

1 MILFORD PLANNING BOARD MEETING MINUTES - APPROVED

2 February 18, 2020 Board of Selectmen's Meeting Room, 6:30 PM

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4 **Members Present:**

5 Doug Knott, Chairman

6 Tim Finan, Vice Chairman

7 Janet Langdell, Member

8 Pete Basiliere, Alternate Member

9 Susan Robinson, Member

Staff:

Kellie Shamel, Planner

Darlene Bouffard, Recording Secretary

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11 **EXCUSED:**

12 Jacob LaFontaine, Member

13 Laura Dudziak, Selectmen's Rep

14 Paul Amato, Member

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17 **1. Call to order:**

18 D. Knott called the meeting to order at 6:30 p.m. Members and staff were introduced. D. Knott explained
19 there is a public hearing tonight followed by Planning Board discussions.

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

22 D. Knott said that the first two items on tonight's agenda are for the review and consideration of applications
23 submitted by Ronald & Loreen Racicot (applicant/owner) for the parcel located at 21 Old Wilton Road which
24 have been withdrawn without prejudice by the applicants on February 13, 2020 via e-mail correspondence
25 from the engineering firm Fieldstone Surveys.

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27 a. **Ronald L & Loreen M. Racicot (applicant/owner)** – Review for acceptance and consideration of final
28 approval for a minor subdivision application to subdivide the existing lot of record into two parcels. The
29 parcel is located at 21 Old Wilton Road in the Industrial and West Elm Overlay districts. Tax Map 14,
30 Lot 10. *This item is continued from the November 19, 2019 and January 21, 2020 meetings.*

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32 This item was withdrawn by the applicant.

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34 b. **Ronald L. & Loreen M. Racicot (applicant/owner)** – Review for acceptance and consideration of final
35 approval for a major site plan application to construct a 4,500 square foot, two unit commercial building
36 along with associated site improvements. The parcel is located at 21 Old Wilton Road in the Industrial
37 and West Elm Overlay District. Tax Map 14, Lot 10. *This item is continued from the November 19, 2019*
38 *and January 21, 2020 meetings.*

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40 This item was withdrawn by the applicant.

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42 c. **Vita Cooper & Utopia Revocable Trust (applicant/owner)** – Review for acceptance and consideration
43 of final approval for a lot line adjustment application between two existing lots. The parcels are located
44 at 148 Colburn Road and 245 Federal Hill Road in the Residence R and Groundwater Protection Districts.
45 Tax Map 53, Lot 67-2 and 67- 3.

46 Waiver request from Milford Development Regulations Article V, Section 5.06 item K; delineation of all
47 wetlands and wetlands buffers on parcels for lot 67-2.

48 Waiver request from Milford Development Regulations Article V, Section 5.06 item L; delineation of
49 slopes over 25% on parcels on lot 67-2.

50 J. Langdell moved to accept the application for review. Pete Basiliere seconded. All were in favor. J.
51 Langdell moved no potential regional impact. Pete Basiliere seconded. All were in favor. Motion
52 passed.

Abutters were read into the record. There were 4 abutters present for the meeting. J. Langdell asked if the Heritage Commission provided any comments on this application. K. Shamel said there was an e-mail submitted within the timeframe indicating the Heritage Commission had no concerns.

Earl Sandford, representing the applicant, indicated there are two lots, Lot 67-2 and Lot 67-3, one with frontage on Colburn Road and one with frontage on Federal Hill Road. The existing house is located very close to the edge of the quarry and with the approval of these applications, the existing house would be shifted to the lot with 28 acres and the smaller parcel (6.5 acres) will be made smaller and will have the existing house located on it. The second house (located on the northern portion of lot 67-2) will remain at the existing location. A waiver has been requested on the remaining 30+ acre lot. The wetlands and buffer are shown on the plan. The information on the plan came from Monadnock survey. The easement would be on the smaller lot.

D. Knott asked if there is anything requested for the larger lot? E. Sandford said there are no waiver requests on the larger lot. A portion of the stone wall will need to be opened up to move the house. There is adequate area for septic and state subdivision is required for this change. The only physical change is that the house will be relocated away from the edge of the quarry.

S. Robinson asked where is the house that is proposed to be moved, currently located. S. Robinson also asked where the other house on lot 67-2 is located. Earl Sandford explained where each house is located currently and where the one house will be relocated (on the larger lot). E. Sandford said there is an existing easement that will remain. They need an easement to get to the property line. The existing access easement will remain in place with the addition of a driveway access to the house that will be moved to lot 67-3.

J. Langdell asked if the roadway will continue? E. Sandford said that road is an emergency access and exist. D. Knott asked if the driveway meets the site requirements? E. Sandford said there is adequate sight distance, there are sightlines that meet the 400 foot requirement. E. Sandford has addressed the recommendations about adding the requested notes. There is already one granite marker there and two other new markers will be added.

P. Basiliere said there are two requests for waiver. E. Sandford said there was some confusion on the waivers and the lot numbers. There are two waiver requests for lot 67-2. J. Langdell asked if the roadway is crossing a wetland buffer? E. Sandford said yes, but that is existing already.

S. Robinson had no further questions. T. Finan said the waiver is for wetland delineation, but they are already there. E. Sandford said yes, the relief is from the re-delineation.

K. Shamel asked if the foundation of the home that is being removed will remain on the lot 67-2. E. Sandford responded that the foundation will likely remain and may be used as a shed in the future.

Vita Vaitkunas (Cooper) stated the original idea was for the foundation to be used to store the tractor, however the taxes would be more than she is willing to pay, so she now plans to get rid of the foundation and let it go back to its natural state. Vita said if a roof could be added so she could use it as a barn, she would consider that option, but she determined the taxes are too much, after she met with the building inspector and Assessor. Vita does not plan to put another house on the lot. K. Shamel said if there is any future plan to create another dwelling (ADU) with the foundation additional approvals will be required.

Vita explained that Utopia is a wildlife habitat, registered with the National Wildlife Habitat Federation to maintain green space. The house being moved is to maintain this real estate for the animals to roam freely without a fence. S. Robinson asked if this is open to the public? Vita responded no, it is just registered with the National Wildlife Federation and "no trespassing" signs are posted.

The Planning Board members had no further questions, therefore D. Knott opened the hearing to the public. There were no comments or questions from the public.

J. Langdell indicated that the members do not have a copy of the waiver request; she wanted to hear the justification for the waiver request. D. Knott read the waiver request into the record. K. Shamel said the Town waiver request form was not used, the applicant provided their own signed narrative and justification document. J. Langdell said when a waiver is requested, the Board wants to see what the justification of the waiver is. K. Shamel stated the waiver request provided by the applicant provides

justification; it is just a matter of the formal town form not being used. For this case, J. Langdell understands what is being done, but in the future the waiver request should be part of the packet. D. Knott said the wetlands have been delineated, except for the 30+ acre lot.

J. Langdell moved to approve the waiver request for 5.5.06 item k regarding wetlands with the correction to the typographical error. Pete Basiliere seconded. All were in favor. Motion passed.

J. Langdell moved to approve the waiver request for 5.5.06 item L. Pete Basiliere seconded. All were in favor. Motion passed.

J. Langdell moved to approve the Lot Line Adjustment (LLA) as presented with conditions 1-4 and add the note that states the remaining foundation will only be utilized for a non-habitable accessory structure unless it is removed. S. Robinson seconded. All were in favor. Motion passed.

- d. **Frederick & Celia Lorden Trust (owner) and Ponemah Hills, LLC (applicant)** – Review for acceptance and consideration of final approval for a major site plan to construct a 6,447 square foot, 9-unit multifamily residential building with a nine stall carport along with associated site improvements. The parcel is located at 0 Ponemah Hill Road in the Residence B District. Tax Map 43, Lot 61.

T. Finan moved to accept the application for review. Pete Basiliere seconded. All were in favor. Motion passed. J. Langdell moved no potential regional impact. T. Finan seconded. All were in favor. Motion passed.

Abutters were read into the record. There were 4 abutters present for this application.

Nate Chamberlin, representing the applicant, explained this plan is for a 9 unit residential building with a carport for future build. These would be rental units; side slopes would be maintained and have vegetative swails with an infiltration basin in the corner. N. Chamberlin said his client will take a look at having the water dispersed all around the property. Sight distance on Ponemah Hill Road is acceptable. The lighting plan was submitted; including a couple of poles out front. The architectural renderings were submitted. Staff comments include additional landscaping, ample buffers around the property. Some plantings will be added between the abutting properties. The Fire Department wants access around three sides, a meeting will be set up to discuss options with the Fire Department. That was the biggest comment to come out of the review.

K. Shamel met with Captain Smedick who raised the issue of the Fire Department having access to the rear of the structure. The access was more just to the rear area, it is a standard requirement. J. Langdell said that is standard to get around three sides of the building. K. Shamel said ambulance had a similar comment about the ability to turn around the ambulance on site and that if the Fire Department comment was addressed on the plan it would also address the Ambulance Department concern. D. Knott asked about snow storage off the pavement. J. Langdell said the location of snow storage is what the ambulance was concerned about in order to get a patient out of the building.

Pete Basiliere said these days, there will be a lot of large delivery trucks; they and the emergency services should be able to access the back of the building. N. Chamberlin said he will be meeting the with Fire Chief to discuss this; noting this plan offers 70% open space. The full report on drainage has been submitted. Pete Basiliere asked where cars will park when a resident has a party? J. Langdell said they will park in the same place they park throughout town, wherever they can. Pete Basiliere asked when it says the sight distance is adequate, what does that mean? N. Chamberlin responded that 200 feet without obstruction is required.

J. Langdell stated the three side access and a 20-foot wide firetruck access in the rear of the building is related to fire code. N. Chamberlin said that is FPA regulation in town. D. Knott asked about “reinforced turf” and if that meets regulations itself. K. Shamel will find out about the reinforced turf meeting the needs of a fire truck and what type of grass pavers are required. Pete Basiliere said on the plan, snow removal is not indicated as to where it is plowed. N. Chamberlin said the snow gets pushed off the pavement. D. Knott asked about the ambulance concern with snow storage. K. Shamel said the

ambulance director concern is the turn around. D. Knott asked about the note stating no invasive species will be on the site, this has to be determined by a soil scientist.

J. Langdell said the Milford Conservation Commission looks like they might want a site walk. K. Shamel said if the Board would like to visit the site to gain additional information, they may do so. K. Shamel recommends continuing the application to the next Planning Board meeting in order for the applicant to address staff and engineering comments. Pete Basiliere would like to have a site walk to understand the impact to the neighborhood. T. Finan asked again what the sight distance requirement is. N. Chamberlin said it is 200 feet unobstructed; there is brush there that would be cleared.

Consensus of the Planning Board was to have a site walk on March 3, 2020 at 5 p.m. Andrea Kokko-Chappell suggested members to park in the parking lot of the abutting condos. Pete Basiliere asked about lighting, it looks like there is no security lighting in the rear of the building. N. Chamberlin does not usually show back lighting on the plan. Pete Basiliere said because of other buildings on close abutting lots, he suggested the lighting should be identified on the plan. N. Chamberlin said he can identify that on the plan. J. Langdell asked how big each unit will be?

Kevin Degroot, owner, said the units will be two bedroom with two baths, townhouse style. The carport might be done in the future based on need. Andrea Kokko-Chappell, abutter and also representing Robert Kokko, abutter, said the Ponemah Hill Condos have a concern about the buffer. The existing trees are mostly pine; but we are happy to see that they are talking about back to back trees and adding arborvitaes along the property line to protect both buildings and privacy. They have discussed with the applicant adding a note to the plan for adding those plantings for privacy and drainage but we will trust the engineer on the drainage. We are happy with the project and want to make sure both properties are protected. Ponemah Hill condos are privately owned units. Dark American Arborvitaes grow tall and fat and fast and they create a good buffer.

D. Knott closed the public hearing. K. Shamel is recommending a continuation to March 17, 2020. J. Langdell moved to continue the application to March 17, 2020. Pete Basiliere seconded. All were in favor. Motion passed. A site walk at this property, 0 Ponemah Hill Road, is scheduled on March 3, 2020 at 5:00 p.m. and will be posted.

3. **Minutes** – December 27, 2019, January 7, 2020, January 21, 2020.

S. Robinson moved to approve the minutes of December 17, 2019. T. Finan seconded. All were in favor with D. Knott and J. Langdell abstaining. Motion passed 3/0/2.

T. Finan moved to approve the minutes of January 7, 2020. Pete Basiliere seconded. All were in favor, with S. Robinson abstaining. Motion passed 4/0/1.

T. Finan moved to approve the minutes of January 21, 2020. S. Robinson seconded. All were in favor with Pete Basiliere abstaining. Motion passed 4/0/1.

4. **Discussion / possible action regarding other items of concern-** K. Shamel indicated that Jacob LaFontaine has resigned from the Planning Board, requiring another full member on the Planning Board. It was agreed that this would be advertised on the town website and in announcements at the Board meetings. J. Langdell added there is a Nashua Regional Planning Commission (NRPC) meeting and dinner coming up. Anyone interested should sign up.

5. **Adjournment.** The meeting was adjourned at 8:03 p.m. on a motion made by Pete Basiliere and seconded by T. Finan. All were in favor. Motion passed unanimously.

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

MINUTES OF THE 2/18/2020 MEETING WERE APPROVED 4/21/20