

1 MILFORD PLANNING BOARD MINUTES ~ APPROVED

2 MAY 17, 2022 Board of Selectmen Meeting Room, 6:30 PM

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4 **Members Present:**

5 Doug Knott, Chairman

6 Tim Finan, Selectmen's Rep

7 Pete Basiliere, Member

8 Elaine Cohen, Member

9 Paul Amato, Member

10 Janet Langdell, Vice Chairman

11 Susan Robinson, Member

**Staff:**

Lincoln Daley, Comm. Dev. Director (via Zoom)

Darlene Bouffard, Recording Secretary (via Zoom)

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

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17 **1. Call to order:** Chairman Knott called the meeting to order at 6:30 p.m. indicating that tonight is for the  
18 public hearing of four Planning Board applications. Planning Board members and staff were introduced  
19 by D. Knott.

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21 **2. Public Hearing:**

- 22  
23 a) **Case SD2022-04 Amherst Label Realty, LLC, Tax Map 15, Lot 15, 15 Westchester Drive and C-**  
24 **TEK, LLC, Tax Map 15, Lot 15-1, 79 Old Wilton Road.** Public hearing for a Lot Line Adjustment  
25 application to modify the property lines between the subject properties within the Industrial zoning  
26 district.

- 27 b) **Case SP2022-03 Amherst Label Realty, LLC, Tax Map 15, Lot 15, 15 Westchester Drive.** Public  
28 Hearing for a Major Site Plan to construct a 13,305 square foot building addition, stormwater  
29 management design, and related site and landscaping improvements within the Industrial zoning  
30 district. Request for Waiver from Development Regulations, Section 6.05.4 to allow a reduction of  
31 required off-street parking.

32 P. Amato moved to accept the applications for the Lot Line Adjustment and the Major Site Plan in the  
33 Industrial Zoning District for Amherst Label Realty LLC. E. Cohen seconded. All were in favor  
34 of the motion. Motion passed. J. Langdell requested that the abutters for both applications for  
35 Amherst Label be read only once.

36 J. Langdell moved no potential regional impact on these applications. P. Basiliere seconded. All  
37 were in favor. Motion passed. L. Daley read the abutters list for both applications.

38 Sam Foisie, Meridian Land Services representing the applicants, asked if it would be possible to  
39 present both applications together and then vote on them separately? Consensus was that the  
40 presentations be done together with motions separate. S. Foisie explained the location is off  
41 Westchester Drive. The lot is 6.6 acres with a project area of 4 acres. The existing use is 30,000  
42 square feet of manufacturing and warehouse with offices. There is town water and sewer; electricity  
43 and natural gas. This borders two wetlands. The goal is to expand the business in order to stay in  
44 Milford. This expansion is 12,500 square feet of internal space and additional expansion near the  
45 front. A portion of the existing building will be demolished. Amherst Label needs more room for  
46 manufacturing and for storage. They have a warehouse in Massachusetts, which charges sales tax, so  
47 they want to move inventory to this location. The LLA is from the Elite Hydraulics site, which will  
48 straighten out the property line. The acreage is 2400 sf being added to Amherst Label lot. The LLA  
49 impacts two wetlands and buffers. The ZBA did grant the Special Exception on April 21, 2022, Case  
50 2022-05. A waiver from off-street parking has been requested to reduce the impact area for parking.  
51 The site does not have Stormwater Management, it goes into Tucker Pond and all gets captured in a  
52 swale or goes into a ditch by the Railroad tracks. The drainage technically will be re-configured and  
53 go to an infiltration basin. The topography of the land affects the drainage.

D. Knott asked about the portion of the site requiring Special Exception. S. Foisie explained the water flow. Staff provided the new stormwater regulations and the DOT regulations so that the applicant has engineered a system with a greater water quality standard than the old requirements. KV Partners has provided their comments and the applicant has responded. One of the areas that KV Partners recommended was an area where test pits were done and it was found to be in the flood plain. The other area recommended was close to the property line and that would have required a berm and would have negatively affected the site. This is a relatively flat site.

S. Foisie said the site meets the landscaping requirements based on the existing requirements and Amherst Label takes pride in its landscaping. Taking the staff recommendations, they have added back in the landscaping that was removed from the parking area and trees were added to replace the trees that were removed. The added parking does not meet the parking requirement. The applicant requested a waiver for the parking requirements. They will have about 45 employees per shift and there is potential for 10 part time employees. There has not been an issue with the parking since the original building was built. The applicant does not feel the additional spaces will be needed and it also reduces the impervious area. Amherst Label wants to get rid of their warehouse in Massachusetts. This project gives Amherst Label the building size it needs and it keeps them in Milford; it provides stormwater needs and this will be good for Milford.

P. Basiliere asked about the employee shifts, about 45 employees per day, is that only first shift? S. Foisie said that is for two shifts. P. Basiliere asked where the water from the roof will go? S. Foisie answered it will go into the swale. It sits on the turf and is collected. J. Langdell asked if the Lot Line Adjustment (LLA) comments from the Conservation Commission were provided to the applicant? S. Foisie said they have not received that, but the treatment swale is on the Amherst Label property, the berm will collect the run off and the berm cannot be extended anymore; the topography causes it to go the other way. D. Knott noted that is shown on page LS-1. S. Foisie indicated snow will be stored on site for a period of time and then get moved to the west of the site which is a higher point. D. Knott asked if there is much space on the south side? As the snow melts, it will run towards the berm and drainage swale. D. Knott knows why Conservation suggests storing the snow on the east side and he understands that is not convenient for the business. Where the snow is identified on the plan will allow it to melt and go toward Tucker Brook. J. Langdell thinks that is why the Conservation Commission recommended having the snow as far away from Tucker Brook as possible. S. Foisie responded the snow practices will remain the same as they have been. D. Knott just is pointing out that it will melt and end up in Tucker Brook. P. Amato asked will it be any worse than it is now? D. Knott said no. P. Amato said it will help keep everything else out of Tucker Brook. D. Knott does appreciate the efforts being done for water quality, but with the snow is not improving anything. One way to reduce the amount of salt used is to scrape pavement with metal and not rubber.

E. Cohen asked if roof solar panels will be used to mitigate the snow accumulation? S. Foisie said that is already being done and could expand if they want. D. Knott asked if staff had anything to add? P. Basiliere asked if there are doors to the building, since the plan shows none. S. Foisie pointed out the existing doors and noted the addition will also have doors, but they are not on a plan at this level, that would be on the building permit. P. Basiliere thinks the doors should be on the plan at this level. S. Foisie said he will add the doors to the final plan. If J. Langdell were an abutter on a residential property next to this renovation, she would be more concerned with that.

J. Langdell indicated there are 3 staff comments for the Lot Line Adjustment, asking if those were addressed? S. Foisie responded those were responded to, and on Friday the revised plans were dropped off. L. Daley said he is all set with the LLA. Conservation Coordinator Chris Costantino was also present but had no further comments. Seeing no further comments from the Board or staff, D. Knott opened the public hearing. Seeing no comments, the public hearing was closed.

P. Amato moved to approve the Lot Line Adjustment, SD2022-04 as long as the 3 staff comments have been addressed. E. Cohen seconded. All were in favor. Motion passed.

Regarding the LLA, S. Foisie commented that the applicant would like the bounds to be set at the time of CO issuance and not prior to CO, so that it is done when construction is complete. J. Langdell said the letter for waiver, do we have the actual form for waiver request and is it signed by the applicant? L. Daley responded that we do have that. J. Langdell moved to approve the waiver required for reduced parking. P. Basiliere seconded. All were in favor. Motion passed.

L. Daley commented that the engineering did a good job on this Site Plan. P. Amato moved to conditionally approve the Site Plan application SP2022-03 for the Amherst Label renovation. T. Finan seconded. P. Basiliere would like to see that the doors will be added to the plan and the architectural. J. Langdell feels that the doors will be appropriately placed. S. Foisie asked that the conditions for approval be included. P. Amato indicated the doors should be taken care of at the Building Permit process, not on the Site Plan. If they do not meet code they will not receive a Building Permit. J. Langdell said with the information we have been given, she does not want to hold this up because of doors not being on the plan. S. Robinson and E. Cohen agreed; T. Finan agrees staff could ask for that on the Site Plan applications in the future. D. Knott said it should have been on the plan, the Board is confident that it will be done to meet code and included on the Building Permit. All were in favor of the motion. Motion passed.

- c) **Case SP2022-04 Chappell Properties, LLC and Kent Chappell, Tax Map 48 Lot 10, 468 NH Rte 13 South.** Public Hearing for a Conditional Use Permit/Major Site Plan Application to expand the existing self-storage facility by constructing 6 new structures totaling approximately 27,700 square feet and associated site and drainage improvements in the Integrated Commercial Industrial zoning District.

S. Robinson moved to accept the application for review. P. Amato seconded. All were in favor. Motion passed. J. Langdell moved no potential regional impact associated with this application. P. Basiliere seconded. All were in favor. Abutters were read into the record by L. Daley.

N. Chamberlain, Fieldstone Land Design, representing the applicant, explained the plan for the two climate controlled storage facilities and professional building. One of the storage buildings is 2-stories, the other is one story, these will have a low pitch roof. P. Amato asked if there are two different styles? N. Chamberlain said that is correct; these units will be built into the hill; there is a 14' grade change, with a closed drainage system, the curbing on the outside will catch drainage. A drainage report was submitted with the application and will meet all State requirements. Most of this will not be visible from NH Route 13, the lighting is for security only and power will be underground and only for lighting.

A member of the Planning Board asked if any businesses will be able to run out of the storage units? L. Daley indicated the new ordinance restricts any kind of business being run out of these self-storage units; he also noted these units will not be visible from the road and have no electricity other than climate control. S. Robinson asked what people store in a climate controlled unit? Kent Chappell, owner, responded there are many items being stored in a climate controlled units. J. Langdell asked if these units have separate rooms or solid walls? K. Chappell explained there will be roll up doors and will look nice. N. Chamberlain explained the snow storage has been discussed, a Conditional Use Permit (CUP) is required. P. Amato asked about an Alteration of Terrain (AoT). N. Chamberlain said that does not get done until after Site Plan approval. D. Knott asked about a site walk? P. Amato said they are just meeting their open space requirement, has L. Daley checked those numbers? L. Daley said the town relies on the numbers provided by the applicant who provided a stamped plan. N. Chamberlain said there is ample green space on this lot. P. Amato indicated it looks like there is more than what you have. J. Langdell thinks there might be less. N. Chamberlain has not run the calculations. P. Amato does not see any value to a site walk for this application. P. Basiliere does not know if it is necessary. T. Finan asked if there is a steep slope on the backside? P. Amato said there is a turn around there.

Kent Chappell said in the existing two-story building, Chappell uses the basement; the basement in this building will most likely be used for them as well. D. Knott asked if members are interested in a site walk? Consensus was that a site walk is not necessary. P. Amato said the open space

calculations can be worked out with staff, working with L. Daley. J. Langdell asked if the Board would like to know that answer for the next regular Planning Board meeting. P. Amato asked if this area is salted? Kent Chappell answered it is sanded. P. Basiliere asked if the 2-story building is 6000 square feet? N. Chamberlain said the floor space is 12,000 SF, and the square footage of the building is 6000 SF. P. Basiliere asked if someone drives in the parking area with a trailer, can they turn around? It will be tight. P. Amato agreed that might need adjustment. K. Chappell said that can be looked at.

D. Knott opened the public portion of the meeting, asking that all speakers first state their name and address. Dave Palance, Maple Street Milford, asked about the controlled climate storage building, where are the air conditioner(s) and condensers? K. Chappell said they will be one at each end. N. Chamberlain said he can add those to the plan. L. Daley asked about parking, the aisle between the buildings is okay; he asked what is the 4' kneewall? N. Chamberlain said it will be in the hill side, it is on the plan there is just no detail. On Sheet 3 of 8, L. Daley asked what is the dark shaded line? N. Chamberlain answered it is the foundation. L. Daley said it should be on the plan detail. L. Daley asked what detail will be on the easement? N. Chamberlain responded the access for the turn around. L. Daley asked if that has been used for run off electricity? N. Chamberlain said it has. L. Daley asked if they will improve an existing condition? A copy of the easement will need to be provided for the town records; the two existing units have a lot of things stored outside on the property, and the landscaping needs a little improvement. Because of the visual impact of this development, L. Daley said there is opportunity to install a few more trees to help mitigate the view from Route 13S. D. Knott asked for specifics for that request. L. Daley said just a few trees about 30' behind the telephone poles, 2.5-3' caliper tree size. N. Chamberlain responded that will be added to the plan. D. Knott closed the public hearing.

J. Langdell asked if there is a running list of items that need to be put in the motion? The list is as follows:

1-Power for units climate control-add to the plan; 2-retaining wall detail-add to the plan; 3-CUP is conditioned on AoT approval from the State and finalized town stormwater and drainage plans; 4-staff has requested a Draft of easements; 5-applicant will reconsider the size of the 100' x 30' building for better safety; 6-applicant to work with Planning and Conservation staff on final landscaping, choice of plantings and 2-3 additional trees along the roadway frontage; 7-open space calculation and verification (only if staff does not agree with applicant figures). J. Langdell asked for a report back on the open space at the next regular meeting.

N. Chamberlain responded about the AoT requiring the approval of the CUP prior. J. Langdell indicated before anything is done out there, an approved AoT should be in place.

J. Langdell moved to approve the Conditional Use Permit (CUP) and Major Site Plan with the conditions as listed. P. Basiliere seconded. All were in favor. Motion passed.

- d) Case SD2022-05 Brookstone Manor, LLC, Tax Map 19, Lot 25-9, 135 Elm Street and Town of Milford, Tax Map 19, Lot 10, 127 Elm Street.** Public hearing for a Lot Line Adjustment application to modify the property lines between the subject properties within the Commercial zoning district

D. Knott read the application information. J. Langdell indicated she will recuse herself as she is an abutter. P. Amato moved to accept the application for review. P. Basiliere seconded. All were in favor. Motion passed. P. Basiliere moved no potential regional impact associated with this application. E. Cohen seconded. All were in favor. Motion passed. The abutters list was read by L. Daley.

Mike Ploof, Fieldstone Land Consultants, representing the applicants explained the application is for a Lot Line Adjustment (LLA) to subtract from Lot 19-25-9 and add it to the Town of Milford lot. The purpose of this is to allow a dog park to be on the back portion of Parcel A (Town Lot). It is a straightforward LLA and he can answer questions on the application. There was a variance already

approved by the ZBA on 5/5/22 for density. L. Daley explained it will still be a conforming lot, the variance is to allow Brookstone to exceed the allowed density. There will be a deed restriction for a dog park, passive recreation and trails, it is for recreational use. P. Basiliere asked what is that little strip of land on the plan? Mike Ploof explained that has been there since 1984. J. Langdell said there is a house in front owned by a separate entity who was not willing to sell. P. Basiliere asked the tax value that will come off the tax rolls? L. Daley said it is \$10,000 annually. P. Basiliere said the deed will be for a dog park and trails, what happens if the dog park is not used? L. Daley responded in 2014 there was a study done for trail connectivity in town. The thought has always been for using this land for passive recreational uses. There are some sewer easements out there so that that area cannot be used for certain other activities. This is a desired use that has gone through an exhaustive process. The deed will be restrictive. P. Basiliere does not think the deed should be that restrictive. P. Amato said that land is very wet out there. L. Daley said the dog park association is funding the construction and maintenance would be done by DPW on a scheduled basis. Tonight should focus only on the LLA.

P. Basiliere asked if Brookstone approached the town about this property? Could this be used for other recreational purposes such as fields? L. Daley said through a multi-year process the town came up with 9 properties (for a dog park) and narrowed it down to 3 properties; this being the number one choice at which point the town reached out to Brookstone to talk. This is mutually beneficial for both parties. Pam Torsiello, Brookstone Manor representative, indicated that Brookstone has been working with the town for a while on how to make this happen. It is a great benefit for both parties, it is a wetland that cannot be used for anything else. L. Daley asked if Recreation Director Arene Berry wanted to speak on this. J. Langdell said back when the 127 Elm Street property purchase was talked about, the Town Administrator (at that time) was talking about the area behind 127 Elm St. and that it would make a good use as something. This is not a new idea and it is great to see this coming through. Arene Berry, Recreation Director, said the town can always use more fields but this is not a good location for fields because of the wetlands and accessibility. This is a good location (for a dog park). P. Basiliere is concerned that the deed will restrict the use of this land. D. Knott said that is not a Planning Board decision.

Seeing no further comments or questions from the Board, D. Knott opened the meeting to the public. Beth McDermott, attorney representing Brookstone Manor, said the deed will include restrictive language; a dog park is an example of a low intensity use, but that does not rule out other passive uses which will be finalized before this goes to the Board of Selectmen. E. Cohen asked will this be a dog park with agility courses, or will it just be a field for running around? Zach Williamson, Dog Park Organizer explained this will have a one acre fenced in area for large dogs and for smaller dogs and will come to the Planning Board with a Site Plan including all the details.

P. Amato moved to approve the Lot Lint Adjustment. E. Cohen seconded. All were in favor. Motion passed. J. Langdell stepped back up on the Planning Board.

### 3. Other Business:

L. Daley explained that Tony DeCosta is present this evening regarding the Site plan for Milford Family Dental and the changes that were made during construction. D. Knott said this parcel is in the West Elm Overlay District and it seems like there were some changes done in the field that were more than just minor changes. Tony DeCosta explained that a PVC fence will be installed to block the condensers on the Elm Street side of the building; the landscaping plan has growth also that will get to 4'; there were some adjustments from the Site Plan. P. Amato asked if the ugly "roofs" currently over the condensers will come down? Tony DeCosta responded yes, those were just temporary and will be replaced with a better quality roof. Marcey LaBonte, Milford Family Dental Manager, noted the fence will not completely cover the condensers traveling West on 101A but the fence could block the window that is on the building. S. Robinson suggested having lilac plantings to provide some growth along the fence that is attractive.

P. Basiliere indicated the mini-split systems were not supposed to be there, they could have been plumbed to the back of the building. T. DeCosta said they are exterior units and in the back there are units for the old portion of the building. There are also sidewalks on the backside of the building. The lines cannot be too long or they will not work properly. P. Basiliere said we are looking for a way to mitigate what is there which should not have been there. D. Knott indicated there was no communication back to the town of these units being put in, and they were not on the Site Plan. T. DeCosta said this was a decision made on the spot, the units could not be put in the back of the building. P. Amato said there were condenser units outside for a long time and they did not look like this. The mechanical engineer is not aware that the town has restrictions in the West End Overlay district. D. Knott said it appears to be a major change to the Site Plan that the town was not made aware of.

L. Daley also explained this is also an opportunity to talk with staff that should this arise in the future, the changes might require additional approval. P. Amato said the Building Inspector is out there and could have been provided the information about the change. L. Daley said that sometimes in the field changes do not seem as large. Let's have the fence put up and then add some plantings to break up the line of sight. T. DeCosta said the roof will come down by the end of this week. The fence depends on availability. J. Langdell said it would be nice to get this done in the next couple months depending on availability. L. Daley requested a site plan be provided for the town records.

#### 4. Meeting Minutes:

P. Basiliere moved to approve the minutes of April 19, 2022 as amended at the last meeting. E. Cohen seconded. All were in favor. Motion passed.

#### 5. Upcoming Meetings:

6/7/22 –Work Session  
6/21/22 – Public Hearing

#### 6. Adjournment.

The meeting was adjourned at 9:15 p.m. on a motion made by S. Robinson and seconded by T. Finan. All were in favor. Motion passed unanimously.

Date: \_\_\_\_\_

Signature of the Chairperson/Vice-Chairperson: \_\_\_\_\_

The Planning Board minutes of 5-17-22 were approved 6/21/22