

MILFORD PLANNING BOARD MINUTES ~ APPROVED
January 18, 2022 Board of Selectmen Meeting Room, 6:30 PM

Members Present:

Tim Finan, Vice Chairman
Janet Langdell, Member
Pete Basiliere, Member
Elaine Cohen, Alternate Member
Paul Amato, Member (via zoom)
Dave Freel, Selectmen's Rep

Staff:

Jason Cleghorn, Town Planner
Darlene Bouffard, Recording Secretary

Excused:

Doug Knott, Chairman
Susan Robinson, Member

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:** In the absence of Chairman Knott, Vice Chairman Finan stepped up as Chairman calling the meeting to order at 6:30 p.m. indicating that tonight is for the second public hearing of the four proposed zoning amendments and the meeting is being recorded but is not live. T. Finan asked that E. Cohen vote in the absence of S. Robinson. Planning Board members and staff were introduced by T. Finan who noted that Paul Amato is in attendance via Zoom. T. Finan indicated that all four of tonight's proposed zoning ordinance amendments have been heard at the first public hearings and tonight is the second public hearing for all four amendments being proposed.

2. **Public Hearing:**

- a. **Amend Milford Zoning Ordinance Article VII, Sections 7.11.3 Definitions, 7.11.4.A Table of Uses and B. Specific Solar System Requirements and Exceptions by adding a requirement for a Conditional Use Permit for ground mounted Residential Solar Systems located in the Residential A, B, R zoning districts that exceed a maximum seven-hundred fifty (750) square feet and regulating the placement of ground mounted units within properties.**

T. Finan said that the first public hearing for this amendment was held on January 4, 2022. J. Cleghorn said that the requested changes were made and read into the record, followed by the actual ballot language being read by T. Finan. T. Finan asked if Town Planner J. Cleghorn had anything to add. J. Cleghorn explained what had been changed in a couple of places (per the Planning Board request). T. Finan suggested instead of having A,B,R zones, to instead differentiate them by changing it to A, B & R zones. J. Langdell asked what is the source of this amendment being brought forward? J. Cleghorn explained the changes are because of the changes in technology and also because of permits that have come forward to the department, so the inspectors requested streamlining the ordinances to make them consistent for use for a Single Family Residence. T. Finan asked for any further Board comments. There were none.

T. Finan opened the public hearing, asking for abutters or interested parties to comment or ask questions. Seeing none, T. Finan closed the public hearing. J. Langdell moved to place the Solar Systems Amended ordinance on the ballot as amended. P. Basiliere seconded. Roll call vote: P. Amato yes; P. Basiliere yes; J. Langdell yes; E. Cohen yes, D. Freel yes; T. Finan yes. All were in favor. Motion passed.

- 54 b. **Amend Milford Zoning Ordinance, Article VI, Wetland Conservation District to**
55 **refer to current and correct references in state laws and regulations, and make**
56 **changes to Section 6.02.5(B) Accepted Uses-Buffer Zones to identify and expand**
57 **certain uses that would be allowed within wetland buffer areas.**
58

59 T. Finan said that the first public hearing for this amendment was held on January 4,
60 2022. J. Cleghorn said that the requested changes were made and read into the record. T.
61 Finan asked if J. Cleghorn had anything to add. J. Cleghorn explained that these changes
62 are being proposed based the Milford Conservation Commission (MCC) bringing
63 forward changes that have been made to the State regulations and environmental
64 regulations that have been renumbered or changed.
65

66 T. Finan reviewed the substantive changes and read the ballot language as written which
67 will appear on the ballot for voters. P. Basiliere asked that the subsets be consistent with
68 lettering or numbering. T. Finan opened the public hearing for abutters and interested
69 parties to comment or ask questions. Seeing none, T. Finan closed the public hearing.
70 J. Langdell moved that this proposed amendment be placed on the ballot as presented. P.
71 Basiliere seconded. Roll call vote: J. Langdell yes; P. Basiliere; P. Amato yes; E. Cohen
72 yes; D. Freel yes; T. Finan. All were in favor. Motion passed.
73

- 74 c. **Amend Article III – Zoning Map, Section 3.01.0 Districts to change the designated**
75 **zoning from Integrated Commercial-Industrial (ICI) to Residential “B” for the**
76 **properties identified as Milford Tax Map 11, Lots 13, 14, 14-1, 15, 16, 17, 18, 19, 20,**
77 **21, and 22.**
78

79 T. Finan asked that Town Planner J. Cleghorn explain what this change is for. J.
80 Cleghorn indicated that through discussions with the Planning Board, it was found the
81 lots identified are more usable as Residential B zone than Integrated Commercial-
82 Industrial zone. T. Finan asked about the staff memo which states 11 lots, but he counts
83 only 10, is that correct? J. Cleghorn said the ballot and its explanation should list Lot 14-
84 1 and he will correct that.
85

86 T. Finan read the ballot language and asked if members have any questions? There were
87 no questions, other than the correction to add Lot 14-1. T. Finan opened the hearing to
88 the public for abutters and interested parties to comment or ask questions. Seeing none,
89 T. Finan closed the public hearing and noted that there were no people in the audience or
90 on Zoom other than Planning Board member P. Amato. J. Langdell moved to place the
91 amended zoning map Ordinance amendment on the March ballot. P. Basiliere seconded.
92 Roll call vote: P. Amato yes; P. Basiliere yes, J. Langdell yes, E. Cohen yes, D. Freel yes;
93 T. Finan yes. All were in favor. Motion passed.
94

- 95 d. **Amend Article IV, Definitions and Article V, 5.04.1 Acceptable Uses and add new**
96 **section Article V, Section 5.04.8 Estate Lots to Include an Estate Lot as a permitted**
97 **use on a lot ten (10) acres or more in the Residential “R” Zoning District.**
98

99 T. Finan asked that J. Cleghorn explain what these changes are for. J. Cleghorn
100 explained that since the last Planning Board meeting, he has added “greater than or equal
101 to 10 acres” as an Estate Lot. All members concurred. J. Langdell asked why this
102 ordinance has come before the Planning Board for review. J. Cleghorn explained in order
103 to allow property owners of large lots, this will allow some flexibility to owners to have
104 additional structures on their lot and would allow them to have a maximum of 3

additional dwellings provided they meet the requirements of the ordinance. There have been some requests for this type of change.

T. Finan explained this is the second public hearing on this ordinance. T. Finan read the ballot question and asked for comments or questions from the Board. D. Freel said the owner does not have to be one person, it could be an entity such as a Trust with Trustees and as long as a Trustee is living there it should be fine. J. Cleghorn agreed with the statement. D. Freel said only one of the Trustees must live there, but who is going to track that? J. Langdell said if a Trustee sells their interest in the property, then the parcel would have to be subdivided. J. Cleghorn said he does not anticipate a number of these lots. J. Langdell said if the individual or Trustee is not living on the property, then they would be in violation of the ordinance and would need to get the property subdivided.

T. Finan opened the hearing to the public for comments or questions. There were no people in the audience nor on Zoom. T. Finan closed the public hearing. J. Langdell moved to place this Estate Lot ordinance on the warrant with the proper language being added as discussed. P. Basiliere seconded. Roll call vote: P. Amato yes; J. Langell yes; P. Basiliere yes; D. Freel yes; E. Cohen yes; T. Finan yes. All were in favor. Motion passed.

- 3. Other Business:** J. Cleghorn explained that because the other regulations being amended are not bound by the Warrant Article deadlines, they were not included in tonight's notice and will be reviewed at the next Planning Board meeting February 15, 2022. On February 15 there is one subdivision case for Lorden Plaza, which is being seen by the ZBA on January 20, 2022. This is J. Cleghorn's first time through the zoning amendment process with required notices etc., after all of these are finished with the Planning Board, he would like to discuss it with the Planning Board so that next year he understands going forward. He would also like to talk with them about 2022 Planning Board goals. J. Langdell suggested sharing the Planning Board goals memo for 2021 to use as a basis for 2022 and then have a more detailed discussion in March.

4. Meeting Minutes: December 21, 2021

J. Langdell requested corrections to the minutes, members concurred. P. Basiliere moved to approve the minutes of December 21, 2021 as amended. E. Cohen seconded. Roll call vote: P. Basiliere yes, J. Langdell yes; D. Freel yes, E. Cohen yes, T. Finan yes. P. Amato abstained. Motion passed.

5. Upcoming Meetings:

2/1/22 – Work Session

2/15/22 – Regular Meeting

- 6. Adjournment.** The meeting was adjourned at 7:05 p.m. on a motion made by P. Basiliere and seconded by E. Cohen. All were in favor. Motion passed unanimously.

Date: _____

Signature of the Chairperson/Vice-Chairperson: