

MILFORD PLANNING BOARD MINUTES ~ APPROVED
MARCH 19, 2024 Board of Selectmen Meeting Room, 6:30 PM

Members Present:

Doug Knott, Chairman
Janet Langdell, Vice Chairman
Peter Basiliere, Member
Paul Amato, Member
Susan Smith, Alternate
Andrew Ciardelli, Member
Susan Robinson, Member
Dave Freel, Selectman's Rep (arrived 7:15 p.m.)

Staff:

Terrey Dolan, Director Comm. Development
Darlene Bouffard, Recording Secretary
Andrew Kouropoulos, Videographer

1. Call to order: D. Knott called the meeting to order at 6:30 p.m. The Planning Board and staff were introduced; all Planning Board members were in attendance.

2. Approval of Meeting Minutes: There were no minutes to review this evening.

3. Public Hearings:

a. Case SP 2024-01A, Hitchiner Manufacturing Co., Inc.-Major Site Plan Approval Request-Official Waiver Request:

The Applicant, Hitchiner Manufacturing Co., Inc., was Conditionally-Approved for their Major Site Plan on February 20, 2024 to construct a new 57,000 square foot manufacturing and administrative facility within their overall 14.636-acre industrial plant campus, located at 594 Elm Street, along their existing Old Wilton Road frontage (consisting of Tax Map 13 Lot 6, Map 13 Lot 7 & Map 14 Lot 6) at the February 20, 2024 Planning Bd. Mtg. A Waiver Request for the combined on-site & off-site (satellite) parking proposal was required to be filed by the applicant as a part of the overall approval conditions for the Major Site Plan.

Janet Langdell moved to accept the Waiver Request application for review. P. Basiliere seconded. Role call vote: P. Amato yes; P. Basiliere yes; J. Langdell yes; S. Robinson yes; A. Ciardelli yes, D. Knott yes. Motion passed.

Abutters were read into the record by D. Bouffard. Earle Blatchford of Hayner-Swansen indicated the question about parking was raised at the last meeting for which this Waiver Request is submitted. Additionally, there were a couple of errors on the CPII and Plant 5 area plans and one of the pages was short of 8 spaces, which has been corrected to reflect the total count of 525 proposed parking spaces reflected in the letter and the Waiver Request. Mr. Blatchford noted some language in the regulation is ambiguous, the application tonight is for the parking to reflect 664 spaces as listed on Table B, which reflects the total available trip data for the property use, we are presenting a parking plan that utilizes a study based on employees ad three shifts. The town might want to expand on the current regulation language for the future. J. Langdell indicated that language is being looked at now and is at the top of the Planning Board list of things to do. An alternative to the parking table language could be what is presented. The off-site non-municipal lot is also up for consideration. For this case, the Planning Board will consider the parking waiver as submitted, the request letter and summary of parking was submitted after the last meeting with the corresponding breakdown. Earl Blatchford said he can go through the letter if the Board would like. Consensus of the Board was that they have read the letter and he does not need to review it again.

D. Knott asked if the crosswalk recommendation was reviewed? E. Blatchford said yes, and he can bring that for tonight. They have added crosswalks on the west side of 96 Old Wilton Road to the extreme right side of The Barn driveway. A sidewalk should be able to be added there as well.

The Planning Board asked about the service driveway and its proximity to Perry Road, could be added, which is across from Mr. Bucknam's driveway. E. Blatchford asked if Mr. Bucknam was notified. A. Rodrigues did talk to him and he is okay with that so it is a good solution. That will be shown on the final plans. E. Blatchford explained where the crosswalk would be on the plan and that they are trying to not remove the trees for that.

Janet Langdell indicated that based on the table for parking, was 664 spaces what was needed? E. Blatchford answered that number has not changed, if we have to hold to that we need to add over 100 parking spaces. D. Knott said this would still meet the green space requirement. J. Langdell said the letter really does identify what the business needs are. E. Blatchford stated if we built all of those required spaces, they would have 200 empty parking spaces. It is because of the different shifts that are spread over the hours. D. Knott opened the meeting to the public for comment or questions asking that abutters speak first. Seeing no comments or questions, D. Knott closed the public portion.

A. Ciardelli moved to approve the parking waiver with conditions (crosswalk and service driveway). P. Basiliere seconded. S. Robinson yes; P. Amato yes; A. Ciardelli yes; J. Langdell yes; P. Basiliere yes; D. Knott. Motion passed.

b. Case SD 2024-03, Minor Sub Division Approval Request (Lot Line Adjustment) for Proposed Rashid (South Street) Gas Station (689 North Main Street, LLC):

Pursuant to Sections 2.04.A & Section 5.06 of the Milford Development Regulations, the applicant known as the "689 North Main Street, LLC", and the current property owner, Salt Creek Properties, LLC, have requested the approval of a Lot Line Adjustment to provide for an additional .69 acre to be taken from the easterly Map 43 Lot 20, to expand the currently proposed 2.001 Acre property for a new gas station/convenience store site to be located at the corner of South Street and Nathaniel Drive, located at Map 43 Lot 20-2 with a new lot total of 2.687 acres. This Lot Line Adjustment shall leave approximately 18.4 acres for the Map 43 Lot 20 site. Both lots are zoned Commercial ("C") under the requirements of the Milford Town Ordinance, Section 5.05.0.

Janet Langdell moved to accept the application for review. P. Basiliere seconded. Role call vote: P. Amato yes; S. Robinson yes; A. Ciardelli yes; J. Langdell yes; P. Basiliere yes; D. Knott yes. Motion passed. J. Langdell moved no Potential Regional Impact associated with the application. A. Ciardelli seconded for discussion. P. Basiliere asked if the traffic impact the bypass at all, but that would be affecting Milford not the region. J. Langdell said it does not meet the Regional Impact qualifications, so no. Role call vote: P. Basiliere yes; P. Amato yes; A. Ciardelli yes; S. Robinson yes; J. Langdell yes; D. Knott yes. Motion passed.

D. Knott asked if there have been any communications by Board members with the applicant about this application. Members responded there have been none. Abutters were read into the record by D. Bouffard.

Matt Peterson, Keach-Nordstrom representing the applicant, indicated the location for this gas station is at the intersection of Route 13 (South Street) and Nathaniel Drive. The front parcel of the lot will be used for this application and the additional land was required to be subdivided and added to the existing lot. The site is approximately two acres and will be larger with this lot line adjustment. The second parcel has access to Prospect Street. The topographic plan for the site is included in the plan. P. Amato stated the Lot Line Adjustment is straightforward. S. Smith asked about the wetlands, will they be filled in? M. Paterson said yes that is in the next application (Site Plan). Other Board members had no questions for the subdivision application.

Doug Knott opened the meeting to the public for comments or questions, asking that abutters please speak first. Seeing no comments or question, D. Knott closed the public portion.

Janet Langdell moved to approve the Lot Line Adjustment as presented. P. Basiliere seconded. Role call vote: P. Basiliere yes; P. Amato yes; A. Ciardelli yes; S. Robinson yes; J. Langdell yes; D. Knott yes. Motion passed.

c. Case SP 2024-02: Major Site Plan Approval Request for Proposed Rashid (South Street) Gas Station (689 North Main Street, LLC):

The applicant, the 689 North Main Street, LLC, has requested Major Site Plan Approval, pursuant to Section 5.07 of the Town of Milford Development Regulations for a new gas station/mart. The proposed 2.687-acre lot is located at the northeast corner of South Street and Nathaniel Drive, Map 43 Lot 20-2. The lot is presently undeveloped. The site is zoned Commercial ("C"), under Section 5.05.0 of the Milford Zoning Ordinance. The proposed gas station site was previously approved by the Milford Zoning Board of Adjustment (ZBA) for a Special Exception for proposed minor impacts to onsite wetland & wetland buffer areas, on June 16, 2023 (Case #2023-01); and also approved for a required Variance to sell retail petroleum products within the designated Groundwater Resource Area 1, on November 16, 2023 (Case #2023-02).

D. Knott asked if there have been any communications by Board members with the applicant about this application. Members responded there have been none.

P. Amato moved to accept the Site Plan application for review. P. Basiliere seconded. Role call vote: P. Basiliere yes; P. Amato yes; A. Ciardelli yes; S. Robinson yes; J. Langdell yes; D. Knott yes. Motion passed. J. Langdell moved no Potential Regional Impact associated with the application. A. Ciardelli seconded. Role call vote: P. Basiliere yes; P. Amato yes; A. Ciardelli yes; S. Robinson yes; J. Langdell yes; D. Knott yes. Motion passed. D. Knott asked that the abutters be read into the record; D. Bouffard responded they are the same abutters as read for the Lot Line Adjustment.

M. Peterson of Keach Nordstrom representing the applicant, said for the record there are 1500 linear feet from the Route 101 bypass to this site for an 87,000 sf building. This is an existing site, there are some wetlands and the size of one wetland has actually shrunk since the ZBA review, according to the wetland scientist. This particular wetland is actually from snow run off and all studies and reports have been done. A letter from DES has been received by Matt Peterson. Sheet 4 of the plan is the same as Sheet 1 with the infrastructure layout and has all the required information. The gas station and convenience store will have 12 fuel pumps. Originally there were two diesel pumps and that has been reduced to one diesel. The sidewalk was discussed for Stonyard and Nathaniel and with the Lot Line Adjustment, those would come down the backside, he is working with E. Sandford on this regarding the Alteration of Terrain and the possibility of putting the sidewalk behind the rip-rap and bring it down to the intersection of South Street.

Matt Peterson also noted there also had been talk of curbing on the sidewalks and that is being looked at right now since the water is going into the ponds and could be affected by curbing. We are making sure it is safe to exit the building with the drive through, and the vehicle circulation. With vehicles and pedestrian movement, there is a safety factor. Sheet 5 was given to the ZBA for that case. There are 4 bio retention ponds on the side of the property. There is an overflow structure for each of these retention ponds and two points of analysis. We have to look at the water coming on to the site and identify where the water is going. Sheet 18 has all the details identified for the bio retention system. The lining of each bio retention pond is detailed on the plan for the drainage system. Dave Freel arrived 7:15 p.m. The plan has been reviewed with the 2-year, 5-year, 10-year and 25-year storms.

Janet Langdell asked if there is a challenging abutter situation to the North with their drainage? M. Peterson said yes, there is no problem there but the wetlands are going across the street. J. Langdell would like to see data on that. P. Basiliere asked about the bio retention ponds, the two ponds to the east, they will not get affected in a fuel spill? M. Peterson responded the bio retention ponds are also for the nitrogen and phosphorus, that is why we did four bio retention ponds for a spill or

the run off. P. Basiliere asked if there is a fuel spill, where would that spill go? M. Peterson answered the fuel spills would be diverted to the sediment 4 bay, one holds the water run off and treats it, it filters through and then it goes into an overflow system which goes into your ground solid holding tank and then to the manhole (an oil-gas separator will be used and is currently not on the plan but will be added). P. Basiliere said the pumps are uphill. M. Peterson said the ponds to the east are just for ground water. P. Basiliere asked if the site will be graded to be sure any spill goes into the correct system? M. Peterson responded that he is correct, with the flow and the high point of the pumps, those measurements need to be added to the plan.

Steve Desmarais, property owner, stated the plan is such that we keep all the water on the site. M. Peterson said there is a forced main, and a propane tank is proposed and there will be underground utilities on the site. M. Peterson continued with the landscaping plan, then asked if there were questions on anything he has presented? D. Freel asked about the parking in the back? M. Peterson said that is parking for employees. He can get back to the Board on the parking calculations. P. Basiliere said the ordinance talks about gas stations but not convenience store parking requirements. S. Robinson said that most of the convenience stores are adding a coffee shop or perhaps a place to sit down inside, would there be parking for that?

P. Basiliere indicated the Planning Board needs to better understand the parking for a gas station and convenience store. Are the space in the back only for employees and where are the handicap spaces, they should be in the front of the building, and if there is a handicapped employee, where would they park. P. Basiliere is also concerned with the drive through and vehicles crossing over with pedestrians, is there a way for the pedestrians to safely cross the drive through vehicles? Janet Langdell stated if 48 parking spaces are required but that will be reduced, a waiver will be required. M. Peterson explained the landscaping plan. P. Amato said at the current Wendy's, the pedestrians park and then have to cross the drive through vehicle line, that is common, they walk through the drive through vehicle line to go into the restaurant, this drive through will not get to the level of a fast food restaurant so the volume will be much less. D. Freel said it could be subcontracted to a Dunkin Donuts or Starbucks. M. Peterson would like to get some input from the Planning Board for what has been presented and will be coming back for another meeting.

D. Freel suggested maybe put a crosswalk through the driveway through line for pedestrians. Steve Desmarais said that can be addressed. S. Smith asked about sidewalks on Nathaniel Drive. The water needs to get into the retention pond, once any curbing is installed the water will not get there. M. Peterson will communicate with Earl Sandford on that since he is working on the AoT for this site. D. Knott asked if there is enough room to get a large truck into the site for diesel fuel? M. Peterson can address that for the next meeting. The Fire Department also has an issue with Fire Trucks ability to get in there. J. Langdell said there are a variety of trailers etc. that might want to gas up here. S. Smith asked if there will be sidewalks on South Street? M. Peterson said if there are some on the west side of South Street, possibly. Steve Desmarais said the gas station and The Q are undeveloped currently. The undeveloped parcel will have a plan coming in to the Town in the next year or so. J. Langdell said the pedestrian bike plan developed in 2016/17 is being brought back up in the next two years and that would include Route 13.

D. Freel asked who's burden is it to get sidewalks that would get continued? Over the years, we have heard about spending money on sidewalks, but at what point should it be the developer's burden, not the town? J. Langdell if the town warrants for sidewalks had been supported by the Board of Selectmen, there may have been a better chance for those to get approved by voters, but they have failed. If those sidewalks had passed, the town would be in a better position today. D. Freel said if the town is developing the Route 13 area, sidewalks should be part of that. S. Robinson said a crosswalk across Route 13 will be needed, there should be a fund set up for these efforts, maybe Mr. Freel could spearhead that effort. J. Langdell said the Selectmen should talk about setting up a fund from developers. S. Smith asked about the Heritage Bureau for wetlands in our packet, that is based on the disruption of wetlands, are there any species in there? M. Peterson said that get looked at by the AoT. M. Peterson indicated the traffic engineer is here tonight if there

are any questions on the study. D. Knott said the town is waiting on the peer review on the traffic study, so that might be premature.

Robert Balinger, Traffic Engineer, can answer any questions on the traffic study. P. Basiliere said the Traffic Study has no recommendations for any turning lanes for the project. Robert Balinger agreed and said not on South Street. D. Knott asked if that study was tied to the plan for The Q? Robert Balinger answered that The Q did not necessitate any off site work, but this application does trigger that. Once the Peer Review is done, that will most likely be found based on the turning movements with vehicles at certain speeds. Southbound left turning lane and right turn lane to Nathaniel may show that. At this level, the designed would not be done but currently the town is looking to that Peer Review and he wanted to bring that up tonight, this is at the point of possibly widening South Street. J. Langdell asked how close are we? D. Freel said if we are at 100%, we need a street light.

D. Knott said based on the engineering standards, he is not about to answer the question without getting the percentage. Robert Balinger cannot give a percentage, but we are closer to a traffic signal or turning lane than with The Q. D. Freel asked if the vacant parcel gets developed, will that get it to the percentage that requires a street light? S. Desmarais said based on what he has done in the past 40 years, once the Peer Review is done, we till know more. D. Freel stated when it gets to the point of needing a traffic light, who will be responsible for it? S. Desmarais said when the CVS was built, they wanted a traffic light and the traffic study said it did not require one. J. Langdell said the town wanted that light, but the State would not allow it.

P. Basiliere said that Hoyle-Tanner is doing the Peer Review, could we ask them at what point will that intersection need a light for the benefit of this application? P. Amato said the traffic studies usually have a letter designation for traffic, not a percentage, this is a State road and they will control if a signal is needed or not. M. Peterson said this is an urban compact road, not a DOT road, it is not their jurisdiction. A. Ciardelli said the north side of this lot will have the one diesel pump? M. Peterson indicated the diesel pump location has not been determined yet, there could be two and we would just add another oil/water separator hood in case of a spill. J. Langdell said if a tanker comes in to off load, how does it navigate? M. Peterson explained the vehicular flow.

S. Smith asked about the Cutt family information provided by the Heritage Commission. J. Langdell indicated that all of that land was owned by the Cutt family before South Street was even there. S. Smith indicated there could be a historic plaque done and posted at no cost to the Town. J. Langdell said that is a project for the Heritage Commission or the Historic Society to go after. The applicant and the proposed owner expressed they would be happy to get that historic marker on the site. M. Peterson presented the elevations for the side of the building. D. Freel asked if any sign would be on the building or on the ground? M. Peterson said there would be both. D. Knott asked if the signs would be for the gas station or for both and what type of gas will be used? Rashid Amin, proprietor, stated it will be unbranded gas used to save money.

P. Amato would like to the plan show the truck traffic for unloading the tankers. D. Knott asked if this will be 24/7 operation? M. Peterson said yes it will be 24/7. There were no other questions from the Board. D. Knott opened the public portion of the meeting, asked that public comments or questions should come from abutters first. T. Dolan noted that there has been no calls or public visits in the office about this application. T. Dolan recommended based on the Peer Review for traffic study, which is not underway yet, that this application continue to move forward, all the staff questions have been addressed and he would recommend this to be continued to the May 21, 2024 meeting. D. Freel asked if the ground water zone for zone 1 will be kept? He thinks it should be done. T. Dolan responded that Milford Conservation is working on that and will bring it to the Planning Board in 2024 for update in 2025. D. Freel thinks it would be a good idea to get that changed. J. Langdell moved to continue this application on May 21, 2024. P. Basiliere seconded. Role call vote: P. Basiliere yes; P. Amato yes; A. Ciardelli yes; S. Robinson yes; D. Freel yes; J. Langdell yes; D. Knott yes. Motion passed.

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d. Mile Away Restaurant Property Site-Conceptual Review for Potential Charter School, (Current Ownership: Quarry Willows, LLC), 52 Federal Hill Road, Map 48 Lot 42

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The applicant, under the town's *Conceptual Review* criteria (Milford Development Regulations, Section 4.02) wishes to provide a presentation to the Planning Board to discuss the status of the proposed K-8 ***Wellheart Chartered Public School***

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Sam Ingram, Meridian Land Design, representing the applicant Traci Kolhornan, explained this is for a discussion with the Planning Board to provide a conceptual plan and obtain feedback from the Board. Currently, the applicant Traci Kolhornan, is an educator and is under contract with Quarry Willows LLC to purchased the property at 52 Federal Hill Road in order to modify and use the site for a Charter School funded by public funds. This will not affect the local property taxes and will benefit between 244 and 300 students by year five. This school would take some of the stresses off the existing public schools and is a semi-montessori type of school.

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Traci Kolhornan has met with different professionals over the past year and in July 2023 an offer was made to the Mile Away. The facility will be made ADA compliant. The exterior will remain much the same. This will bring another choice to the local children and will not cost a high tuition. J. Langdell asked if event the "tents" will be taken down? Traci Kolhornan responded that the tent might be used for different events or during the summer for fundraising events. J. Langdell also wonders how this number of children will fit in the yerts and will they be heated? Traci responded this also includes the Mile Away homestead space. J. Langdell asked about parking and how many cars can fit? S. Ingram responded there are 52 spaces in the paved area.

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D. Freel asked how many kids will be there at once? S. Ingram indicated he was looking at that today and the start and finish times would be staggered, thus the parking needs would be staggered. J. Langdell indicated the Planning Board would need to look at this both as a school and as an event center if they plan to continue to run events on the site. Traci stated currently when a wedding is held at this site, there are plenty of parking spaces. D. Freel asked if buses will bring the kids to and from school? Traci responded the town of Milford will provide buses for the Milford kids, but the out-of-town kids would be dropped off. Traci applied for and was awarded \$1.5 million that would be used for transportation. J. Langdell asked how many Milford students are anticipated? Traci believes of the 140 families, there will be about 20-30% from Milford. J. Langdell asked about transportation costs and how that would affect Milford taxes? Traci stated the Town of Milford, does now own its own buses but has an agreement with Butler Bus for transportation. J. Langdell said that is not unique in NH. P. Basiliere asked about the driveway and how buses would navigate the driveway? Sam Ingram said that is one of the area that we need to look at, it would need to be widened. P. Basiliere said the short buses might work, but he does not think the long buses could navigate the turns.

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S. Ingram indicated the turn radius will need to be expanded; the parking would be restriped. He ran the calculations and it looks like the buses can navigate the turns. D. Freel asked about the queueing of cards dropping off or picking up kids since it could be 100 cards waiting? Traci responded the start and stop times are staggered or we can also check the dirt area to relieve the traffic back up. D. Knott said that dirt will turn into mud and then freeze in the winter and that could become a problem. Traci said the storm water is being studied, the dirt is pretty packed but we could also add gravel to keep it from

freezing or getting muddy. D. Freel asked about expansion eventually, how will that happen to that for the school to continue to change the Site Plan? J. Langdell said that would depend on the capacity and life safety requirements at the Fire Department. P. Amato asked about the quarry on the property, will that be fenced? Traci responded they will put in a fence that is not climbable. P. Amato asked where will the kids have outdoor play? Traci explained in the woods area and there will be a ropes course and teepees. J. Langdell asked is there a plan for gardens? Traci responded yes and there is a green house and chicken coop that will be used. S. Robinson asked what are Charter Public Schools? J. Langdell indicated there are State funds that go into the Charter School. Traci said it is because there is less bureaucracy and fewer employees than public schools so they are able to do more things at a lower cost. P. Basiliere asked about Special Needs children how is that addressed? Traci responded enrollment is done by a lottery and includes special education. Charter schools look at what is working and what can be improved.

J. Langdell is concerned about the traffic. S. Ingram is working with the traffic engineer, this road is actually a DOT road. J. Langdell asked if the neighbors have been talked to? Traci has met with some of the neighbors and met with Hampshire Hills. S. Robinson asked how food for the kids will be handled? Traci said the Boys and Girls Club has a program for school lunches and she has reached out to them. D. Freel asked if there is any historic designation for the site and the rock walls would need to be re-built if the driveway is opened up. This discussion will continue as more information becomes available.

4. Other Business: There was no other business.

5. Upcoming Meetings:

04/02/24 – Planning Board Work Session
04/16/24 - Planning Board meeting

6. Adjournment. The meeting was adjourned at 9:15 p.m. on a motion made by S. Robinson and seconded by D. Freel. All were in favor.

Date: _____

Signature of the Chairperson/Vice-Chairperson: _____

The Planning Board minutes of 03-19-24 were approved 4-16-24