

MILFORD PLANNING BOARD WORK SESSION MINUTES ~ APPROVED
JUNE 7, 2022 Board of Selectmen Meeting Room, 6:30 PM

Members Present:

Doug Knott, Chairman
Tim Finan, Selectmen's Rep
Pete Basiliere, Member
Elaine Cohen, Member
Paul Amato, Member
Janet Langdell, Vice Chairman
Susan Robinson, Member

Staff:

Lincoln Daley, Comm. Dev. Director

Absent:

Darlene Bouffard, Recording Secretary

This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to Executive Order 2020-04. As such, the meeting was conducted in person and on zoom.

1. **Call to order:** Chairman Knott called the meeting to order at 6:30 p.m. indicating that tonight is for a Planning Board Work Session. Planning Board members and staff were introduced by D. Knott.

2. **Work Session:**

a. Master Plan: L. Daley indicated based on the last Planning Board meeting, the Board expressed interest to have an NRPC representative here with an outline of the Master Plan process. Camilla Patteson is here tonight on behalf of NRPC to present that information. C. Patteson was in Milford on May 3 for the initial discussion and public outreach was desired at that time to identify opportunities and educate the public on the benefit of a Master Plan. C. Patteson looked at some local Master Plans and suggested the Board also take a look. J. Langdell indicated there were several done by the same consulting company with a similar structure. J. Langdell said the Londonderry Master Plan was the first one done by that company in 2014 and then Bedford and Manchester that seemed to have the same structure and similar phraseology but over the six years they have blossomed and changed their style. Some were a little overwhelming with bells and whistles but you can get a good sense content-wise. C. Patteson agreed and said it is good to know what Milford likes and doesn't like; to identify the scope of work in the Milford Master Plan. She also can send a link to the State, which also has some good information. There are three things we are trying to achieve: 1: generate outreach; 2: educate the public; 3: garner public support for the Master Plan.

A survey that also has public input is another idea; Milford needs to think about what it wants. There is the ability to have a public presentation to collect all the questions and responses for a certain topic and it is also a way to collect contact information. J. Langdell asked what happens to that information once the project is complete? C. Patteson was not sure of that and needs to check. J. Langdell said we could add that topic on the town website; the survey is for all on line people but there are people in the community that are not comfortable with that. C. Patteson said yes, we could look at a simple survey as well but it has been found that the electronic surveys are more successful and the paper survey would then need to be added into the database and that is where the time comes in, along with the physical printing and distribution of the survey. L. Daley said the town could come up with a paper version of the on-line survey and that could be distributed by the town.

P. Basiliere asked what deliverables the town would receive? C. Patteson said NRPC would look at the data and provide a narrative back to the town. How many people do we want to respond to a survey? J. Langdell said you can also get the raw data from the on-line survey. C. Patteson said the on-line survey does not put out that information in a report. E. Cohen asked if Camilla would be the one to prepare the survey? J. Langdell said NRPC would work with the Planning Board on that. C. Patteson said it has more value coming from the Planning Board than coming from NRPC. L. Daley suggested having a list of deliverables for the cost estimate. C. Patteson can do that, tonight she is providing a menu of services, if the Planning Board wants something more specific, that should be identified. L. Daley said tonight is just setting the stage for topics for the Master Plan update. C. Patteson said NRPC could run a Charette and from that the topics people want to see in the Master Plan could get identified, either the same or

different topics from the original Master Plan. J. Langdell asked if that Summary Report would be like from the Charette in the past? C. Patteson said it would. P. Basiliere is looking for what the end result will be. C. Patteson said that would be in the scope of work with NRPC.

E. Cohen asked at what point can the Planning Board start assigning people to committee? C. Patteson said right now the Board is trying to generate support and educate people so that when you look for funding people understand what the benefit of a Master Plan is. The Planning Board wants to set up a Steering Committee at this point. D. Knott asked if these topics are pretty standard? C. Patteson said yes and you might want to do some of them and have NRPC others. What Camilla has found is that one person should not take on something alone like a Facebook page. It is important to put everything in one place for people to share ideas and provide input. A marketing flyer could be developed to share the word on what the Planning Board is doing to let people know; it could be a website or a QR Code to share that information. E. Cohen said she could take care of that piece. C. Patteson said you need to consider different ages and different platforms that will reach them.

D. Knott asked if we have money in the budget for this? L. Daley answered we do have money in the budget for this process. D. Knott thinks this looks kind of expensive. L. Daley agrees noting the average price per chapter for a consultant to do is about \$10-12,000. P. Amato said this just gets us a road map. J. Langdell said this will help the Planning Board to do the list more streamlined. C. Patteson added that if there are other items you have in mind to let her know. D. Knott said we need to decide what we want in this updated of the Master Plan, we have not talked about that. J. Langdell said that is why she brought up that point. D. Knott asked what does Exeter's Master Plan do, does it provide more information? J. Langdell if you look at their website it looks like it is actually structured so they can track it periodically.

D. Knott asked if that is what Milford wants to do? J. Langdell likes that idea and we can make changes easier. E. Cohen read all the Master Plans and it is easier to track where the town stands. C. Patteson asked E. Cohen if she read them all, and which one did she prefer? E. Cohen really likes the Bedford Master Plan and also Manchester but that one was all over the road and too much for a small town. E. Cohen really likes the Mission Statement in Manchester and found some of the Mission Statements very clever. They also make it clear that the ideas are from the townspeople. J. Langdell has also read them and likes that in the beginning it is explained what a Master Plan is, how it is used and it was not just using the language from the RSA. T. Finan said the Master Plan is also a marketing tool for the town, the one Milford has now is just a document on the website, it is just something to read. This could be made so it is something residents can enjoy reading when visiting Town Hall.

C. Patteson mentioned how the Master Plan is a marketing tool for the town, the old school Master Plans are mostly boilerplate with no pictures and lots of words. It might be looked at as something you read so why go through it, but Milford seems to like the Exeter Master Plan because it is more modern. J. Langdell said it is the way the information is structured, not just the aesthetics. P. Basiliere wants to see concrete items that have actionable items that the Board of Selectmen and the voters can act on. T. Finan said the current Master Plan does have action items and it has been updated yearly. J. Langdell said this document is looking out 15-20 years so we do not want to get into too much detail. P. Basiliere would still like to have near term goals identified. C. Patteson said Milford can have near term and long term goals called out; some goals might also be multi-year. C. Patteson added that the lead department(s) should be in there as well so they can take ownership of the goals. P. Amato indicated yes, in looking back, we thought things would be a good idea 20 years ago and we are still trying to get them done like sidewalks on Nashua Street and the town just can't get there. Pete Basiliere feels any surveys are critical so that they represent the entire community.

P. Amato agreed stating if we ask if people are willing to increase their taxes to have a sidewalk, people will most likely say no, there needs to be a different approach. J. Langdell suggested the survey identify the residents' age group and in which part of town they live. That data is part of the analysis. L. Daley said along Nashua Street there are over 700 residential units, so going door to door in that area might be a great idea and it may not have been done previously. P. Basiliere asked where else would the town get input for the two large upcoming projects such as schools and water utilities, how can we get representation for those? C. Patteson said the Schools should be in the Master Plan so what are you

trying to get out to the schools and how can you collaborated with them? L. Daley indicated if the school representative reviews the school Master Plan to identify and evaluate the needs, it would be found their priorities of the schools and their time tables with capital improvements may have changed and that has an impact on the town residents and the taxes. J. Langdell said nothing states the Planning Board cannot invite the school and water utilities to be a part of this process. If we are trying to do an overall vision for the Town of Milford, all the players need to be at the table and be a part of the conversation. If they choose not to be a part of the conversation, that is a whole other issue. We need to have a sense of their willingness.

C. Patteson suggested having them at the Initial Civic Group and have two separate meetings. One with the School and another one with Water Utilities; things can start with a work meeting to get the Steering Committee identified; this would be a great place to start. L. Daley indicated the Board of Selectmen and the Water Commissioners need to meet to allocate those costs for the larger projects that should occur before the budget cycle for this year because there are a few large ticket items on the next 2-3 years. L. Daley said the Water Commissioners and Water Utility Director are looking at alternative ways of funding these large ticket items. D. Knott asked what are the other funding means? L. Daley explained it could be through a grant or Federal money. P. Basiliere stated that is key because the capacity of water and sewer dictates how much the town can do.

S. Robinson asked L. Daley if the wells that were taken offline are expected to ever be used again? P. Amato indicated the Savage Well will never be used but he is not sure about Medlyn and Keyes Wells. L. Daley also said the Water Commissioners are continuing to look for alternative water sources and he is unsure if those previous wells will ever be on line again. J. Langdell said the Savage Well cannot be on line ever, that one is done. L. Daley said he is not sure on the Keyes well but the Fletcher Superfund site is out forever. C. Patteson stated the Planning Board should craft some questions in advance of a meeting and send them out so members are ready to answer questions which will be a more productive meeting. The town has to think about how many meetings they want to have with each of these groups. You might put out the questions and be able to have one really productive meeting and that might be enough, then schedule a follow up if necessary.

P. Basiliere said the Board has talked a lot about the residents, there are also business people in town, where would we get input from those businesses? J. Langdell suggested when looking at water and sewer, is this an opportunity to re-kindle business people and get them to step up. C. Patteson said that Milford has a pretty robust business community and the business people should be included in this process, that is key to be able to have the infrastructure. J. Langdell said we have talked about a multi-facet approach to reach people and that includes businesses. D. Knott stated this Master Plan is a massive project. C. Patteson responded that the Planning Board will not do the whole update, it is just an update, it is not a Full Scale Master Plan. J. Langdell said the current Master Plan has some good content and we are just bringing it up to date. P. Amato said we could hire someone to do the whole thing right now. J. Langdell responded that the Planning Board will be in a better position by starting with some NRPC input and assistance. P. Amato said there are only two ways to get that into a final project – by using staff or by hiring someone to do it. It may cost \$100,000 for this update.

C. Patteson said many towns work on one or two chapters a year. E. Cohen thinks what Camilla has proposed is a good start. C. Patteson said this would get you an outline for the document. L. Daley said we need to work to provide a list of deliverables for each step. P. Amato said we need to meet with the Board of Selectmen, Water Utilities Commissioners and School Board as well as the business community. C. Patteson said it would be helpful to know what the Planning Board is thinking in terms of deliverables and data. P. Basiliere figures the data analysis was built into the price. He would like to see what was delivered in the past. J. Langdell suggested reaching out to the Wilton Planning Board and Board of Selectmen since they've recently updated the Master Plan. J. Langdell also suggested using census data which has started to flow. The demographics should be considered part of the Town NRPC dues in its contract. E. Cohen asked what do we have now? A lot of items that were due in 2016 may not have been done. J. Langdell said we have never looked at future issues such as climate change, housing costs, etc.

C. Patteson suggested having volunteers go door to door to the senior housing residents to ask questions. By doing that, some common themes might be found and that would be different from a survey for that population. P. Amato said there is a "Hope Fest" being done soon at the Boys & Girls Club that draws a different demographic concerned with Child Care costs. J. Langdell said those are the things we need to capture to gather information and issues facing the people of Milford. C. Patteson again said, the Steering Committee is key. L. Daley said there are ongoing Department of Transportation (DOT) discussions that affect Milford. C. Patteson indicated this is the opportunity to bring new projects to the DOT- long range projects. L. Daley said the Swing Bridge and Route 101 improvements are both DOT projects. The Milford Oval is another project being done through DOT.

J. Langdell noted any long range projects would need to be Federally eligible to be done through DOT. C. Patteson agreed, indicating this is looking for projects in the FY 2025-2034 in a 10 year plan. NRPC is soliciting now through July 19 for project proposals; there is also an on-call engineer that can be used. P. Basiliere asked who should be the Department responsible for submitting anything to the DOT project list? C. Patteson said the point of contact for the town, such as L. Daley who will get input from the Board of Selectmen. L. Daley indicated Amherst Street that connects Milford to Amherst is one project currently being talked about. J. Langdell asked if we are looking at possibly receiving money for that? L. Daley is waiting to hear back on that. J. Langdell has been going to NRPC since 2005, roads, bridges and now bikes and pedestrian passages are being addressed. We are talking a lot more about pedestrian and bike transit now than in 2005, as well as the environment. L. Daley said the Planning Board should consider projects and talk again to develop a list. J. Langdell asked if a bridge from Keyes to the MCAA field could be considered? L. Daley answered yes.

b. Stormwater Regulations: L. Daley explained these regulations were in response to the MS-4, the updates went through Milford Conservation Commission for comment. L. Daley is looking for support from the Planning Board for the ordinance to be brought to the BOS for adoption. The stormwater regulations fall under Planning Board jurisdiction. P. Amato asked how much more this will cost a homeowner? L. Daley said this will require analysis and review by the applicant and is in response to the MS-4 requirements. This update uses a template that other communities have adopted. P. Amato asked if developers have been talked to about this? L. Daley said this is what other communities are adopting to deal with requirements at the Federal level. P. Amato asked how does this go with an AoT? L. Daley said the AoT is for 100,000 sf of disturbance, this regulation mirrors the AoT but for only 20,000 sf of disturbance. P. Amato said the AoT process is daunting and you must have an engineer and sometimes a lawyer and it can be very expensive. J. Langdell said the Town's current ordinance specifies the 20,000 sf, it has the same parameters and the size of impact does not change. L. Daley indicated this amendment will require more work staff. P. Amato said this could add more money to each house. J. Langdell said this is a Federal mandate due to water resources; this is for MS-4 communities. L. Daley said the new permit in 2017 specifies what requirements and this is to address the regulations for those requirements.

D. Knott asked what happens if Milford says no? L. Daley said the Town could get fined; a community recently was fined and it is a lot of money - \$100,000. P. Amato said it is difficult for this group to agree when it might not affect any of the people here, but it will affect the town. L. Daley said Water Utilities found there was a lot of nitrogen in the water, which was the higher of the requirements, this is to better manage stormwater. P. Amato asked if 20,000 sf of disturbance must be used, most people will not have an engineer at their disposal. L. Daley said this will impact the building of larger homes, but he does not see an alternative and does not see a major change from what was in the regulation before. P. Amato thinks it is crazy that it takes this many words to make this change. J. Langdell said it is not much more than was there before. P. Basiliere asked if there is any alternative? P. Amato said for a septic and well install, that will disturb that amount, but could it be 40,000 sf of disturbance. J. Langdell asked why it is? 20,000 sf? L. Daley answered this is based on comparative communities of similar size and it is the standard. D. Knott stated this is based on what other communities use, but can an owner have a higher threshold? L. Daley said the Board can determine what number to use. P. Amato said an AoT is 100,000 sf cumulative over 10 years.

L. Daley noted in the stormwater regulations there is an OUT clause that would allow a waiver for certain situations so there is an opportunity to waive the 20,000 sf requirement. S. Robinson asked if the purpose

of the regulation is to protect the water or to conserve the water? L. Daley said it is a little of both. D. Knott asked if this applies to the municipality to minimize salt use for example? L. Daley said the town is trying to comply as best it can. D. Knott indicated if a homeowner were to be asked to come in about the disturbance of 20,000 sf, they are not going to know what should be done. L. Daley responded that it would need to be presented to the ZBA and Planning Board with their application and since homeowners do not understand the process, staff would work with them much like what is done when preparing to appear before any land use board for a case and staff would work with them before it gets to the Board for review. P. Amato asked what would trigger this, a Building Permit? L. Daley said it could be a building permit. P. Amato said so if a Building Permit looks like it would disturb 20,000 sf would that be the trigger? L. Daley said that does happen and during that initial process it would be identified that more than 20,000 sf will be disturbed, so we would have them fill out a stormwater permit in addition to a building permit. P. Amato asked when a resident comes in for a building permit to build a new home, would they have to put up silt fence to keep it contained and would it get reviewed to see if there is an alternative or the applicant would need to review the stormwater regulations? What would be required if it meets that 20,000 sf disturbance? L. Daley said that would be indicated by staff that a stormwater permit is needed. T. Finan asked for tonight, what is the next step? L. Daley is looking for a Planning Board recommendation to bring the amended stormwater regulations to the BOS for adoption, he has tentatively scheduled that for the BOS meeting June 27.

P. Amato asked if someone was paid to do this stormwater regulations update? L. Daley responded yes KV Partners was hired for that. P. Amato pointed out some typographical errors that L. Daley acknowledged and would have corrected, L. Daley is more concerned with the content than any minor errors. T. Finan asked does this Board have to approve and then it goes before the BOS for adoption? L. Daley is looking for a Planning Board recommendation to send it to the BOS for adoption, which requires two public hearings. If the Planning Board is not comfortable with this, we will have to discuss it further. P. Amato said if we put this in place as is with the 20,000 sf, we could just put it in at 100,000 and it will be taken care of at the AoT permit. L. Daley responded that would not capture the more challenging projects that have a smaller area of impact. L. Daley explained that stormwater management tries to deal with erosion and the quality of water and it applies to smaller projects not just the larger ones; this is trying to capture those smaller projects that may have an impact on neighboring properties and properly deals with it. P. Amato asked if what has been done for the past 10 years has not been working and now we have to have this in order to save us? L. Daley responded no, what this does is it gets the town in compliance with the MS-4 permit which requires specificity in how the town manages stormwater in our community. This ordinance is a direct result of trying to respond and comply with the Federal MS-4 permit. J. Langdell said this complies with the revision under the new Federal permitting; Milford has been doing this, but this is in response to the revisions since 2003. L. Daley said in 2017 the MS-4 permit was reissued and includes additional steps that the town has to undergo and comply.

T. Finan understands that the town has to do this because we are an MS-4 town, aside from that, is there any quantitative data that Milford has a stormwater issue? L. Daley said no, Milford's issue is e-coli in the system, this regulation does help to a degree with that and it creates an opportunity for stormwater management between properties. Think about parking lots with heavy salt use, currently there are some regulations in place but this revision directly responds to the use of salt on a property and how to best manage it. So we do have a stormwater issue causing too much e-coli, said T. Finan, especially in the summer in the River, it is high? P. Amato asked if that higher e-coli could be from wildlife? L. Daley said the e-coli is also partly due to run off so that is what this regulation tries to do to get rid of e-coli as much as possible, that is one element. The ordinance deals with the larger issue of stormwater management on properties within the entire community, it is not just e-coli, it also has to do with how we design our drainage systems on properties to minimize impact to abutting properties with the water systems. D. Knott stated the town does not have to follow this with salt use. P. Amato asked who uses the most salt in the area and commented that the town uses 100 times the salt of all homeowners put together and we don't care what the town is doing, that is a problem. L. Daley said he is not implying that. P. Amato said nothing about that is being done. D. Knott replied that the EPA is addressing that.

L. Daley said we are getting away from the regulations we have in front of us, the MS-4 also requires the town to analyze the amount of salt used in the community, we have to track that and DPW does track that

salt usage as part of the MS-4 permit. There is also data on how Milford uses its catch basins and how we clean them out and how we manage other assets in our community. Tonight is just one element of a bigger compliance issue dealing with MS-4 that Milford has to deal with. In working with the new DPW Director, who is still getting acclimated with the community, he is trying to be aggressive to find other ways to treat our roadways. This is an opportunity for the town to look at what other MS-4 communities are doing and improve the overall quality of our water systems. T. Finan stated the intent is to become more and more restrictive to have a better result. P. Basiliere said we have the ability to impact what we can and that is what is before us tonight. If there is a concern about salt use, that could be brought to the BOS. P. Amato pointed out that the little guys are being called out. J. Langdell said the town is between a rock and a hard place, these conversations should have been happening years ago when we were notified that these things were coming down and we could have contacted our State representatives that these are impacting affordable housing, but we are beyond that right now.

P. Basiliere said someone needs to make a motion to move this to the BOS or not, or amend it. J. Langdell asked if there is any specificity in the MS-4 language about the 20,000 sf? L. Daley did not recall that. In working with the coalition, 20,000 sf was the standard and with the OUT clause under item 3, there can be waivers on that sf number. P. Amato moved to amend it to 40,000 sf. S. Robinson asked if any towns have challenged the MS-4 requirements? L. Daley answered yes a group of towns got together to challenge it and failed. The criteria for that challenge was for the entire permit towns had issue with. It was for a wide variety of issues. There was no second to the motion. Motion failed.

T. Finan asked if the Planning Board concerns can be brought to the BOS meeting with the recommendation? If there is a change made to the 20,000 sf it could be made at the BOS level. L. Daley indicated this can be tweaked along the way if it is found to be too restrictive or not restrictive enough, it just needs the two hearings, not a town vote, so this can be modified along the way. T. Finan can bring the concerns of the Planning Board members about the 20,000sf with the review of the ordinance at the June 27 BOS meeting, as the first of two public hearings. Tonight, L. Daley is just looking for a recommendation from the Planning Board to present this draft to the BOS for their first public hearing of the Milford Stormwater Regulations. T. Finan moved to recommend that the draft of the Milford Stormwater Regulations be brought to the BOS for the first of two BOS public hearings. P. Basiliere seconded for discussion. *Discussion:* P. Amato said L. Daley will coordinate with T. Philbrick to get this on the June 27 BOS agenda. L. Daley will present to the BOS that the Planning Board raised some concerns. E. Cohen in favor, P. Basiliere in favor, T. Finan in favor, S. Robinson reserved her opinion (abstained); J. Langdell abstained, P. Amato and D. Knott against. Motion passed 3-2-2. L. Daley would like a positive recommendation to bring to the BOS for the draft review. D. Knott said this is just a recommendation that the Planning Board wants the BOS to hold the first hearing but has concerns.

J. Langdell indicated she abstained on that vote because of the square footage concerns, she feels there is insufficient information and she would like further information about the 40,000sf that was put on the table, she would like to look at what other towns have used and the rationale for what they are using, or look at towns outside the coalition areas but of similar size to Milford.

c. CIP Appointments: L. Daley has a list of potential interested parties for the CIP committee, 8 people were suggested on the committee. T. Finan, P. Basiliere and E. Cohen have volunteered as Planning Board members. L. Daley will work with the school superintendent for a School Board representative. J. Langdell suggested putting out an invitation to the community to make it known the CIP Committee is being formed and solicit volunteers for a non-affiliated person or a couple of people in the community; she understand that Chris Labonte is one of them but there should be two. J. Langdell would like to see other people having an opportunity to know that this is out there for volunteers. L. Daley said the first CIP Committee meeting will be in late June so at the next June meeting he will bring forth a revised list. T. Finan asked if the first meeting should get pushed out because of that? L. Daley will stay the course.

J. Langdell suggested that we get the word out on Granite Town Media, on the Town website, on Facebook, etc. but get it out there. L. Daley noted the BOS had a discussion about the CIP process and they expressed a desire to have the CIP process done by October 1, he will do the best he can to make that date. J. Langdell said that historically it has been done in that timeframe; T. Finan added the reason for

that is so the CIP is used in the budget process; the later in the budget cycle the CIP is complete, the more people push it aside. L. Daley understands and will encourage Department Heads to get their requests in place so that the CIP Committee has the information and compiles the list early. Last year Water Utilities got information late in the process so that pushed the process out. J. Langdell said in the past the CIP got drafts out in September so it could be approved by early October. From 2019, 2020, 2021 the pandemic going on so things have been off track.

d. Amherst Regional Impact: Milford is in receipt of a Regional Impact notice from Amherst for a meeting June 21; L. Daley provided background on the request that an application is before the Amherst ZBA for 3 variances for a warehouse with a size of one million sf. Not much more is known about the company to utilize this space, but there are significant parking requirements. L. Daley would like to solicit comments. This is along the Route 101A corridor and would have a traffic impact eastbound and possibly westbound as well. S. Robinson asked what will be in there? D. Knott said they do not know but with one million square feet, there will be a lot of traffic. This will not be just one or two trucks a day. L. Daley said the biggest impact is traffic and the fact that it is located over an aquifer. Milford was notified as one of the abutting towns in the region.

P. Basiliere would hope a traffic analysis would be required. J. Langdell wonders if the intersections on 101A could handle this amount of traffic. P. Amato reminded members tonight is only about the variances requested of the Amherst ZBA, he has no comments on the ZBA variances, but if it goes to the next level, the Planning Board could provide input regarding traffic impact. L. Daley agreed, stating the only issue tonight is the Amherst ZBA regional impact. L. Daley will respond that the Milford Planning Board has no issues or input regarding the requested Variances but will have input if it goes to the Amherst Planning Board.

3. Other Business:

4. **Meeting Minutes:** There were no minutes for review this evening.

5. Upcoming Meetings:

6/21/22 – Public Hearing

6. **Adjournment:** The meeting was adjourned at 8:00 p.m. on a motion by S. Robinson seconded by P. Basiliere.

Date: _____

Signature of the Chairperson/Vice-Chairperson: _____