

MILFORD PLANNING BOARD MINUTES ~ APPROVED
AUGUST 16, 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
Susan Smith, Alternate

Staff:

Lincoln Daley, Comm. Dev. Director (via Zoom)
Darlene Bouffard, Recording Secretary

1. **Call to order:** Chairman Knott called the meeting to order at 6:30 p.m. indicating that tonight is for the public hearing of four new Planning Board applications and one application that was first heard in June 2022. Planning Board members and staff were introduced by D. Knott.

2. **Public Hearings:**

- a) **Case SP2022-05 30 Wilton Road LLC for the property located at Tax Map 6, Lot 14, 30 Wilton Road.** Public Hearing for a Conditional Use Permit/Major Site Plan Application to construct 3-story, 40 foot tall, 13,950 square foot (41,850 square foot gross floor area) self-storage facility and associated parking, site and drainage improvements in the Integrated Commercial Industrial zoning district and West Elm Overlay (tabled 6-21-22).

Jeff Merritt, representing the applicant, wants to go through where the application was left off at the last meeting. The discussion was left off about sidewalks and crosswalks. In this situation for this Site Plan the mid-block crosswalks would not be warranted and are not needed, but the Planning Board would like this to be designed for them so that someday they can get used when they would be needed and it is designed to accommodate it. P. Basiliere would also like it designed with sidewalks to be further extended past this side with sidewalk extension for a future time. This was discussed and the sheets in front of Board members reflect those changes. Sheet 19 shows the changes for the extension of sidewalk; the design shows it going down to the bridge. A note was added on the plan to run things by the town engineer. For this project from Dollar General, the applicant would extend the sidewalk down to a (future) mid-block crosswalk.

Landscaping on the mutual property line-- there are several trees currently on the property line. This plan was agreed to with Lincoln Daley after the last meeting. Instead of shadow trees, it will be evergreen trees. There was also a bio-retention area, street trees and side trees were added with shrubs. A few landscaped beds were also added with flowers. J. Langdell said the gravel road is the easement, she asked where the vehicles will drive in? D. Knott asked where will snow storage be located? J. Merritt responded there is some snow storage on the site. The updated staff report states that we have complied with the requests made at the last Planning Board meeting. Sheet 4 was added and addresses parking on the site. After the last meeting the applicant will show some additional parking and opted to put the spaces on the plan and change the circulation to one-way. Deputy Fire Chief Stanchina sent an email about the Fire truck requirements; J. Merritt said the applicant would need to talk to Milford Fire about that.

D. Knott asked about the 20' requirement for fire trucks. L. Daley said it is unclear to him and that might be an international code requirement. J. Merritt believes it is an NFPA code. P. Amato asked if this building has sprinklers? J. Merritt answered that it does. P. Amato asked if shrubs could be put along the front of the building near the loading zone. E. Cohen asked if

the parking spaces in the back of the building will be removed from the plan to accommodate the Milford Fire Department? J. Merritt said we need to talk to Milford Fire about that. J. Langdell said this requirement just came in because the parking in the back is a change to the plan since the last meeting and this is a new staff member. The applicant is comfortable that parking is not needed except for loading and unloading. L. Daley said if we can resolve this 20' requirement, is the Board okay with removing the parking spaces in the back of the building? By having those spaces in the back, P. Amato said the fire trucks cannot get around back. He would like to have L. Daley work with the Fire Department and applicant to resolve the parking spaces in the back. E. Cohen agreed saying the applicant was very clear that he does not need those space in the back. D. Knott said the Fire Department comment brings in a new variable.

P. Basiliere suggested keeping in mind the four cars an hour (traffic), including employees. D. Knott said if the spaces are being removed out back, there is clear access for fire trucks. J. Merritt said the traffic analysis of four total trips during peak hour is a trip in and a trip out but not all at the same time. The traffic and parking analysis are two different sets of data. P. Basiliere would like to keep two of the 7 parking spaces out back. J. Langdell is okey with getting rid of all 7 spaces. J. Langdell agrees that the applicant knows his business, this is a site plan for land and building. T. Finan said if it comes to getting rid of 7 spaces, he is okey with that. E. Cohen, P. Amato and S. Robinson all agree. Majority of the Board was in agreement with the applicant working with L. Daley and Fire Department on this.

J. Langdell noted there was a comment in the email from R. Stanchina about a fire hydrant, asking if there is one out there? J. Merritt said there is one, but if it is not within 100' they will provide one. P. Amato asked if the Pennstock is an issue with the grading? J. Merritt said they have no concerns with it. P. Amato asked if a note could be added to the plan regarding not allowing outside storage. J. Merritt said they could add a note that so there is no outside storage.

L. Daley asked about the exterior orientation, etc., at the last meeting the Planning Board was comfortable with the design presented. P. Basiliere asked about the comments made at the last meeting about the easement? Will that update be done after the fact? L. Daley said the abutters have access across the property, the gravel road allows for them to access the property. J. Merritt said the applicant has contacted the abutter; the Pennstock runs outside the easement, it is in their hands, they have rights to the gravel easement, it is not a stumbling block. L. Daley agreed. J. Merritt said we talked about the exterior at the last meeting, and that there were two windows, L. Daley wanted two more windows to make it symmetrical. J. Merritt noted the architect did not feel the addition of two windows helped with the architecture. L. Daley recommended that the two windows would break up the expanse of the building. J. Merritt further explained there are four different colors and textures for the exterior and they will mimic what is across the street on the Mill buildings.

P. Amato asked about the sign and if it is on the plan. J. Merritt said the sign on the plan is just a placeholder and they will be using the monument sign that is there now. D. Knott asked for the elevation of this parcel? J. Merritt responded he did not have that available but pointed out the surrounding elevations. D. Knott asked about the tree height, the plans have trees by caliper size, the plan should call out deciduous trees by caliper size and evergreens by height. The height should be no less than 12'. L. Daley will make sure that is changed on the plan. D. Knott is concerned with the height of trees, since it will take many years for the trees to grow and screen the building. J. Langdell noted due to the topography out there, this building will sit above the road and be 40' tall. L. Daley said the Commercial Industrial zone does allow a building of 40' height. For a period of time, residents will notice this building until the trees grow.

Seeing no further comments or questions from the Board, D. Knott opened the public hearing, stating that abutters should state their name and address. Hearing no comments or questions from the public, D. Knott closed the public hearing. L. Daley commented that the applicant has addressed the staff comments and requested the Board to consider a conditional approval.

P. Amato moved to conditionally approve this application with the following conditions: 1) easement is reviewed and approved to include a bus stop; 2) final stormwater and drainage approval by the town engineer; 3) addition of fire hydrant if existing is not within 100'; 4) consult with Milford Fire about parking spaces behind the building (reference MFD e-mail); 5) plantings on eastern side of building; 6) add note: no outside storage of any kind; 7) add plantings table to the plan. J. Langdell seconded. All were in favor. Motion passed.

- b) **Case SD2022-06 Ann & Stephen Page and Jason & Emily Golden, Tax Map 5, Lot 6, 267 North River Road.** Public hearing for a Minor Subdivision application to subdivide the subject lot into two lots within the Residential 'R' District.

D. Knott read the explanation of the application asking for the representative to step forward. J. Langdell moved to accept the application for review. P. Basiliere seconded. All were in favor. J. Langdell moved no potential regional impact. P. Basiliere seconded. All were in favor. Abutters were read into the record by D. Bouffard.

Nate Chamberlin, Fieldstone representing the applicants, presented the plan for the property at the corner of Homestead Circle and North River Road. There is a home on the site and some outbuildings with a seasonal brook from across the street flowing through it. This is for a two-lot subdivision, the owners want to sell the new lot and build a house on it. The concrete pad on the back of the new site was built for pickleball and a temporary screenhouse is currently on top of it. In the staff report it was noted that the concrete pad/screenhouse is a structure and either it gets removed or it goes to the ZBA since the concrete is within the 15' setback. The proposed driveway location is on the plan. A well release form will be submitted to the State and a new septic design will be done for the new lot. No modifications will be done to the existing house. This is in the groundwater protection area. The pickleball court is currently not being used, it is only housing the screenhouse. L. Daley stated the pickleball court is poured concrete and is considered a structure. The applicant representative N. Chamberlin disagrees with this interpretation. L. Daley referred to Camille Pattison, Town Planner (temporary), for her input on the application. C. Pattison stated regarding the groundwater protection district, it is okay as long as no portion of the home will be used to operate a business.

Seeing no further comments or questions on the application, D. Knott opened the meeting to the public, asking that speakers state their name and address for the record. Nichole Ledbetter, abutter 19 Homestead Circle, asked what are her rights in order to keep her privacy? Currently there is a forested setback. P. Amato said there is 30' where nothing can be built between the lots (15' setback on each), it is their land so they can put the driveway right on the property line. J. Langdell said Nichole does not own the property next door, the abutter could have chosen to make that entire lot into a garden, it is the rights of each property owner. You can create screening between the two lots. This is an opportunity to sit down with your neighbor and talk about what could be done. N. Ledbetter is wondering what her rights are as the owner of 19 Homestead with a well, will a new well be added? P. Amato said when Homestead Circle was built, this owner had frontage on North River Road; it was a much larger lot that was subdivided for Homestead Circle. Seeing no further comments or questions from interested parties, D. Knott closed the public hearing.

Janet Langdell reviewed the staff comments, asking about monumentation. N. Chamberlin asked about if the monumentation must be done for both lots, including the existing lot? L. Daley said yes, it is a subdivision, the monumentation should be done for both lots. J. Langdell pointed out that this was the Hutchinson family home at one time so there is history on this lot.

Janet Langdell moved to conditionally approve the plan, pending the applicant address the issue of the pickleball court and structure that is on the (new lot) property and address any outstanding staff comments that have not been addressed. One of the owners asked what if they want to remove the pickleball court (demo it) or what if they want to keep it, what do they do? J. Langdell stated that ZBA relief would have to be requested by the applicant and then come back before the Planning Board to reflect the relief; or just remove it altogether. The owner said he would like to keep the concrete pad that is within the setback. J. Langdell withdrew her motion.

Janet Langdell moved to conditionally approve the subdivision application with the caveat that the applicant either seek relief from the ZBA for the concrete pad / structure (in the setback of the new lot) or take other action to bring that into compliance for the subdivision and address any other items from the staff comments that have not been addressed. P. Amato seconded. All were in favor.

- c) **Case SD2022-07 Ron and Loreen Racicot, Map 10, Lot 14, 21 Old Wilton Road.** Public hearing for a Lot Line Adjustment application to modify the property lines between the subject properties within the Industrial 'I' Zoning District.

AND

- d) **Case SP2022-07 Ron and Loreen Racicot, Map 10, Lot 14, 21 Old Wilton Road.** Public Hearing for a Site Plan Amendment to reestablish the driveway for subject property, eliminate the shared access between the subject lot and Map 10, Lot 14-1, and stormwater design and general site improvements within the Industrial 'I' Zoning District.

D. Knott asked if the two cases for Ron and Loreen Racicot could be presented together and the voting would be done separately for each application? Consensus of the Board was to hear the applications together and have the voting separate for each application.

P. Amato moved to accept Case SD2022-07 for the Lot Line Adjustment for review. J. Langdell seconded. All were in favor. Motion passed. P. Amato moved to accept Case SP2022-07 for the Site Plan Amendment for review. J. Langdell seconded. All were in favor. Motion passed.

J. Langdell moved there is no potential Regional Impact for Case SD2022-07 for the Lot Line Adjustment. P. Basiliere seconded. All were in favor. Motion passed.

J. Langdell moved there is no potential regional impact for Case SP2022-07 for the Site Plan Amendment. P. Basiliere seconded. All were in favor. Motion passed.

Abutters were read into the record by D. Bouffard.

N. Chamberlin, Fieldstone Land Consultants, representing the applicants indicated that in the fall of 2021, the applicants were before the Planning Board with a Subdivision Plan and Site

Plan on Old Wilton Road which were both approved. The applicants would like to modify the lot line to allow for more yard area on the residential lot. Lot 14-10-1 will become a little smaller and Lot 14-10 will be come a little larger. That is about it for the Lot Line Adjustment. J. Langdell asked why is there a turn around area in the packet? N. Chamberlin said they need a lot of room to turn around the large trailers for the business. J. Langdell asked if there was a turn around before tonight? N. Chamberlin said yes there was. J. Langdell asked if the easement is required for the turn around? P. Amato said there are two separate driveways, one for the business and one for the residence. P. Basiliere asked if the residential yard where trucks will be backing up is the play area? N. Chamberlin said it is just a small driveway to assist with backing up. D. Knott said it is going into the yard area. S. Robinson thinks the plan is logical. J. Langdell asked about the driveway for the apartment? N. Chamberlin showed where that is on the plan. P. Basiliere asked if that turn around will be paved. N. Chamberlin said no, the turn around was approved last fall on the site plan. The only thing changing from that plan, is the shared access. The stormwater flow basin has changed and the outdoor storage area will be behind the warehouse. The utilities were corrected for the fire line service. The sewer line was also modified because of the fire line. P. Amato asked about the fence. N. Chamberlin said the chain link fence with vinyl slats and shrubs was approved last fall. There will be 6' arborvitaes along the property line. The lighting plan has not changed.

T. Finan asked about the abutter that had drainage concerns last year. N. Chamberlin indicated that has been addressed. D. Knott asked if there were further comments. L. Daley indicated the Southeast corner bound needs to be set, all other bounds are there; and the draft easements need to be finalized. L. Daley asked if there will be a fence around the turn around area? P. Basiliere feels there should be some sort of prevention to keep kids from going in that back area to play. J. Langdell said we are being asked to approve a public plan that added a business to this area, that without the turn around might not work. E. Cohen said the Lot Line Adjustment is to allow more room to play for the residence, it seems counterproductive. E. Cohen asked if the turn around could be moved further up? N. Chamberlin said that could be looked at. L. Daley asked could it be addressed through signage? An easement is between two property owners and the agreement is to allow another use on their property for a certain use. Camille Pattison said if safety is the biggest concern, could we put up a sign "Child at Play"? N. Chamberlin would prefer to handle this with signage. L. Daley asked if the sprinkler plan was reviewed by Milford Fire? Ron Racicot said it was.

Seeing no further comments or questions from the Board, D. Knott opened the public hearing, asking that persons that speak state their name and address for the record. Nicholas Rowe, Elm Street, said the more open the turn around is, the better. Nicholas Rowe said when backing up a large truck it is easier to do without having bushes, fences, etc. Seeing no further comments or questions from the public, D. Knott closed the public hearing.

P. Amato moved to conditionally approve Case SD2022-07 for the Lot Line Adjustment with staff comments addressed. E. Cohen seconded. All were in favor. Motion passed.

P. Amato moved to conditionally approve Case SP2022-07 for the Site Plan Amendment with all staff comments addressed. E. Cohen seconded. P. Amato was in favor, E. Cohen favor, J. Langdell favor, S. Robinson in favor, T. Finan in favor, D. Knott in favor, with P. Basiliere opposed. Motion passed 6/1/0.

A short break was taken until 8:18 p.m.

- e) **Case SP2022-08 Sooner Transportation, LLC for the property located at Tax Map 12, Lot 11, 754-756 Elm Street.** Public Hearing for a Major Site Plan Application to construct a two-story, 7,200 s.f. auto sales and repair facility with associated parking, stormwater

management/drainage, landscaping, and lighting improvements on the subject property located in the Commercial 'C' Zoning District and West Elm Overlay District. Request for Waivers from the Development Regulations, Section 6.05.4 to allow a reduction of required off-street parking spaces and from Section 6.08.5(B)1 and 6.08.7(A)1 involving required landscaping along the periphery of the property and parking areas/access.

P. Basiliere moved to accept the plan for review. E. Cohen seconded. All were in favor. Motion passed. E. Cohen moved no potential Regional Impact. P. Amato seconded. All were in favor. Motion passed. Abutters were read into the record by D. Bouffard.

Katie Weiss, Land Consultant representing the applicants, with Nick Rowe, Horseless Carriage and Jerry Johnson of Sooner Transportation will present this application. K. Weiss explained this use will be the same as what is out there today, a car sales and repair shop, however the lot itself will be updated. This lot is within the Groundwater Protection District and the West Elm Overlay District. Currently, K. Weiss indicated parking is all around the site. The DOT put in an island on Route 101 a few years ago in this area, it affected the frontage for this lot. The applicant is proposing to move the building to the back of the site so they can remain open during construction. All parking for cars for sale is proposed to be up in the front of site. There will be 46 display spaces for cars on the front portion of the site. An infiltration area for roof water is also proposed on the front of this site. A west side entrance is to the west of the existing island. The dumpster is currently in the setback, so the building will be situated to accommodate the dumpster and snow storage on the site. The large trailer trucks loaded with cars are currently using the Right of Way (ROW) on Route 101 to unload and it is not a safe situation, the applicant is proposing to work with DOT on this. The existing conditions show wetlands, and there will be demo that will be phased since everything will be removed from the site.

P. Amato asked if the business currently has trailers that are not on the property? K. Weiss responded they do. P. Amato said that is not okay. K. Weiss continued the water line needs to be upgraded and the sewer line might stay in the same location but size might need to increase. Electricity will come from across the street and be underground to the building. K. Weiss continued that the lighting plan is included for safety and landscaping on the site. K. Weiss said a waiver for the landscape buffer, they would like to keep the buffer between properties. The outside of building is metal, but no elevations are currently available, we can talk about what the town would like to see. The DOT permit is needed and was mailed in, the town stormwater permit is also needed. There is one comment on the plan that has Manchester and it should be Milford, that will be corrected.

K. Weiss stated the applicant would like to locate the building the back of the site and have display cars in the front of the site. Based on the West End Overlay District, K. Weiss has included a Field Stone / Boulders along the front edge of the building and clapboard siding and awnings over the doors. Colors have not been chosen. K. Weiss spoke with L. Daley about the bus stop and they could work with DOT on that when they talk about the truck unloading in the ROW. L. Daley said that is a good idea, but DOT approval is required for that, so it could be worked into the same discussion. K. Weiss asked about display spaces for cars, the cars will all be facing forward in the lot, and not backing up, only staff will move the cars in and out. P. Amato drove through the lot and there is a lot of stuff there now that would not be put out front. Nick Rowe and Jerry Johnson both spoke up that the materials out back will be disposed of.

P. Basiliere said the West End Overlay District states the building will be in the front of the lot, the Planning Board needs to decide if 50 cars in front and the building in the back is what it wants to see upon entering the West end of Milford. P. Amato also added we need to consider if we want the applicant to squeeze in as many cars as possible on the lot, maybe we could

work with them on that. L. Daley said the West Elm Overlay District “shall” maintain an appropriate street edge, that is a definite. If you look at the current lay out on that area, that is what is being adhered to for other sites.

Nick Rowe, 754 Elm Street, explained that most of those sites have the building in the back of the site. P. Basiliere suggested a sidewalk connector. T. Finan also said this is a much busier site plan in this area than other site plans that have come before the Planning Board. J. Langdell agreed, there is some context that should be taken into consideration. P. Amato thinks an exceptional job has been done with the entrance, it is delineated and the landscaping will add a lot to the road. The building being in the rear of the site is good, in his opinion, but if it is used cards with the 46 displayed in the front there will barely be room to walk around to look at the cars.

Nick Rowe said the cars will be nose to trunk all the way in, with space in between to open doors to take a look. L. Daley agreed the number of vehicles in the front of the site and its impression on the west end of town is questionable; he wants them to look at the circulation on the site and work out something with the adjacent property owner; he wants that to be considered. J. Langdell is surprised the Fire Department did not have more input on this plan. E. Cohen asked if there will be more or less cars than the existing business. Nick Rowe said when the DOT changed the entrance, it affected his sales; this plan will return the space to what they had before the State took their 16’ of frontage. P. Amato noted that the 16’ belonged to the State and you have to operate your business on your own land. J. Langdell wants to know what the DOT thinks about the loading zone in the Right of Way. P. Amato wants the applicant to look at having the trailer truck (loaded) pulling in to the abutting property to unload the cars. L. Daley asked if the utilities will be buried into the building, why not just bury them all underground?

P. Amato stated that he may never be in favor of this many used cars in the front of that site. L. Daley is unsure of the building being on the back of the site. D. Knott does not agree with the building on the rear of the site. J. Langdell might be willing to allow the building in the rear with fewer cars in the front. Nick Rowe said they tried to space the cars like at the grocery stores, but that did not work. D. Knott thinks it is a bad idea to have them one in front of the other. P. Amato asked if there is a maximum number of vehicles allowed on a site, is that regulated? L. Daley will look at that. P. Amato said for parking lots, we have a formula for how many cars are required. P. Basiliere would like a site walk for this application. S. Robinson concurred. We could look at the size of the site, and the loading area. L. Daley said the site walk could be held Tuesday September 6 at 5:30 followed by the Work Session at town hall. L. Daley will post.

J. Langdell moved to continue this application to the next regular Planning Board meeting, 9/20/2022. E. Cohen seconded. All were in favor. Motion passed.

3. Other Business: Planning Board Alternate Candidate – Susan Smith

D. Knott asked Susan Smith why she is interested in serving on the Planning Board. S. Smith answered she has been volunteering on various boards including the School Board Advisory Committee, PTO, and Granite Town Media where she saw the announcement that Planning Board was looking for members. Susan feels she can bring some perspective to the Board regarding growth and also respecting the town history and character. She has attended several Planning Board meetings and will listen a lot to learn. J. Langdell moved to nominate Susan Smith as an Alternate to the Planning Board as soon as is practical. P. Amato seconded. All were in favor. L. Daley said he believes this will be before the Board of Selectmen September 12.

4. Meeting Minutes:

T. Finan moved to approve the minutes of July 19, 2022 as presented. E. Cohen seconded. All were in favor. Motion passed.

T. Finan moved to approve the minutes of August 2, 2022 as presented. P. Amato seconded. T. Finan, E. Cohen, S. Robinson, P. Amato, J. Langdell were in favor, with D. Knott and P. Basiliere abstaining. Motion passed 4/0/2.

5. Upcoming Meetings:

9/6/22 – Site Walk 754 Elm Street followed by Planning Board Work Session

9/20/22 – Planning Board Public Meeting

6. Adjournment. The meeting was adjourned at 9:30 p.m. on a motion made by J. Langdell and seconded by S. Robinson. All were in favor. Motion passed.

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

The Planning Board minutes of 8-16-22 were approved 9-20-22