

1 MILFORD PLANNING BOARD MEETING MINUTES

2 June 16, 2020 Via Zoom, 6:30 PM

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4 **Members Present:**

5 Doug Knott, Chairman

6 Tim Finan, Vice Chairman

7 Janet Langdell, Member

8 Paul Amato, Member

9 Laura Dudziak, Selectmen's Rep

10 Pete Basiliere, Member

Staff:

Kellie Walsh, Planner

Darlene Bouffard, Recording Secretary

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12 **EXCUSED:**

13 Susan Robinson, Member (arrived late)

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18 **1. Call to order:**

19 D. Knott called the meeting to order at 6:30 p.m. D. Knott read the Telephone Conference Preamble as follows:

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

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

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

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

36 *Please note that all votes that are taken during this meeting must and will be done by Roll Call Vote.*
37 *Let's start the meeting by taking a Roll Call attendance. When each member states their name, also*
38 *please state whether there is anyone in the room with you during this meeting, which is required under*
39 *the Right-to-Know Law.*

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41 Members and staff were polled individually: J. Langdell at her home in the room alone; P. Amato was at his
42 home in the room alone; T. Finan was at his home in the room alone with his dog; L. Dudziak was at her
43 home in the room alone, P. Basiliere was at his home in the room alone; D. Knott was in Community
44 Development alone; K. Walsh was in Community Development alone.

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

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48 a. **Michael R. & Heather M. Ciardelli Revocable Trust and Andrew & Kelly Ciardelli Wyand**
49 **Trustees (owners/applicants)** – Review for acceptance and consideration of final approval for a lot line
50 adjustment between two existing lots. The parcels are located at 29 Wyman Lane and an unnumbered lot
51 on Wyman Lane in the Residence R District., Tax Map 54, Lot 2-1 and 2-2. Waiver request from the
52 Milford Development Regulations, Article V; Section 5.06.K. Submittal requirement for lot line
53 adjustment delineation of all wetlands and wetland buffers and Section 5.06.L delineation of slopes over
54 twenty-five percent.
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P. Amato moved to accept the application for review. J. Langdell seconded. A poll was taken: T. Finan aye; P. Basiliere aye; P. Amato aye; J. Langdell aye, D. Knott aye. T. Finan moved there is no potential regional impact. J. Langdell seconded. A poll was taken: T. Finan aye; P. Basiliere aye; P. Amato aye; J. Langdell aye, D. Knott aye. T. Finan asked how close to Town Land this lot is? A. Ciardelli explained he is one of the applicants and explained there is no part of the parcel that touches Town Land. A. Ciardelli explained the town land is at least one lot away to the north and another lot is also owned by the revocable trust as well. D. Knott took a poll that the Board understands: P. Amato aye; P. Basiliere aye; T. Finan aye; J. Langdell aye; D. Knott aye. Motion passed.

M. Ploof, Fieldstone Representative, indicated this Lot Line Adjustment (LLA) is for Lot 29 Wyman Lane (Lot 54/2-2) so that Andrew and Kelly Ciardelli, who have 3.18 acres can add acreage taken from (Lot 54/2-1) owned by Michael & Heather Ciardelli which is currently vacant. Acreage is being taken from Lot A and being added to Lot B, due to an access easement for Lot 2-1 which will be extinguished and a new proposed easement will be for the benefit of Lot B. There are no improvements with this application. Two waivers are requested for 5.06K for delineation of wetlands and 5.06L for delineation of 5% slopes. There is no new development with this application and it is so small that a financial impact would be realized for those actions, so a waiver is requested for the two items. M. Ploof asked if there were any questions.

J. Langdell asked if there are any abutters present? K. Walsh thought that with the pandemic the abutters were not to be read. J. Langdell feels they should at least be read but a response is not necessary. D. Knott said there is nobody in the waiting room to speak and in the future the abutters can be read at the beginning with the preamble. L. Dudziak asked if the Milford Conservation Commission sent any comments? K. Walsh received something today stating that MCC has no issues. A. Ciardelli read the abutters for this property. P. Amato moved to grant the two waiver requests. J. Langdell seconded. D. Knott took a poll: J. Langdell aye, P. Amato aye; T. Finan aye, P. Basiliere aye, L. Dudziak aye; D. Knott aye. Motion passed unanimously. K. Walsh indicated that S. Robinson was trying to get in but being unsuccessful she is no longer on the call. There were no further questions or comments.

D. Knott opened the discussions to the public, asking those people that wish to speak to please state their name and address for the record. K. Walsh indicated there were no people in the waiting room to speak. K. Walsh had comments to add to the plan and asked that M. Ploof address those. M. Ploof indicated the driveway would meet all of the requirements; but we are not putting in a driveway. K. Walsh asked that her comment be disregarded. M Ploof continued addressing the comments – monummentation will be set in accordance with the town regulations; the Note 3 to add waiver requests and use number 5 which is more clear. K. Walsh said number 5 should be used which addresses both note 4 and 5. M. Ploof said yes, if you put that this is not a buildable lot on the plan, but other avenues can be used to have it be a buildable lot so the note should not be used. K. Walsh is okay with not using the note, all members concurred. Notes 1 and 4 will be removed. P. Amato moved to grant conditional approval on the LLA with conditions that notes 1 and 4 be removed. T. Finan seconded. D. Knott took a poll: P. Basiliere aye; P. Amato aye; J. Langdell aye; T. Finan aye; L. Dudziak aye; D. Knott aye. Motion passed unanimously.

- b. Hendrix Wire & Cable (owners) and DBA Marmon Utilities LLC (applicant)** –Review for acceptance and consideration of final approval for a site plan to construct a 32,924 square foot concrete pad to be utilized as an outdoor storage area for manufactured products along with associated site improvements. The parcel is located at 53 Old Wilton Road in the Industrial District and West Elm Street Gateway District. Tax Map 14, Lot 8.

T. Finan moved to accept the application for review. P. Amato seconded. D. Knott took a poll: L. Dudziak aye; P. Basiliere aye; P. Amato aye; J. Langdell aye; T. Finan aye; D. Knott aye. Motion passed unanimously. P. Amato moved there is no potential regional impact. L. Dudziak seconded. D. Knott took a poll: L. Dudziak aye; P. Basiliere aye; P. Amato aye; J. Langdell aye; T. Finan aye; D. Knott aye. Motion passed unanimously.

Kevin Anderson with Meridian Land Services representing the applicant were present as well as Kevin Boette of Marmon Utilities. K. Boette explained the proposal of this is for storage of large spools. This

is not an expansion of use. There is no additional parking. A ZBA Variance has been granted for Open Space requirements being changed from 30% to 27%. KV Partners is doing the storm water, test pits and the land berm design. The concrete pad being proposed will be shielded from Old Wilton Road by a berm and will be sloped for water runoff. There is a substantial berm on the site currently, we will use as many existing shrubs as we can. Shrubs will be used in the new berm but it is felt the larger trees are too big to move.

Kevin Boette said the low branches of the existing tree would get significant damage if moved. Kevin Anderson explained a forklift traffic study at the facility was conducted and it was determined that there is one significant intersection on the site that creates a safety hazard. The forklift was traveling by other work stations causing a hazard with spools that weigh 10-12,000 pounds. Hendrix is trying to minimize the forklift travel through the site. T. Finan asked where is the current berm. Kevin Boette explained the current berm and that will be swung toward the road, so that the trees are along the road. The berm along the road will stay. P. Amato asked if that is the current snow storage area? Kevin Anderson responded that it is. P. Amato asked where the snow will then be stored? Kevin Anderson responded the snow will be removed from the site. P. Amato asked if the landscape berm will be screened so the spools will not be seen? Kevin Anderson said they will add some additional trees or shrubs to fill in any openings. Kevin Boette indicated the property is well taken care of and we intend to continue with that. Kevin Anderson indicated the elevation of the slab will be 4' lower than the road. D. Knott asked if the ZBA variance was asking for a 3% break on the open space calculation? Kevin Anderson said yes and it was granted. D. Knott asked how they will keep the landscaping density with what is existing? Kevin Anderson responded they will relocate what is there and emulate what exists there now.

P. Amato asked if the loam in the pad area will be pulled from the existing berm? J. Langdell asked what is needed for documentation of this? Kellie Walsh asked if she is referring to landscaping? J. Langdell said if we make it a condition of approval and it will be stated that the landscaping and density will emulate what is already existing, how is that documented? P. Amato said if they have to plant new things, they should find the same age trees. K. Walsh's recommendation is to continue existing landscaping. P. Amato asked if the berm will be landscaped on the west side? Kevin said there are utilities that are there and a storm basin in that area, there is no space to get a buffer over there. P. Amato asked if some trees could be planted over there? Kevin Boette said the main utilities come in there, trees growing under the utilities is never good. P. Amato said there should be a note on the plan that there is a lack of snow storage and it will have to be removed from the site. Kevin Anderson agrees with that.

P. Basiliere said the work area limits on page SP1 includes the detention basin. Kevin Anderson said that is the construction plan only. P. Basiliere asked what materials will be stored on the concrete pad? Kevin Anderson responded incoming reels and finished product. P. Basiliere has no problem with the materials but what happens if chemicals are ever stored there? Kevin Anderson said they cannot store chemicals outside. D. Knott describe how big of an impact it is if chemicals were stored outside? Kevin Boette indicated they have three chemical storage certifications, hazard technicians on staff and a designated hazardous waste area in the plant, it quite a process for any of that; we do not have any hazardous chemicals on site; our process only uses lubrication. Kellie Walsh asked if the pad needs to be sanded or plowed in winter? Kevin Anderson responded yes, it will follow standard outdoor maintenance in NH. D. Knott indicated that will add to the chloride in the area but is necessary for the safety of the area. Seeing no further questions or comments from the Board, D. Knott opened up the hearing to the public. K. Walsh saw no people waiting to speak. D. Knott closed the public hearing.

P. Amato asked if there will be a professional landscaping plan, noting the site will look different if they do not supplement what is already there. J. Langdell wants the density to be the same as the existing. D. Knott said they can add newer plantings to add to the density but he wants it to be defined a little bit more. P. Amato asked the Board if that can be brought in for staff to review to meet the conditions? D. Knott feels that staff can review it in order for it to meet the conditions. P. Amato asked why a landscape plan was not done? Kevin Anderson said it might have been beneficial for this meeting to have a landscaping plan but the intent is fully to use the existing landscaping. D. Knott said that is fine but it is not well defined so we do not know if it meets the regulation. Kevin Anderson can prepare a plan of what will be along the berm and what will be added if needed, is that something the staff can review or do we

need to come back to the Planning Board? P. Amato responded that the landscaping that exists needs to be counted and what you will supplement needs to be included, then Kellie Walsh can take a look and review. Kevin Anderson said it might be less expensive to start over but we want to use what is there now.

D. Knott asked if a verbal description could be done and how they will be spaced and whatever else will be supplemented. Kevin Boette likes how J. Langdell identified it using the existing landscape with the same density that exists. D. Knott said the Board needs to have something quantifiable, not something that looks the same but to another person, it does not. J. Langdell asked if we can have Kellie Walsh go out with Kevin Boette to look. Kevin Anderson did point out that the species are defined on the plan (shrubs). D. Knott said the trees are too large to move. Kevin Anderson said the trees are on the lawn and will not be part of the berm, the intent is for the shrubs to be part of the berm. Kellie Walsh read the language on the plan "proper landscape berm to be consistent in density and plant type and size." Kevin Anderson said it comes down to density – relocate the existing shrubs but not reduce the density and fill in with shrubs that will be a smaller size. D. Knott asked how the landscaping will be determined? Kevin Boette will go to the site with Kellie Walsh to identify what is being re-located and what plants and what sizes will be added to supplement. D. Knott hopes they will continue the nice look that is there now. P. Amato thinks this will be an improvement. P. Basiliere noted that the owner across Elm Street had to do a narrative for their landscaping. S. Robinson and L. Dudziak were okay with the discussion.

J Langdell moved to approve the plan conditionally with the condition that the proposed landscaping berm be consistent in density and plant type and size as the existing at time of Planning Board approval and the Town Planner will meet with Kevin Boette to identify which plants will be moved and new plants will be identified by name and size on the plan. P. Amato seconded. P. Basiliere asked if Marmon Utilities can move forward after tonight's meeting. J. Langdell responded yes they can. D. Knott took a poll: P. Basiliere aye, J. Langdell aye; L. Dudziak aye; T. Finan aye; P. Amato aye; D Knott aye. Motion passed unanimously.

3. Minutes -

P. Basiliere moved to approve the minutes of April 21, 2020 as presented. T. Finan seconded. D. Knott took a poll: T. Finan, aye; P. Amato, aye; J. Langdell, aye, P. Basiliere aye; L. Dudziak abstained; D. Knott aye. Motion passed unanimously.

P. Amato moved to approve the minutes of May 19, 2020 as presented. J. Langdell seconded. D. Knott took a poll: T. Finan, aye; P. Amato, aye; J. Langdell, aye; Pete Basiliere, aye; L. Dudziak aye; D. Knott aye. Motion passed unanimously.

4. Discussion / possible action regarding other items of concern- K. Walsh asked who will be a member of CIP? J. Langdell indicated the CIP is a document that comes forward from the Planning Board. P. Basiliere and T. Finan were nominated to be members of the 2020 CIP. All members concurred. K. Walsh indicated that Lincoln Daley is getting ready to have an overview of CIP for the July 7 Planning Board work session.

K. Walsh explained the NH Stay At Home guidelines have changed, however the Town Hall has not changed how it is functioning since this started, so Planning Board will continue with virtual meetings until things change. J. Langdell asked why we are not reading abutters into the record? K. Walsh answered that because of the way Zoom functions it would complicate the program to have abutters indicate they are here. When D. Knott opens the meeting to the public portion, abutters are invited to speak first. J. Langdell suggested asking up front if any abutters are there. K. Walsh said that is fine, however the Planning Boards wants to handle it.

D. Knott feels we should read the abutters into the record. P. Basiliere agreed. D. Knott added there has to be a point where we will return to as much normal as possible so we could start moving back toward that. P. Basiliere thinks just read the list of abutters, not ask for a response. D. Knott agreed he can read the abutters off and when the public portion comes up he will ask them to identify themselves and their address in order to speak. J. Langdell said the ZBA has the applicant on Zoom but abutters are invited to speak first but not on video. K. Walsh will check the Governors order on that. T. Finan said the Right-To-Know law says all

parties have to be heard, it does not say on video. K. Walsh agreed stating you have to be able to listen and participate as an abutter but she will check the order again.

- 5. Adjournment.** The meeting was adjourned at 7:50 p.m. on a motion made by P. Amato and seconded by P. Basiliere. D. Knott took a poll: T. Finan, aye; P. Amato, aye; J. Langdell, aye; P. Basiliere aye; L Dudziak aye; D. Knott aye. Motion passed unanimously.

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

MINUTES OF THE 6/16/2020 MEETING WERE APPROVED JULY 21, 2020