

1 MILFORD PLANNING BOARD MINUTES ~ APPROVED

2 May 4, 2021 Board of Selectmen's Meeting Room, 6:30 PM

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4 **Members Present:**

5 Doug Knott, Chairman

6 Tim Finan, Vice Chairman

7 Paul Amato, Member

8 Janet Langdell, Member

9 Pete Basiliere, Member

10 Susan Robinson, Member

11 Dave Freel, Selectmen's Rep

Staff:

Jason Cleghorn, Town Planner

Darlene Bouffard, Recording Secretary

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15 **MEETING PREAMBLE DURING COVID-19 EMERGENCY**

16 *Good Evening, as Chairman of the Planning Board, I am declaring that an emergency exists and I am*
17 *invoking the provisions of RSA 91-A:2, III (b). Federal, State, and Local officials have determined that*
18 *gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to*
19 *combat the spear of COVID-19. In concurring with their determination, I also find that this meeting is*
20 *imperative to the continued operation of Town government and services, which are vital to public safety*
21 *and confidence during this emergency. As such, this meeting will be conducted without a quorum of this*
22 *body physically present in the same location.*

23 *At this time, I also welcome members of the public accessing this meeting remotely. Even though this*
24 *meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct*
25 *and decorum apply.*

26 *Public comments will be limited to three minutes per person. Any person found to be disrupting this*
27 *meeting will be asked to cease the disruption. If the disruptive behavior continues thereafter, that*
28 *person will be removed from this meeting.*

29 *Please note that all votes that are taken during this meeting must and will be done by Roll Call Vote.*

30 *Let's start the meeting by taking a Roll Call attendance. When each member states their name, also*
31 *please state whether there is anyone in the room with you during this meeting, which is required under*
32 *the Right-to-Know Law.*

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34 Members and staff were polled individually: Tim Finan was in his office alone; J. Langdell at her home in the
35 room alone; P. Amato was at his home in the room alone; S. Robinson was at her home in the room alone; P.
36 Basiliere was at his home in the room alone; D. Freel at home alone in the room; D. Knott at home alone in
37 the room alone; J. Cleghorn was alone in his home office; D. Bouffard was in her home office alone

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39 **1. Call to order:**

40 D. Knott called the meeting to order at 6:30 p.m. indicating that tonight there is one application to be heard
41 and some items under Other Business.

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43 **2. Public Hearing(s):**

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45 **a. Case SP2021-12: Quarry Willows, LLC / Joshua Murphy (owners / applicant).** Minor Site Plan
46 review for the permanent addition of approximately thirty-five (35) seats to an existing restaurant for outdoor
47 dining. The parcel is located at 52 Federal Hill Road in the Commercial "C" zoning district. Tax Map 48 Lot
48 42.

49 T. Finan moved to accept the application for review. P. Amato seconded. A poll was taken: J. Langdell yes;
50 S. Robinson yes; P. Basiliere yes; D. Freel yes; T. Finan yes, P. Amato yes; D. Knott yes.

51 P. Amato moved no potential regional impact. J. Langdell seconded. J. Langdell yes; S. Robinson yes; P.
52 Basiliere yes; D. Freel yes; T. Finan yes, P. Amato yes; D. Knott yes.

J. Cleghorn read the list of abutters. Joshua Murphy, applicant, presented the plan for outdoor dining in the front part of the parking lot that would not affect the wedding venue. During the pandemic, the Mile Away lost 8% of weddings and this area is a good area in which to do outdoor dining. This is just a “corral-type” area with 3 walls and no structure. There will be 3’ walls, the only cover will be a tent for six months (May – October) when it gets closed up. This will be an area for dining but it is not structurally permanent. S. Robinson asked how will the serving be done? J. Murphy responded the servers will come right out of the kitchen; the kitchen door is about 20’ from this seating area. Nothing will come out the front door. P. Basiliere said with a 3’ wall, will the servers need to go to the front door to get in or out? J. Murphy said the main front door opening is for the guests only and there will be an opening (in the corral) just for the servers to use. D. Freel asked will the outdoor seating guests be looking out on the parking lot? J. Murphy said it will, that is less than desirable but doable. D. Freel asked if there will be parking issues, with weddings and dining inside and outside? T. Finan indicated there would be 90 parking spaces required if the restaurant was full. J. Cleghorn went to the site on Monday and counted 60 parking spaces and there is an overflow parking area that is unpaved that can hold about 40 cars, maybe even more. J. Cleghorn said the first time he went out, it was raining and he could not see very good, but after going out again without rain, he could see better. The ADA parking does need work, the change had enough affect and requires relocating of ADA access and there should be two ADA spaces. They could either go on the side (see Page 3) or put one space further down away from the walled area. There does need to be a couple ADA spaces added as part of this project. There is no formal plan and the applicant has drawn the plans up for this Site Plan review.

J. Murphy can add those ADA spaces right in front and re-seal the lot. That was his plan from the start. He thinks he lost four spaces with the outside dining. J. Cleghorn can provide J. Murphy with the ADA parking specs. J. Langdell asked about the parking because it is something we have to ask when a change is made. She did drive by but did not go on the property. J. Langdell asked what is the maximum seating at one time? J. Murphy said the maximum seating is 200. J. Langdell said that meets the requirements for one space for every two people. J. Cleghorn agreed. T. Finan said the Mile Away serves alcohol, but there is no “lounge” so it is 3-1 not 2-1. P. Amato said the ADA criteria will be provided to J. Murphy by J. Cleghorn to update the plan. J. Langdell said the e-mails should be included in the packets in the file. They could be referenced on the plan for notation, but we normally have the parking calculations on the plan. There were no further questions or comments from the Planning Board members. D. Knott opened the meeting to the public and asked for the name and address for speakers. There were no requests from the public. D. Knott closed the public portion of the meeting.

P. Amato moved to grant approval for the minor Site Plan SP2021-12 with the condition of ADA information being provided to the applicant by J. Cleghorn and a parking notation being added on the plan. J. Langdell second. A poll was taken: T. Finan yes; P. Basiliere yes; D. Freel yes; S. Robinson yes; P. Amato yes; J. Langdell yes; D. Knott yes. Motion passed.

3. Other Business: J. Cleghorn reminded the Board Chair that the item on tonight’s agenda under Other business will be taken up on another night. P. Basiliere asked if Liability coverage for site walks was looked at by staff? J. Cleghorn did look at that and it was found for the Gardent site walks, they would not be held liable if someone got hurt, but Jason will put together something more formal for Board members. Now that the quantity of applications is beginning to thin out, some other items can be addressed such as that. Currently the May 18, 2021 agenda is loaded up. J. Langdell indicated that a simple answer can also be provided from NHMA on the liability issue.

J. Cleghorn shared that the May 18 agenda currently has 4 applications: 1) Crosby Townhouses (requesting a continuance); 2) Wendy’s renovation (adding one drive-through); 3) Shattuck Paving (convert old boat yard to the paving business and other equipment storage); 4) Heritage Hill LLC self-storage (next to the Hitchiner solar array).

P. Amato recently drove by the Perry Road self-storage project, this project looks pretty much done, it looks cleaned up from what it had been. P. Amato also asked when the Planning Board will be meeting in person?

D. Freel said the BOS are conducting hybrid meetings, half of the members are in person and half are zooming in from home. D. Knott asked if people want to meet in person again? P. Amato asked if it could be set up so that one applicant is in the meeting room with the other people and other applicants waiting in another room? J. Langdell said they could queue in the Lobby area until their application is to be heard. D. Freel said if it is a public meeting, everyone has the right to be there, so you have to have the hybrid option available because people cannot be forced to attend. T. Finan believes the Governor's order expires May 7. D. Knott said it will expire and there will be basic guidelines, it is not mandatory.

P. Basiliere asked if it would be hybrid because there is a better turn out for participants than in person meetings and that would give members that cannot attend the ability to attend via zoom and participate. Having it hybrid would be the best option. J. Cleghorn said there are still discussions about Town Hall opening May 17, maybe at that time the Board meetings will be discussed. The May 18 Planning Board meeting will be noticed the way tonight's meeting was noticed, as a zoom meeting. D. Freel said the BOS has had discussions and we get more people to attend hybrid than in person, where there are usually only a handful. Whether or not the residents want to be at home or physically in a meeting is up to them. S. Robinson said some of us may choose to still zoom into the meeting. T. Finan indicated for using Zoom, it is \$150 per license for up to 100 participants.

M. Thornton, North River Road, mentioned the town is getting better civic participation with zoom and we will get more participation in the community with zoom than in person meetings. J. Langdell asked if anyone has looked at what the viewership stats were pre-covid, compared to viewership now? T. Finan can talk to Chris Gentry about that, but for streaming, Granite Town Media cannot count the people on Channel 21. J. Langdell said having more people involved is good, but we really do not know the numbers. D. Freel asked if we can just have the applicant in person and just have the abutters on zoom? T. Finan we have to look at the law for the participation and quorum requirements. S. Robinson said if it is in person, will there need to be a quorum? T. Finan answered yes and if they do not attend the in person meeting they need to have a reason why they are not there. P. Amato said if the technology is there for a hybrid, we might want to start that process and progress like we have been. D. Knott agreed. P. Amato said eventually people will get comfortable enough to come out again. P. Basiliere said there are still people that are technology-challenged. J. Langdell added that there are still people that cannot participate in person due to circumstances or being a care giver.

D. Freel asked how many members do not want to go into an in-person meeting in the BOS room? There was brief discussion of using a larger room for social distancing, but due to acoustics, it has not worked well. S. Robinson said for her, it would depend on the situation. P. Basiliere also said it depends on the lay out. D. Knott said the Planning Board has talked about working towards getting back together in person and see how the Town Hall opens and what happens when the Governor's order expires.

J. Cleghorn will add Election of Officers to the May 18 agenda. J. Langdell said it should have been done by the end of April.

4. Meeting Minutes: The Planning Board minutes of April 6, 2021 were reviewed. J. Langdell moved to approve the minutes of April 6, 2021. P. Amato seconded. A poll was taken: J. Langdell yes; P. Amato yes; S. Robinson yes; P. Basiliere yes; T. Finan yes; D. Freel yes; D. Knott yes. Motion passed.

5. Adjournment. The meeting was adjourned at 7:32 p.m. on a motion made by P. Amato and seconded by P. Basiliere. A poll was taken: P. Amato, yes; P. Basiliere, yes; J. Langdell, yes; S. Robinson, yes; D. Freel yes; T. Finan yes; D. Knott yes. The next Planning Board meeting is May 18, 2021.

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

MINUTES OF THE 5/4/21 MEETING WERE APPROVED 6/15/21