

1 MILFORD PLANNING BOARD MEETING MINUTES ~ APPROVED

2 October 19, 2021 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 Paul Amato, Member

8 Pete Basiliere, Member

9 Janet Langdell, Member

10 Susan Robinson, Member

11 Elaine Cohen, Alternate Member

12 Dave Freel, Selectmen's Rep

Staff:

Jason Cleghorn, Town Planner

Darlene Bouffard, Recording Secretary

Andy Kouropoulos, Videographer

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15 This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to
16 Executive Order 2020-04. As such, the meeting was conducted both online and in person.

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18 **1. Call to order:** Chairman Knott called the meeting to order at 6:30 p.m. indicating that tonight there are two
19 applications on the agenda followed by a scenic road hearing. This meeting is being conducted as a hybrid, both
20 in person and via zoom. Chairman Knott introduced Planning Board and staff members.

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22 **2. Public Hearing:**

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24 a) **Case SP2021-20 Ronald Racicot and Fieldstone Land Consultants** (owners/applicants). Major Site
25 Plan review for a 4,500 s.f. warehouse building and associated site improvements at 21 Old Wilton Rd.
26 The property is zoned Industrial "I". Tax Map 14 Lot 10.

27 This application is continued from the September 21, 2021 Planning Board meeting, therefore it has
28 already been accepted and abutters have been read into the record. Nate Chamberlin said the biggest
29 concern at the last meeting was the building, the plan was revised in accordance with the concerns and
30 more detail was added as requested on the elevations, the awning was added on the shed roof. The siding
31 on the bottom will be shakes with timber brackets and the door colors were added. There will be asphalt
32 shingles on the roof. A cupola was added to the roof at the request of staff. The shed roof was also added
33 to the plan. The shed is on the East side of the building. P. Amato asked for the landscaping plan to be
34 reviewed. N. Chamberlin did not have that with him tonight, as the subdivision plan was approved at the
35 September 21 meeting. The fence has been pulled back a littlebit, the exterior propane tanks were added
36 to the plan and lighting was revised as requested and are downcast plus the light poles were lowered.

37 The existing culverts were requested to be used, however the previous DPW Director was okay with that
38 design but the current Director had an issue with it so that was changed and a shallow detention area was
39 added. The lights will illuminate 1 foot candle, which is typical. The landscaping is the same as before,
40 with two trees added. There will be a row of lilacs and fence detail was added to the plan, a fence-filler
41 will be used in the chain link for privacy and will match the beige building color. There are 6 foot
42 Arborvitaes to be lined along the fence for privacy. The lilac bushes identified on the plan are a variety
43 that will last longer and will screen better than the standard lilac. Nate Chamberlin said one concern of
44 the abutter at the last meeting was the drainage on the driveway and that was looked at and will be
45 addressed. P. Basiliere asked about the easement and if that is for resident access, because the Site Plan
46 looks like most of the parking is on the new lot; is that easement also for traveling over between the two
47 lots and for parking? Nate Chamberlin answered yes, the easement is also for parking on the new lot.

48 D. Freel thanked Nate for all the changes to the Plan and asked if there was someone else that wanted the
49 cupola added to the roof? D. Freel said the Planning Board would like the cupola but he was just making
50 a suggestion, the town is not requiring the cupola, the town should not be making that a requirement. J.
51 Langdell said this is one way for the applicant to meet the West End Overlay District regulation. D. Freel
52 said he just does not think the town should require something like that, it is not a requirement. D. Knott
53 said the ordinance does not require a cupola, it was just a recommendation. D. Freel did not want that
54 recommendation to be taken as a requirement. N. Chamberlin said the suggestion had to do with meeting
55 the West End Overlay District guidelines because of the building size. D. Knott added that it was

recommended because of the size of the building and the cupola would break up that size. D. Knott asked Jason Cleghorn if the applicant was told they must have the cupola? J. Cleghorn said that staff felt pretty strongly that it should be added to break up the building size, but it was not a directive. D. Knott agrees with having the cupola stating it looks very nice. P. Basiliere indicated that the town department did not put the West End Overlay District in as a requirement, it was the town voters that said they would like these improvements in the West End District and it got voted in for the Planning Board to follow in the West End Overlay District; this was voted in by residents of Milford. P. Amato thinks the building design looks nice. S. Robinson said according to the minutes of September 21, 2021, tonight's presentation seems to address what was discussed at that time. J. Cleghorn feels Nate Chamberlin has addressed most of the concerns from the last meeting. Seeing no other comments from the Planning Board, D. Knott opened the public hearing to the public for questions or comments, asking that the name and address of the speaker be announced. J. Cleghorn said there were no attendees raising their hand to speak. Seeing no public wishing to speak, J. Langdell said that the Heritage Commission indicated in their review, this property was the location of an old Tavern and if any artifacts are found to please notify the Heritage Commission. D. Knott closed the public hearing and asked for any further comments from the Board.

D. Knott indicated that the landscape plan should identify the plants and their sizes. P. Basiliere asked that the access easement be provided to the Town Planner for review prior to it being recorded and prior to the Subdivision Plan being recorded. J. Cleghorn clarified that the Site Plan approval was continued to tonight, but the subdivision was approved at the September meeting and it has not been recorded, as the applicant was waiting on the Site Plan decision to record. T. Finan read in the September 21 minutes that both applications were continued, but we are talking about only having to make a motion on one? After some discussion and reading the minutes of September 21, it was noted by J. Cleghorn that the Subdivision Plan was approved on September 21 and that only the Site Plan application was continued to tonight for review and requires a motion.

P. Amato moved to grant conditional approval for the Site Plan conditioned on Easement Documents being approved by the town prior to Site Plan signature and the Landscaping items to be identified and sizes identified on the plan. J. Langdell seconded. All were in favor. Motion passed.

Ron Racicot, applicant, asked the Board if there are any photographs of the old Tavern that was on this site for reference? J. Langdell said she would get in touch with Mr. Genovesi of the Historic Society to ask that question.

- b) **Case SP2021-04 Mengyuan Property Management and Frank Kling (applicants/owners).** Review for a major site plan application to construct a six (6) unit townhouse, multi-family residential project with related parking, drainage/stormwater management, landscaping, and lighting improvements. The parcel is located at 159 Elm Street in the Commercial C zoning district. Tax Map 19 Lot 5. Continued from the May 18, 2021 meeting.

J. Cleghorn explained that the Town has been waiting for color elevations on the back of these buildings. After months of waiting for the architect availability, the applicant has obtained the color elevations for all four sides of the building which are included in tonight's packet. There have been minimal changes since the last time this application was tabled. Sam Foise, Fieldstone Land Consultants, is representing the applicants to explain the application and floor plan of the building. The last outstanding issue was the building elevations, the elevation has changed minimally since that last presentation. The applicant can speak to the changes; staff is satisfied and it looks very nice.

Sam Foise explained the emergency response parking which was designed for an ambulance vehicle with an additional 10 feet to that portion of the side walk. The color elevations were difficult to get because of lack of architect availability and then having one architect transfer to another caused minor changes. The Site and Site design can be reviewed if the Planning Board wishes. The floor plans and foot prints are available, the middle units jog out but the units on the end and the fascade is broken up with different features. The roof line has some jogs where the front comes out. S. Robinson asked why there are no windows on the end units? Sam Foise responded because of the lay out with the bedroom. S. Robinson asked if the buyers will be involved in the build before the units are sold, because if the buyers are involved they might be willing to have extra windows and pay those costs. Sam Foise thinks they will be built and then get sold.

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110 J. Langdell said the previous elevations presented had a chimney on top, were those functional? Frank
 111 Kling said the chimneys were just decorative. D. Freel asked if the stone fascade will be actual stone? F.
 112 Kling said that is just plastic, not real stone. F. Kling said there are no unresolved issues with the
 113 application according to staff. J. Cleghorn agreed. D. Freel asked if there will be sonotubes used for the
 114 decks? F. Kling said yes. D. Freel asked if the piers will show or if bushes will cover them? F. Kling
 115 responded that will be determined once they get installed. P. Basiliere asked if the 30 foot wide snow
 116 storage is adequate? Sam Foisie responded that the snow will be pushed over the edge in that area, there
 117 is a slope down there. D. Freel asked what is holding up the slope? S. Foisie said it is the grading, there
 118 is sloping on the site and some of the foundation will show. J. Langdell said excessive snow will be
 119 removed from the site as noted on the site plan. S. Foisie continued that a 3-1 slope was the original
 120 design, but that would require a guardrail, so it was changed to a 4-1 slope so there is no guardrail
 121 necessary. P. Amato asked how wide is the garage door? F. Kling answered it is 16 feet. P. Amato
 122 asked if all units have a walk-in door to the garage? S. Foisie answered yes. Elaine Cohen asked about
 123 the back wall, is that a fence for privacy? F. Kling answered yes, it will be lattice. D. Freel asked if there
 124 will be any air conditioning installed? F. Kling answered yes on the end units. Each unit will have air
 125 conditioning from the end units. D. Knott asked if the units have landscaping in the front? Sam Foisie
 126 answered yes. D. Knott asked if HVAC units will be on the plan? F. Kling can put them on but some
 127 bushes will be planted to cover the HVAC and condensers; Sam Foisie asked if the approval can be
 128 conditioned on that? F. Kling indicated the HVAC and condensers need to have air flow around them. S.
 129 Foisie stated at the Site Plan review level, the location of HVAC and condensers is not identified, but are
 130 on the building plans for building permit. The applicant can make sure any HVAC or condensers are
 131 screened from the road.

132 Seeing no further questions or comments from the Board, D. Knott opened the hearing to the public
 133 stating that people should state their name and address for the record. Pam Torsiello, Brookstone Manor
 134 LLC Representative at 135 Elm Street, said she has no issues with the plan. Seeing no further questions
 135 or comments from the public, D. Knott closed the public portion of the hearing.

136 There were no further comments or questions from the Board. P. Amato moved to grant approval subject
 137 to adding a note regarding HVAC not being seen from the road or from the driveway by using screening.
 138 P. Basiliere seconded. All were in favor. Motion passed.

139 S. Foisie thanked the Board and indicated the applicant will be coming back in the next few months for a
 140 Subdivision to make these units condominiums.

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142 c) **Scenic Road Public Hearing- John Lumbard.** Driveway location and alteration of stone walls at 380
 143 Federal Hill Rd., a Designated Scenic Road. Map 56 Lot 52-2.

144 John Lumbard, owner, explained this lot has an agricultural portion of the property, therefore in
 145 addition to building a home he would like to use the field for agricultural use. He has a lot of
 146 Black Swallow Wort that must be removed prior to utilizing the land. USDA is sending
 147 someone out to meet with Mr. Lumbard to set up a plan to rid the property of this invasive plant.
 148 In order to access this portion of his property, he must create a second access for the large
 149 equipment and in that process disturb the stone wall. Federal Hill Road is designated a scenic
 150 road and requires this hearing.

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152 P. Basiliere asked if any disturbed stones will be placed on either side of this opening? Mr.
 153 Lumbard indicated that they will. P. Amato suggested making the opening wider than the
 154 proposed 12' because of the equipment. John Lumbard agreed to do that. P. Basiliere asked
 155 why the field cannot be accessed by the existing opening? J. Lumbard said the house is on the
 156 side of the hill and it is steep up there. J. Cleghorn said at the bottom of the hill, there is an old
 157 stone wall and there is a gap in the wall and a wetland, but that is not Mr. Lumbard's property.
 158 Mr. Lumbard added that on the "high side" you can get to the field, but it would cause a lot of
 159 disturbance in the field. P. Basiliere just wanted to make sure this is the best location.

Dave Palance, Heritage Commission, saw the plan but did not see a lot of information about the stonewall opening. D. Palance asked about the driveway break in the stonewall? J. Langdell indicated there was a Conservation Commission meeting about that driveway. J. Lumbard said there was a meeting about where to locate the driveway and there were problems with the location and it was decided the best location is where it is. J. Cleghorn said there was no breach in the stonewall for that driveway. Dave Palance said he drove up there and did not see a Building Permit posted. J. Lumbard said there is one but it is in a pile of rocks right now. D. Knott said the Building Permit is not an issue for this discussion. He would recommend changing the request to a 16' opening in the stone wall instead of 12'.

J. Cleghorn suggested if any Planning Board members visit this property, and sees that breach in the stone wall near this area, that is not owned by J. Lumbard. D. Freel stated that residents should be able to access their land by opening a stone wall. J. Cleghorn responded stating there are certain roads in NH that are considered Scenic Roads and they require, under RSA, that there be a public hearing and notices for a change of this sort on a Scenic Road. J. Cleghorn said Mr. Lumbard needs to apply for a driveway permit with DPW for this location if approved. D. Freel said he needs access to his land, why would we say no to this? J. Cleghorn said it is a requirement by NH RSA, and he wants to cover all our bases. J. Langdell asked J. Cleghorn to confirm those requirements.

P. Basiliere moved to approve the request in accordance with the Scenic Road requirements and to breach the stonewall 16' instead of 12' for access. D. Freel seconded. All were in favor. Motion passed.

3. **Other Business:** S. Robinson asked if there had been a Site Walk for the Burns Hill discussion on 9/21/21? J. Cleghorn responded that the town has not received an application yet, in September it was only a Conceptual Discussion; once an application is received a Site Walk will be set up.

Zoning Ordinance amendments J. Cleghorn is working on the following zoning ordinances: 1-Wetland District (Conservation Commission); 2-Estate Lots; 3-Solar amendment; 4-Sand & Gravel Requirements; 5-Zoning Map --the Drafts will be coming before the Planning Board at the November 2 Work Session, as well as Planning Board Rules & Procedures proposed amendments; Fees Analysis; and CIP review. J. Cleghorn will get the draft of each out as soon as possible prior to November 2. It is a busy work session.

4. **Meeting Minutes:**

J. Langdell requested one amendment to the minutes of 9/21/21. J. Langdell moved to approve the Planning Board minutes of 09/21/21 as amended. P. Basiliere seconded. All were in favor of the amendment. Motion passed.

5. **Adjournment.** The meeting was adjourned at 7:55 p.m. on a motion made by P. Basiliere and seconded by P. Amato. All were in favor. Motion passed unanimously.

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

MINUTES OF THE 10/19/21 WORK SESSION WERE APPROVED 11/16/21