

MILFORD PLANNING BOARD MEETING MINUTES  
November 19, 2019 Board of Selectmen's Meeting Room, 6:30 PM

**Members Present:**

Janet Langdell, Member  
Paul Amato, Member  
Jacob LaFontaine, Member  
Susan Robinson, Member

**Staff:**

Kellie Shamel, Planner  
Darlene Bouffard, Recording Secretary  
Tyler Berry, Videographer  
Lincoln Daley, Community Development Director

**EXCUSED:**

Doug Knott, Chairman  
Tim Finan, Vice Chairman  
Laura Dudziak, Selectmen's Rep.  
Pete Basiliere, Alternate Member

**1. Call to order:**

Janet Langdell called the meeting to order at 6:30 p.m. J. Langdell explained that Chairman Knott and Vice Chair Finan are excused this evening so a Chair must be named for this meeting. P. Amato moved to have J. Langdell act as Chair this evening. S. Robinson seconded. All were in favor. J. Langdell introduced Board members and staff. J. Langdell explained that the first two items tonight are conceptual and therefore are nonbinding discussions, no abutters were notified and no decisions will be made.

**2. Public Hearing:**

- a. **Quiet Caboose Holdings, LLC (applicant/owner)** - Conceptual discussion of a potential site plan to construct a 30ft by 60ft garage with 5 bays and storage space on the second floor along with associated site improvements. The parcel is located at 15 Elm Street in the Commercial and Nashua Elm Street Overlay Districts. Tax Map 25, Lot 16.

J. Langdell indicated that because this is only a conceptual discussion, the Board does not need to accept this application for review, nor read abutters or address regional impact. Spencer Tate, Meridian Land Services representing the applicant, explained that this is a conceptual design for the site and site improvements; it is a .49 acre property entirely in the C zone. This is a mixed use property with two apartments and a commercial use. The large structure is an old Victorian house with apartments above. Hayes Heating and A/C is located on the first floor. There is a train car in the back of the lot which is in disrepair. The train car does not have a foundation and sits on a slab. The applicant is proposing a 30' x 60' garage to store vehicles and attic to store product. The business trucks are currently stored outside, the garage is primarily to store the vehicles inside with product storage above. The old shed will be removed and replaced with a permanent patio. The current driveway and parking area will be improved. There are 16 outdoor parking spaces with one Handicapped space. This property abuts Jacques Elementary School, the other abutter is an apartment building. This will be within the setbacks. Mr. Tate explained the applicant would like to go to a final site plan based off tonight's discussions.

S. Robinson asked if the garage structure will be located entirely behind the existing structure and will it be entirely separate? S. Tate responded that the train car will remain where it is currently located, the new structure will be unseen from Elm Street and the new garage will be completely separate from the existing structure. P. Amato asked how many employees work for Hayes? S. Tate was not sure. P. Amato feels that needs to be identified when this is presented as a Site Plan. P. Amato will want to know how many employees there are and where will they park and how many parking spaces are used by renters in the apartments. S. Tate indicated when the garage is complete, there will be 11 parking spaces outside. P. Amato asked if there will be elevations when this comes to a Site Plan application? S. Tate responded that the elevations are being worked on now and yes they will be part of the Site Plan application. P. Amato noted most of this will not be visible from Elm Street but will be visible from the elementary school traffic and people walking, so there will need to be landscaping. S. Robinson asked if the design of the garage will be similar to the existing structure? S. Tate was not sure. J. Langdell said this is in the Elm Street Overlay District so the architecture does come into play.

S. Tate said the garage will have a dormered attic. J. Langdell asked why a 12-foot deck is being put on the west side? S. Tate said that deck will be the access point. J. Langdell said it is two stories, how much of the open space will be decreased because of this? S. Tate said the plan is still over the open space requirement. P. Amato suggested Spencer might want to shield the area with landscaping where the pallets will be left. It will become a large pile of pallets in that back area. S. Tate said he can have the owner come into the next Planning Board meeting to talk about that back area.

J. Langdell said there used to be trees on the back area that may have been removed. P. Amato asked if the chain link fence is on the school property? S. Tate said it is. P. Amato said it would be nice to have landscaping to screen the stuff being stored in the back yard. K. Shamel said this property falls within the Elm Street Overlay District, so the applicant should review the design standards; the Heritage Committee also provided comments to take into consideration. J. Langdell asked if there was anything major in the comments? K. Shamel the biggest comment from the Heritage Committee was that the plan lacked definition which would be the case with a conceptual plan. She explained to them there would be another plan coming forward at some point that they can take a look at. There was no further discussion.

- b. **Frederick and Celia Lorden Trust (owner) and Ponemah Hills, LLC (applicant)** – Conceptual discussion of a potential Site Plan to construct a 5,368 square foot, 9-unit residential building with associated site improvements. The parcel is located at 0 Ponemah Hill Road in the Residence B District. Tax Map 43, Lot 61.

Nate Chamberlin, Fieldstone Land Consultants LLC representing the applicant, explained this conceptual design discussion is for a nine unit multi-family building on Map 43 Lot 61. This is a 1.9 acre, wooded lot. They are still working on the details of the building so there is no elevation available this evening. The unit sizes will be 900-1100sf two bedroom units, with possibly one one-bedroom unit. There are 20 parking spaces, with 18 required. The land has good soils, on site infiltration will be done, town water and sewer are available, internal sidewalks are planned. Based on the lot size, 9.6 units are allowed. There is 59% open space; this will be a pitched roof building and will look nice.

P. Amato asked if the land will be clear cut along the road? N. Chamberlin answered that the builder will cut only what needs to be cut. J. Langdell said the condominiums next door have a lot of green space along the road and asked if that will be done here? N. Chamberlin said they will cut what has to be cut. J. Langdell said the complex next door to this has a lot of green along the road. N. Chamberlin said they can try to leave green and have screening along the road. We will have to provide buffers. J. Langdell said this would allow for some green space for children that may live here.

J. LaFontaine asked if the stone wall will remain? N. Chamberlin said they will preserve as much as they can. S. Robinson asked if this is one story building? N. Chamberlin responded that it is. S. Robinson asked why will it only be one story? N. Chamberlin indicated that is so there are no stairs. P. Amato said if it is two stories, would it need an elevator? Kevin Groot said a one story building means sharing less wall space with other tenants and not having another tenant above you, which appeals to everyone. The design is in a state of flux currently. P. Amato said you might want to consider having covered parking for tenants. Kevin Groot asked for any other advice from the Planning Board. J. Langdell indicated maybe a carriage type parking area for tenants and visitor parking as well. Kevin Groot said we are also looking to have a storage area. P. Amato said the market for apartments is till good; amenities will make it an attractive place to live; will it definitely be apartments or condominiums? K. Shamel said the formal submittal will require elevations. Kevin Groot said initially it will be apartments. P. Amato asked about the square footage of the units. Kevin Groot responded they will be 900-1100sf with two bedrooms and 2 bathrooms.

- c. **Ronald L. & Loreen M. Racicot (applicant/owner)** – Review for acceptance and consideration of final approval for a minor subdivision application to subdivide the existing lot of record into two parcels. The parcel is located at 21 Old Wilton Road in the Industrial and West Elm Overlay Districts. Tax Map 14, Lot 10.

J. Langdell read the notice for subdivision followed by the site plan notice. J. Langell explained that she would like to deal with the two plans separately for acceptance and approval, but have discussions concurrent. P. Amato moved to accept the Subdivision Plan application for review. J. LaFontaine seconded. All were in favor. P. Amato moved there is no potential regional impact for the subdivision application. J. LaFontaine seconded. All were in favor. The abutters for both the subdivision and site plan were read into the record; the following abutters were present: Steve Foskett, Fieldstone Land Consultants and Town of Milford.

- d. **Ronald L. & Loreen M. Racicot (applicant/owner)** – Review for acceptance and consideration of final approval for a major site plan application to construct a 4,500 square foot, two unit commercial building along with associated site improvements. The parcel is located at 21 Old Wilton Road in the Industrial and West Elm Overlay Districts. Tax Map 14, Lot 10.

P. Amato moved to accept the Site Plan application for review. J. LaFontaine seconded. All were in favor. P. Amato moved there is no potential regional impact for the site plan. J. LaFontaine seconded. All were in favor.

At this point the discussion will include both the Subdivision and the Site Plan applications that were accepted for review. Nate Chamberlin indicated there was a site plan previously approved but was never acted on. The property has one house and they would like to subdivide that off so that it is on its own lot. There would need to be an easement for the driveway to get to the driveway. Son's Chimney is currently using the barn for product storage. P. Amato asked if the house would use the driveway, but would not own the driveway? N. Chamberlin said that is correct. P. Amato asked if there is room to get a driveway in if there was not the existing driveway? N. Chamberlin said yes, there used to be a driveway there. S. Robinson said it would make more sense to have a driveway on the lot with the house as part of the lot. J. Langdell does not know why a driveway would be removed. The lot line goes right through the existing tree. If Son's Chimney is using the back barn for storage, their trucks need to get back there – that might be why they want the house to use another driveway. N. Chamberlin said they will still need a little bit of easement in the area. J. Langdell said the easement would be for the house to have use of the driveway? P. Amato suggested that the lot line be moved enough to put the driveway on the house lot. P. Amato suggested putting the driveway in the area that it was located previously. N. Chamberlin said it looks like they converted the driveway into a walkway. There were no further questions on the subdivision.

N. Chamberlin explained the best access for the commercial use is the existing driveway. The site plan application is for a 4500sf commercial building; half of which will be for Son's Chimney product storage and the other half will be rented for another use. P. Amato asked if this will also be for Son's Chimney retail store and for storage? N. Chamberlin said yes, for a retail display and storage of goods. S. Robinson asked if this will be their actual show room and shop? P. Amato said every product that comes in for Son's Chimney comes in by trailer truck; he is not sure if there is enough room for that. N. Chamberlin said the product comes via box truck. The front unit will be for Son's Chimney. P. Amato said when Son's unloads product right now, it is delivered by a big tractor trailer that they unload on Middle Street. N. Chamberlin did not realize they had deliveries with tractor trailers.

P. Amato said we do not know what will be on the other side of the warehouse and it is a building in the Industrial zone so it has to be built for other purposes. N. Chamberlin can look at the design for the tractor trailer to maneuver. P. Amato suggested that screening would be needed for buffering the abutter. N. Chamberlin said they can put a screening fence. P. Amato asked how much outside storage is allowed in the Industrial zone? L. Daley responded as long as they maintain the open space, as much outside storage as needed. P. Amato said there are some things that need to be ironed out for this plan, asking for elevations. N. Chamberlin said those are in process and are not available for this meeting. P. Amato indicated there are several items that need to be on the plan including curb cuts, driveway, the second storage area, the method to unload pellets, screening between the industrial and residential zones. J. Langdell said there is a requirement that there needs to be screening between the two houses. N. Chamberlin asked if that is due to the West End Overlay District? J. Langdell responded no, that is in any zone and mixed use. J. Langdell asked if the staff memo was looked at? N. Chamberlin said yes and the items have been addressed.

N. Chamberlin reviewed the staff and KV Partners comments, noting they are trying to utilize the existing culvert - the design will be fine. He is not sure what KV Partners comment number 4 means and he will respond in writing to KV Partners regarding note #5 to make sure they are satisfied. P. Amato said the Overlay District needs to be reviewed to make sure all the requirements are being met. N. Chamberlin understands. N. Chamberlin has received the comments but did not have time to respond. He went through the comments 1-9 in the staff review. P. Amato indicated the site plan should be designed for the use allowed. N. Chamberlin said this is set up for a commercial use. J. Langdell said for the business that is moving in, it does not appear that their needs are being addressed for that business. The Milford Conservation Commission comments need to also be addressed. P. Amato asked if retail can be done in the Industrial zone? K. Shamel said the Industrial District does not allow retail. P. Amato said the Overlay District covers a lot of different zones but it does not necessarily mean it is an allowable use in the zone. K. Shamel looked in the zone in the Overlay District. P. Amato asked if the Overlay gives you access? L. Daley said the Overlay District uses are what is allowed in the Overlay zone. The Overlay zone has a use that is allowed. L. Daley said we need to determine if the primary use is the sale of stoves. How much of the showroom is an ancillary use for stoves? If the primary use is selling pellets, it is a different use. N. Chamberlin thought it was allowed because of the overlay zone. The original plan was approved as a warehouse. N. Chamberlin said the stockpile area is only for the construction to build the buildings and is just temporary.

P. Amato asked Mr. Foskett about the buffer between his property and this property? Mr. Foskett said he did not know about the buffer, he would prefer a tall fence instead of tall pines. Mr. Foskett gets concerned with trees falling on his property. N. Chamberlin said he can do selective cutting and take out the taller trees and put in some younger trees for buffer. N. Chamberlin said he will work with Mr. Foskett about tree removal and installing a fence. J. Langdell said if the trees are dead they do not act as a buffer. Mr. Foskett would not mind having arborvitaes, he will work with N. Chamberlin. Mr. Foskett said his driveway gets flooded, and he wanted to see about getting a culvert installed to avoid any additional water; he is not sure if it comes from this property or the one further down.

L. Daley indicated the loading and unloading of vehicles on Old Wilton Road is prohibited, any of that activity cannot be done on the road. The separation of the two properties will require proper screening between the residential and non-residential properties. K. Shamel stated she would appreciate a response and a revised plan to see that all of tonight's comments get incorporated. P. Amato asked if a month is enough time to make all the changes? N. Chamberlin thinks it is enough; there is not a lot here – the tractor trailer turnaround, the elevations, landscaping, etc. J. Langdell suggested these changes would need to be done in a couple of weeks. K. Shamel thinks this should go into January. P. Amato stated next week is the Thanksgiving holiday, the next Planning Board meeting is December 17. K. Shamel added that the December 17 already has other items on the agenda.

J. Langdell reviewed the Milford Conservation Commission (MCC) comments. N. Chamberlin does have test pit data but is not sure why it did not make it on the plan. An additional test pit will be done in the front area. P. Amato said if the existing barn will be used for storage for the shop, would that be two uses on the same lot? J. Langdell said that needs clarification. P. Amato asked if there are invasive species on the site? J. Langdell is sure there is bittersweet since it is everywhere in town. N. Chamberlin can look further at that.

P. Amato moved that the Subdivision and Site Plan applications be tabled to January 21, 2020. J. LaFontaine seconded. All were in favor.

### 3. Approval of Minutes: November 5, 2019

Due to only having four members present, J. LaFontaine moved to table the minutes of November 5, 2019 to the next Planning Board meeting. S. Robinson seconded. All were in favor.

### 4. Work Session:

Ordinance amendments discussion. Floodplain Ordinance. Kellie Shamel indicated that the town is required to have regulations in the town ordinance in order to participate in the National Flood Insurance Program (NFIP) and must meet minimum requirements in order to remain in good standing in the program. The proposed amendments are more reformatting the section than anything else, this is to make it more clear and understandable for the public and for those that enforce it. Nothing is becoming more restrictive, it is reformatted to be easier to understand. That is why it is not redlined, it is not comparing apples to apples, it is more cut and paste. J. Langdell asked if there is new model language? K. Shamel said yes, that is what we used before and so we are starting the with State model language. It is adjusting the terminology so it is more understandable but it is not changing the requirements. L. Daley asked what impact doe this have on property owners? K. Shamel said there is no impact, it is just updating it to reflect the more current standards under the National Flood Insurance Program. L. Daley said this new version is so difference, it would not be worthwhile to redline for comparison, but instead to include it in the local ordinance. Further, Janet asked about the financial reference in the new version. L. Daley answered that is a good question to ask.

S. Robinson suggested it might just be a reference. K. Shamel used to do this type of work and that financial reference is from literature that the State and FEMA use. J. Langdell asked if we want to do that with these? P. Amato asked what was included in the old version, is there a financial reference? K. Shamel said no she just took the section for Flood Management out. J. Langdell asked if any of the area I the new regulation is significantly different from the previous or are they completely new? K. Shamel answered that from her review, the document went from the State to the towns and provides the clarification for communities and residents. P. Amato asked for more time to review this. J. Langdell asked if members can wait until the December 3 work session to vote? L. Daley is confident that the Board can vote on December 3; he wanted to know if he and Kellie were headed in the right direction. P. Amato said we do not have a say, we are being told the town has to do this to make sure it appears to make sense. K. Shamel said the State office sent out this model to communities that participate in the NFIP. She thinks the new language is easier to enforce and implement rather than using the current ordinance.

Commerce Overlay District. L. Daley explained this has not been used for the intended use, the uses are being consumed by other uses. The options on the table are what were discussed briefly before.

- a) Do nothing – leave it as it is and work within it. This overlay district encompasses mixed uses and large scale developments which could create a second town center but instead much smaller developments have come in. The overlay was meant for large uses;
- b) Remove the entire district and return it to what it was before. The district is still zoned, it is just overlay that will be removed;
- c) Remove overlay and re-analyze the area and talk about a different overlay district. This could better align with goals for the area;
- d) Remove the Commerce Overlay District and extend the West Elm Overlay District with 21 properties. P. Amato asked why the north of the bypass did not get captured. L. Daley indicated it is very wet and full of brooks, the other 21 properties are just on the outside of this district. The West End Overlay District is not as restrictive as the Commerce Overlay District. A log of good design stands, which could make the overlay more attractive.

J. Langdell said when the Board starts to review, we might decide to change the other overlay districts instead of creating other ones. L. Daley said the West Elm District gives opportunities for applicants to request waivers. J. LaFontaine said we can have the overlay district and not be overly prohibitive.

L. Daley said the warrant articles will be written for review at the December 3 work session. J. Langdell suggested having a one page description of what is being requested on the warrant for a handout at deliberative session.

5. **Adjournment.** The meeting was adjourned at 8:44 p.m. on a motion made by P. Amato and seconded by J. LaFontaine. All were in favor. Motion passed unanimously.

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

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MINUTES OF THE 11-19-19 MEETING WERE APPROVED 12-17-19