

MILFORD PLANNING BOARD MINUTES
JULY 19, 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, Chair
Susan Robinson, Member

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 two Planning Board applications. 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).

This application was continued from the June 21, 2022 Planning Board public meeting. Tonight the applicant representatives are Jeff Merritt, Brent Cole, Dennis Myer and Scott Sprindler, who are here to answer any questions the Board may have. One month ago, Jeff Merritt explained the Planning Board asked for the applicant to look at certain items. J. Merritt reviewed those items such as the bus stop, cross walk and aligning the driveway with North River Road. New elevations will be presented; the bus stop is in tonight's handout. The original site had the easement for that, which was never done. We have the opportunity to put the bus stop where it should be. The bus stop location was discussed with L. Daley for it to be between the existing driveway to the dam and Dollar General. That would allow for a bus pull off. The storage facility does not generate a lot of pedestrian traffic.

On the north side of North River Road, there is a sidewalk with close proximity to the future bus stop. J. Langdell said the idea at the time was to have the ability to have the bus stop and sidewalk in the neighborhood because of the apartments being built at the time (Pine Valley Mill). J. Merritt agrees it is good planning for the future. There is space there, the easements are there, it would make sense in this location; we have done similar bus stops for HUD housing. J. Langdell asked what size bus is being planned for? J. Merritt said it is for a full-sized bus. Along that same line, sidewalks were looked at, sidewalks plans were discussed. A mid-block crosswalk would be tricky, they can be dangerous if not done correctly. There is no light in this instance, so it could be more dangerous. If the number of pedestrians crossing is low or no one ever crosses, the drivers get used to not having any pedestrians. This type of mid-crosswalk can be very dangerous to install. In the future it could be added if the pedestrian use were to increase. Those types of crossings are reviewed by an employee at the State of NH. In a stop-controlled crosswalk, it is much safer because there is a stop already there. More than 20 pedestrians would need to be crossing every day. There are certain criteria that must be met to have this type of crossing. The sidewalks could be made and if the need is met, the town could stripe it for a mid-stop crosswalk.

J. Langdell asked how many of mid-stop crosswalks does Milford have already? T. Finan said there are many of these already. J. Merritt said those were most likely added before all the criteria began. In Manchester there are a lot of them. You do not see 20 people cross at one time in an hour. J. Langdell said this will not meet that; this is not Route 101A, it is a side road going into the town of Wilton. J. Merritt said the applicant did meet with the town engineer and agreed it is not warranted. P. Basiliere

said this is to install the sidewalk but in the future the town can stripe it if needed. J. Merritt said yes it should not be done until it is warranted and the criteria is met.

J. Merritt said tonight he is reviewing the comments from the last Planning Board meeting. L. Daley said the applicant will address some of the other comments at the next meeting, tonight he is addressing specific items. P. Basiliere understands the mid-block crossing, he also knows there are other mid-block crossings specifically near the schools. J. Merritt noted that schools are where there might be additional crossings. P. Basiliere agrees building the sidewalk now makes sense. J. Langdell asked if there is anything that would prevent the sidewalk from being extended down to the river? Brent Cole said nothing would prevent that, the biggest hurdle would be getting over the Penn stock. L. Daley indicated the mid-block crossing is an issue, but is it possible to have a button to press that would allow a flashing light to warn drivers of a crossing? J. Merritt said that is something that could be done if it is warranted. It depends on a lot of factors, maybe in 20 years, it really depends on how it is developed. L. Daley asked if the sidewalk extension along the property itself would be considered for the site plan? P. Amato said we should know if it is possible at some point. J. Langdell just wanted to know if it is possible.

L. Daley asked if the Planning Board is okay with the current length of sidewalk? J. Langdell said we can talk more as we go along. J. Merritt pointed out the access easement along North River Road and if the access for this property could better align with the driveway to make it a 4-way intersection? This plan does not align it exactly, that would get into the radius and impact the building itself. If it were not aligned exactly with what is across the street, the configuration brought forward could not be done. The water line was brought up, there is a hump in the road, that is where the water line in Wilton crosses. The water line would need to be changed and that is a larger issue. There are also a lot of utilities that would need modification. The skew is not advisable at less than 75 degrees. If we came in at an angle, it would not be safe. What was presented at the last meeting was safer. This use does not generate significant trips in and out, the suggestion from L. Daley was to level it with gravel and not use that as an entrance, that would be acceptable? If it was needed, it could be used. D. Knott asked could it be gated? J. Merritt indicated if it is gated, in order to get in you need to stop to open the gate then stop to close the gate. The preference would be to leave it not gated. The applicant does not need that access.

P. Basiliere asked if the town will find that the visitors of Dollar General would then use the easement to go over to the storage facility? J. Merritt said people could do that, but it would not be advised, that is not meant to be the access. L. Daley indicated the traffic is pretty minimal for this use. P. Amato said the town must anticipate another use and they cannot expect it to be more storage. J. Merritt said the access is the safest location but he does not see a lot of difference in either of the accesses. P. Amato asked if there might be another way to access the storage facility? J. Merritt answered no, there is no light to Dollar General. If it is a situation where the Planning Board wants to see more parking, we do not think more parking will be used. Should additional parking be needed, they could add striping for the parallel spots. Milford does not have an ordinance for parking for this type of activity. The plan shows what the applicant thinks will be needed. People are doing things on-line, not coming to the site. A condition could be added to the plan for future additional parking. J. Langdell said maybe the Site Plan is looked at again in one year and if there is a need for additional parking, we look at it then. D. Knott said if we see a need, what is that process? J. Langdell said there would be further evaluation out of Community Development. J. Merritt said the applicant has done this before, at some point if there is not enough parking, it can be dealt with. Brent Cole said at that point, it becomes an enforcement issue. L. Daley said there is currently one employee that could enforce this after reviewing. J. Merritt said when occupancy is about 80%, the parking could be reviewed so that the normal activity is monitored. S. Sprindler indicated the parking is for future customers, it is for people that do not have a unit and want to look at them.

D. Knott asked the percentage of people that set up the agreement on line versus in person? S. Sprindler said he has 3-4 facilities that have about 5% of the occupancy set up the account in person (in the office). The majority of lease agreements are done on line. Staff is there six days a week but not on Sunday. P. Basiliere's concern is the traffic study that was provided previously, it shows there would be more than four cars during peak hours. He is not convinced there is enough parking and would like to see two additional parking spots for a total of five spaces. P. Amato said if someone has to park out

back, the person will pull over to the gravel to park. D. Knott asked if Scott would be open to an unofficial traffic count on parked cars to provide to the Town? Scott said they will start off with an employee in the office six days a week and adjust it as necessary. D. Knott said if there are any parking problems, it would be reported to Community Development. Scott said we have the same type of building in Raymond NH and he has never had a parking issue since that opened. J. Langdell asked if there is more than 80% occupancy in Raymond? Scott said no, it has been open for about four months and it is 46% occupied. The parking is for potential customers. L. Daley asked if it is possible to have a grassy area where cars could park? J. Merritt said the access easement could not be used for that. At this point, we should go with what the applicant knows for this business. E. Cohen and P. Amato think it is fine. P. Basiliere wants striping to be done. J. Langdell likes the way it is presented and then we can review after one year in business to assess. D. Knott and T. Finan are fine with the way the parking is on the plan.

L. Daley wants to include the spaces on the Site Plan but only stripe them in the future if needed; he will have that in the next meeting. J. Merritt said he will work with L. Daley on those notes for the next meeting. Scott is okay with the suggestion but does not want to assess the parking every year. L. Daley said the parking would be handled in Community Development and the worst case would require the striping of that parking if needed. Scott said if the spaces are striped now, this becomes a non-issue. D. Myers, architect, reviewed the regulations and the neighborhood to understand the context. The exterior will be part brick finish to match the Mill apartments and part horizontal siding. Horizontal boards will be utilized and the color will be like the red brick. One overhead door and one employee door will be built with one loading door for this size building. L. Daley said this comes into play with the queuing time. P. Amato said this model obviously works for this job with one overhead door. D. Knott asked if there is one door in the other buildings? Scott said that is correct and this building will have an elevator door, so two cars can unload at one time.

D. Myers continued that there will be some plantings added to what is already there. J. Langdell asked if the second floor is bumped out a little? D. Myers said yes, the height of the building is 40', Dollar General is 28'. D. Knott appreciates the brick being incorporated like the Mill apartments. The Dollar General strip (of landscaping) will be extended on this site. D. Myers said they will be staggered. D. Knott asked if there are other places on the property that the landscaping could be done? There is already screening at that point and we want to prevent over population of plantings. L. Daley agreed and said he can work with J. Merritt on the plantings. There was a request at the last meeting to have the trees on that side of the building, but is there is another area where the plantings could be? P. Amato said it could be on the east side of the building. J. Merritt said there will be trees planted for frontage. L. Daley will work with the applicant on a review of the landscaping plan, this is a bigger building so we want to minimize its impact. D. Knott does not want to overpopulate the area which would look bad in ten years. We also cannot put trees on the Penn Stock. A planting every five feet for frontage would work.

P. Amato commented that the ordinance for industrial buildings does not work here, but in ten years, the trees might break up the size of a building. All were in agreement to have staff work with the applicant on the landscaping. E. Cohen feels they did a nice job to incorporate the West End Overlay District requirements into this plan. P. Basiliere also likes that the ordinance was incorporated. J. Langdell said it is an improvement since the last presentation. T. Finan also likes the new plan. D. Myers said the bricks have a range of color so it actually looks like brick. D. Knott agreed the veneer is like real bricks. Seeing no further comments or questions from the Board, D. Knott opened the hearing to the public, with abutters welcome to comment first. Seeing no abutters, D. Palance, Heritage Commission Chair, was recognized and stated the Dollar General had a sidewalk put in; he walks down this way and he hopes that this plan has a sidewalk as well. D. Knott said there is a sidewalk on the plan. J. Langdell said the beginning of tonight's meeting had a discussion on sidewalks, if Dave came in late, he may have missed that. D. Knott said the plan documents have the sidewalks that will be available on line in the next week. Seeing no further comments or questions from the public D. Knott closed the public hearing.

J. Merritt said the location of the bus stop, sidewalk, crosswalk, entrance access will be finalized at the next meeting. P. Basiliere asked if the applicant wants to leave the entrance gravel? All agreed the gravel driveway would be used by the abutter and the easternmost access would be used by Dollar

General. J. Langdell said the bus stop is there for a reason, and she asked if it must be in that location on the plan? J. Merritt said yes, the bus stop is more for the Dollar General use. L. Daley asked if a sidewalk could be designed to head east to the end of the undeveloped property, not built, just designed. Scott asked who would be responsible for the maintenance of that? L. Daley responded if the sidewalk were ever built, it would be the town's responsibility to maintain.

J. Langdell moved to continue this application to the August 16, 2022 Planning Board meeting. T. Finan seconded. All were in favor. Motion passed.

b) SP2022-06 Battle Axe, LLC, for the property located at Tax Map 44, Lot 6, 614 Nashua Street, Units 1-4. Minor Site Plan Application for a change of use from Retail to a Commercial Recreational Facility use within the Commercial 'C' Zoning District.

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

Candice Lima, applicant, explained the application for Battle Axe and what it is. P. Amato asked why this application is before the Planning Board? L. Daley explained it is in a retail space and the biggest issue is traffic and the abutting parcels. The Change of Use and potential change of traffic and parking is the main reason this is before the Planning Board. P. Basiliere is alright with this use. J. Langdell said this is a Commercial Lot with recreational use for parking etc. versus retail use. L. Daley said it is a little more intensive than a retail use.

C. Lima indicated this will have about four people in the property at any given time. There are 14 lanes, that can have up to four people per lane, for a total of 64 individuals plus there might be people that watch for 85 people maximum in the facility which is the amount allowed by the Fire Department. Each lane would be used for 1-2 hours at one time. There is a VIP room to accommodate a party. D. Knott asked if food and seating will be available? C. Lima explained it will only be packaged food, beer, wine and soda, but people can also bring in outside food; the business would like to partner with other food vendors in the area. Hours of operation are W,T,F 4-10, Sat 10-10 and Sun 11-8 with Mon-Tues closed. There could be leagues at some point which would be held on one of the days the business is closed to the public. L. Daley said all of the buildings out there have cross easements for utilities and parking. C. Lima added that there will be two stools in each lane and some people could stand. P. Amato said this sounds similar to the way a bowling alley operates, which is a common recreational use. L. Daley is excited about this to bring in other businesses to that plaza and this could generate some complementary uses to this use. C. Lima said there will be one person throwing in a lane at one time and the lane is completely enclosed; there is a coach that explains the use to each thrower and 3lb hatchets are provided. The hatchet is provided by Battle Axe unless it is a league and the facility is ADA compliant. It will cost \$25 per person for one hour. She is hoping to open by Labor Day 2022.

Seeing no further comments or questions from the Board, D. Knott opened the hearing to the public. There were no public questions or comments. C. Lima said a sign will be approved by the Landlord before it is brought to the sign for approval. P. Amato moved to approve this application. E. Cohen seconded. All were in favor. Motion passed.

3. Other Business:

- a. **ZBA Case 2022-06 for the property located at Tax Map 43, Lot 69 seeking Special Exception from the Milford height requirement.** L. Daley indicated the ZBA is looking for Planning Board input on this application. The application will be coming to the Planning Board eventually, but at this time the applicant is seeking this Special Exception for the height of the buildings. This is for 6 multi-unit apartment buildings for a total of 216 apartment at market rate, requesting 56' of height where 45' is allowed. The site walk

had a crane showing the height of four corners of one building. P. Amato viewed this from a nearby sidewalk, but there is no way to see these buildings from anywhere except the highway. The plan was put on the screen to view. L. Daley explained the buildings are set back from view and because of the pine trees it was difficult to see past the Vaillancourt Roofing building and the Ponemah Hill Road properties could see through to the two buildings. A building that is 56' high will potentially be visible from the southern side. P. Amato said most of the buildings will have underground parking, which is why they are 56'. L. Daley said there are a lot of wetlands on the parcel so the applicant is trying to minimize the impact which is why the underground parking is on the table. The site plan review will address the blasting and wetlands. The only item before the ZBA right now is the height.

P. Basiliere provided photos taken from the sidewalks. P. Amato indicated the issue for tonight, is if the extra height should receive ZBA approval, the application is not before the Planning Board yet. P. Basiliere said the buildings will be visible on Ponemah Hill Road. P. Amato said when the condominiums on Ponemah Hill Road were built the residents were vehemently against the building. J. Langdell likes that the parking will be put under the building and the developer is lessening the developed space. D. Knott said it seems like a good project. P. Amato asked if the Capron Road apartments received a Special Exception for the height for the peaked roofs? L. Daley was unsure but said that in addition to a Site Plan, the developer will need to Subdivide the lot and the density will be based on the proposed lot size with a maximum of 216 apartments. If the ZBA does not approve the application for relief on height, P. Basiliere said they would only be able to build three stories and not four stories, this relief would allow an entire extra floor. T. Finan said there is more buildable space out there and if they did not have the height, they could have additional buildings. J. Langdell said they could build what is allowable for the density. L. Daley said there are site limitations, they will need to cross the wetland for example. The total lot will be sized to get the density and to minimize the disturbed area. If the height relief is not given, they will need to have more parking since the underneath parking could not be achieved.

P. Basiliere indicated one possibility is for the four buildings on the upper side to be granted the height and have underground parking but the two buildings closer to residential areas not be allowed the height but instead add additional buildings. P. Amato said the extra 15' height is just a taller building, but the mass of the building is still there. P. Basiliere said that is the issue for the developer to make it meet the ordinance. L. Daley added that the cupola is not part of the height. The initial application had a cupola for the original proceeding, now they have taken out the cupola to make it less than 56'. The cupolas were in the original ZBA application but have since been taken out. If the Planning Board would like them back, they could have a condition to allow them to be added. L. Daley said this is a typical regulation and the parcel is not located in any Overlay District.

T. Finan asked what the ZBA is looking for from the Planning Board? L. Daley said the ZBA is not looking for the Planning Board to make a decision, but what is the Planning Board reaction to the ZBA application? P. Amato thinks it is great that the ZBA asked for input from the Planning Board on the proposed height in the application. T. Finan understands the Planning Board sentiment; if the ZBA does not grant the Special Exception, the two buildings closer to the road will cause the biggest impact. P. Amato indicated if they cannot get the height relief, they will just build another building to get the maximum density.

Public Meeting / Discussion:

L. Daley explained that Chappell wants to use one of the bottom floors of the recently approved climate-controlled storage buildings for their equipment storage. It was mentioned at the Planning Board meeting, but if this use constitutes an amended Site Plan that will be done, or can it be approved administratively by Town staff? This space would be to store things like trailers, or to be used to put together trailers. P. Amato thinks that is a better use of the space. L. Daley said this is easier access on the first floor, below grade, for this type of equipment. J. Langdell read from the ordinance and noted it is a clause. L. Daley said the applicant would be willing to have him add a condition in the Planning Board approval and when Chappell is done with the use, it will be returned to the approved storage lease and use.

T. Finan asked about the Stormwater Management regulations being reviewed, noting the Board of Selectmen increased the threshold to one acre. There are still additional hearings to come but that did get changed at the recent BOS meeting. L. Daley acknowledged there are still public hearings yet to be done.

4. Meeting Minutes:

P. Basiliere moved to approve the minutes of June 7, 2022 as presented. E. Cohen seconded. All were in favor. Motion passed.

P. Basiliere moved to approve the minutes of June 21, 2022 as presented. T. Finan seconded. All were in favor. Motion passed.

5. Upcoming Meetings:

8/2/22 – Planning Board Work Session (D. Knott and T. Finan will not be in attendance)

8/16/22 – Planning Board Public Hearing

6. Adjournment. The meeting was adjourned at 9:01 p.m. on a motion made by T. Finan and seconded by J. Langdell. All were in favor. Motion passed unanimously.

Date: _____

Signature of the Chairperson/Vice Chair:

The Planning Board minutes of 7-19-22 were approved 8/18/22