looking to grow in 2024 and that it should be looked at now for the March 2024 election. P. Amato said that spot zoning is not something he is in favor of. The Industrial Land in town is fragile – there is not enough in Milford and they pay a lot of property tax to stay in Milford. Both Hitchiner and Marmon bring in a lot of people. Anthony Rodriguez, Hitchiner, said they do plan to build on the property that was recently demo'd. P. Amato said the engineers get very creative but sometimes 30% is difficult to reach. T. Dolan will bring in maps of the Industrial Zones, specifically these properties, just I zone, not the others, since they will not all be affected, with those maps, we can look at them all.

4 **3. Development Regulations – Definition of Construction Work Hours.**

T. Dolan said there are a lot of calls to Community Development from irate neighbors next to a construction site. J. Langdell asked if they are all about the same property? T. Dolan said there have been 8-10 calls about the 3 homes being built on Quinlan Drive. P. Amato said those will be done in 90 days, they need to be told it is short term. T. Dolan indicated they have been told, but they only hear what they want to hear. D. Knott said there has been a lot of rain so the roofers might just be continuing their work on a clear day. T. Dolan pointed out that there are no hours for construction in the development regulations, only in the DPW regs. D. Freel said it is already difficult to build in Milford, then we add this on. Consensus was to not change the regulations. S. Robinson thinks that when the construction begins it should be announced to the abutters; to keep the communication open. J. Langdell indicated that we need to not regulate things like construction. P. Basiliere pointed out, that the Board asked T. Dolan to think outside the box and bring forward items that could be improved or changed and he has done this.

- 4 **.3 Short Term Rentals.** T. Dolan came from his last position in a tourist-centered town; he does not see a short-term rental issue in Milford. D. Freel feels the town should not tell an owner what they can and cannot do with their property. J. Langdell said these ideas are brought forward from staff and at conferences, certain towns in NH have issues; J. Langdell also agrees with if it is your property, you can do what you want with the property, however if the rentals are being done on a weekly basis, it becomes more of a commercial property. S. Robinson does not see this as a blanket problem, but there are also horror stories out there. Justin Demontigny agrees there are towns that have issues, mostly areas with tourists. This town does not have any place for people to stay. At some point it could become an issue and then address the issue; he is afraid of stunting the growth.

Jessica Hudson, 64 Tonella Road, manages a B&B and right now there does not seem to be an issue; there is currently an air B&B on Elm Street, it looks wonderful they have done improvements and it is filling a need. Andy's Playhouse in Wilton has people come in from outside of NH that need places to stay; Wilton is having a hard time placing them, so they are staying in Milford. J. Langdell said when the Playhouse was in Milford, the actors needed places to stay; short term rentals will always be needed.

4. Tiny Home Zoning:

Paul Amato asked T. Dolan how he sees Tiny Homes fitting into Milford; T. Dolan responded that he doesn't, Tiny Homes are currently a fad. P. Amato said there is nothing precluding somebody from having a Tiny Home. S. Robinson asked if that would be putting a Tiny Home on an existing parcel like an ADU. T. Dolan said that an ADU is defined as either attached, being part of the existing home, or detached by renovating the garage. But there is nothing that says a Tiny Home cannot be an ADU, according to P. Amato.

Terrey Dolan said there is criteria for an ADU, but not Tiny Homes. P. Amato said there is nothing that prevents someone from putting a 500 SF house on their lot. T. Dolan said that is correct. T. Dolan believes there might be life/safety barriers for Tiny Homes. J. Langdell indicated that a tiny home village could be considered in regards to increasing availability of living areas. P. Amato said the issue that is not talked about is how many tiny homes could be put on one parcel. When apartments are built, they are closer than tiny homes would be. P. Basiliere noted that zoning could be looked at to allow more density with Tiny Homes. J. Langdell suggested incentivizing developers to use Tiny Homes. D. Freel is not sure how that will look in Milford – which part of town would we want them in? J. Langdell stated that around areas of the country, there are tiny homes made into small communities; in Wilton there are cottages that are rented for about \$2000 per month. Justin DeMontigny said up north and the lakes region they use the tiny homes for small communities. This is part of the larger discussion on housing.

4. 5. Junk Yard Ordinance:

The junkyard RSA for the State can be used as the Town Ordinance; Terrey needs to look a little deeper into this and talk with Lincoln. No specific properties were discussed.

5. Meeting Minutes; June 20, 2023, D. Knott asked that from now on please put the minutes at the top of the agenda as the handbook identifies. T. Dolan indicated from now on he will do that. P. Basiliere moved to approve; seconded by P. Amato. All were in favor. Motion passed.

6. Other Business: T. Dolan indicated that for the August meeting the agenda will have The Q on with D. Freel not participating but Tim Finan will and the Boys & Girls Club will be withdrawing its application. Terrey Dolan summarized that there was a meeting held last week with staff representatives to discuss only The Q, it was a good meeting. T. Dolan sees a few topics that can be focused on for the finish line for the Q application but would like direction on what the Board would like to see. P. Amato suggested having a list of the concerns that need to be talked about. D. Knott said it may not be ready in one meeting. P. Amato asked if Matt Petersen is ready to get this to the finish line? T. Dolan is not sure if it will be done in one meeting or if some issues need to be finished. J. Langdell said if there is a need for additional studies then that should be identified right now. Turn lanes on Nathaniel Road, needs to be sorted out, the applicant needs to define the main entrance and exit and that the Ponemah Hill Road access will be only for emergency vehicles. Terrey Dolan needs a chance to summarize the staff meeting held on July 27, 2023. D. Freel indicated that Tim Finan will be sitting in on the application for The Q because Dave Freel is an

abutter that way it does not waste anybody's time. D. Freel said that The Q should always be first on the agenda and the minutes last in my opinion. D. Knott said that is the way it is in the Planning Board rules that minutes are done first at every meeting.

7. Upcoming Meetings:

8/15/23 – Planning Board Meeting

9/5/23 – Planning Board Work Session

- 8. Adjournment.** The meeting was adjourned at 8:35 p.m. on a motion made by S. Robinson. T. Finan seconded. All were in favor. The motion passed unanimously.

Signature of the Chairperson/Vice-Chairperson: Date: _____

The Planning Board minutes of 08-01-23 were approved 8-15-23