

MILFORD PLANNING BOARD MINUTES ~ APPROVED  
JUNE 21, 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, Vice Chairman  
Susan Robinson, Member

**Staff:**

Lincoln Daley, Comm. Dev. Director (via Zoom)  
Darlene Bouffard, Recording Secretary

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

1. **Call to order:** 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 and a scenic road hearing. Planning Board members and staff were introduced by D. Knott.

2. **Public Hearings:**

- a) **Case SD2022-01 Carl and Salley Chappell, Tax Map 42, Lot 46, 116 Osgood Road.** Public hearing for a Minor Subdivision application to subdivide the subject lot into two lots within the Residential "R" District.

J. Langdell moved to accept the application for review. P. Amato seconded. All were in favor. Motion passed. P. Basiliere moved there is no potential regional impact for this application. E. Cohen seconded. All were in favor. Motion passed. Abutters were read into the record by D. Bouffard, abutters that were present were Carl Chappell and Sam Foisie (Meridian).

Sam Foisie with Carl Chappell's assistance presented the plan and provided details. This Lot Line Adjustment is to separate the parcel into two lots. The existing use of the property is for a residence with a barn and for a lumber business that has been running for many years in the family. The abutting lots are residential uses. The goal is to create a lot for the residential use and create a lot with the lumber operation to be passed on to Carl's sons to take over. This has no change to the physical features, it is simply a line on a plan to transfer ownership to his sons. The small lot will have access on the left and the right of the lot. The lumber operation will have access through the existing access. The access easement will be amended for both lots. Both lots were served by town water and sewer.

The septic system crosses a jog in one property line. The concrete pad will be owned by Carl and Salley with the barn and a row of existing trees. This is primarily to separate the residential lot from the lumber operation. A ZBA Variance was granted earlier this year. Some comments were provided by L. Daley and will be addressed including: 1-revise wetlands-Sam Foisie said the wetlands are associated with Grater Brook, they are far away from the creation of this lot. The one barn will remain with the residential property; 2- the location of the smaller house septic is only known from Carl Chappell who installed it, we do not know exactly where it is, a note is on the plan describing that location of the septic. A 4,000 septic box is only required for lots under 5 acres. The septic information is only required by the State not the town. The number of the parcels needs a discussion with L. Daley and S. Ingram about the numbering of lots. This is just a line on paper to allow the transfer of ownership to the owners' sons for the lumber operation.

The applicant asked if there were any questions or comments. J. Langdell asked about a note regarding the property bounds/monuments. S. Foisie said yes that note will be added. P. Amato asked if the small office house stays with the business? C. Chappell said it will. P. Amato asked for an explanation of the new lot line, how does it travel by the lumber yard. S. Foisie explained how the driveway travels through the lot. C. Chappell indicated when the back house was sold, a driveway was created just for that house. L. Daley pulled up the aerial of the area to show members how the driveway runs. S. Foisie explained the driveway for the new house lot does not show on this plan, we did not survey the abutting

lot, we surveyed the lot that is on this plan. J. Langdell said that driveway is part of this plan and it should be on it. S. Foisie stated the driveway location can be added but it is not part of this subdivision plan. J. Langdell said it is part of the subdivision, it should be on this plan. L. Daley asked if this is an active easement or has it been distinguished? S. Foisie said it is active. L. Daley asked if the easement still needs to be in place? S. Foisie believes it still needs to be in place but also needs to be amended. L. Daley indicated the house in the rear has a separate driveway but the easement is available to that owner and he agrees with J. Langdell that the driveway should be on this plan to show the existing conditions on the property. S. Foisie said he can amend the plan to show that driveway. It is not pertinent to this subdivision and it does not affect this new lot but he understands that it exists today. C. Chappell said when that house was built, the easement was put there, but the buyer did not get an easement. P. Amato understands that the easement is not for the current owner, S. Foisie said the easement is on Carl's deed, he is not sure if it is on the other owner's deed. It is a third party that we would need approval for.

S. Foisie stated the barn will stay with the Chappells in conjunction with the house. The smaller house does not have a State approved septic system, it is not a requirement of the subdivision, C. Chappell installed that septic tank so we know the general location of it but there is not a State approved septic design. P. Basiliere asked which property the small house will be on? S. Foisie said that will be part of the lumber operation parcel. P. Amato indicated it would be nice if the wetlands delineation were done to see that everything (with wetlands) is okay. S. Foisie believes the wetlands were done in 2007 and we are not changing any physical features on the site, so the wetlands will not change. P. Amato said if the wetlands changed since 2007, the town would want to see that. P. Amato asked if the entire lot with the piles of lumber were surveyed, or if it is known that the wetland has not encroached on the lumber piles? S. Foisie said the entire lot has been re-surveyed the lot where the lot lines will go and additional data was collected for where the lot line will go. S. Foisie does believe the entire lot where this Lot Line is affected was surveyed. P. Amato does not believe we are getting the whole story.

J. Langdell indicated if this was a site plan, the wetlands delineation would be required. This is an established business and an established residence that has been there a long time. This is an opportunity to get up to date information and the town could capture this important information. P. Amato said it is an opportunity to have a more up-to-date plan for that site, we have to maintain that they are within the existing site plan. P. Amato asked if there is a current site plan? L. Daley said there is and a few years ago this we reviewed, but he agrees with the Planning Board view on getting that data updated. L. Daley said the septic on the larger house lot had to make a condition that it is conditioned on review of approved septic design for the larger house lot. S. Foisie disagreed, he has done what is required which is the 4000 box, but the town does not require a septic approval which would be required for a building permit. The applicant is obligated to get a State permit which does consider the septic. L. Daley said that is a condition he hopes the Planning Board will support.

The State subdivision approval requires the 4000 box. D. Knott said the Subdivision plan is okay. P. Amato does not see certain things on the plan that are needed. S. Foisie said the setbacks are on this plan as required. P. Amato asked if the front setback is 30'? S. Foisie understands the Board wanting to have the wetlands marked to have them at this point in time, but they are not on here because nothing is changing for this subdivision. P. Amato does not know if there were changes since the last Site Plan was done. C. Chappell said they did that years ago with a fly over at the request of the Assessor and the lines were drawn and measurements were taken. L. Daley has not talked with the Town Assessor but it sounds familiar and sounds accurate, but there are minor subdivision wetland buffer delineations that should be on the plan. P. Basiliere understands the wetland delineation is not required, if it is not required, who bears the expense? P. Amato said it is only the applicant that bears the expense. The wetlands are not a concern in the subdivided lot, but with the business, as it grows, that is the concern.

Seeing no further questions or comments from the Board, D. Knott opened the meeting to the public and asked for those that wish to speak to state their name and address, with abutters speaking first. Caleb Gilbert, 114 Osgood Road, asked about the driveway and easements being modified, asking if his driveway would be affected? If the business expands in the future, is he protected? P. Amato asked if Mr. Gilbert's driveway is on his land? C. Gilbert responded his driveway passes by the business

parcel and his land. P. Amato said if the driveway is on your land, you own the land the driveway is on. C. Gilbert said he drives by C. Chappell's property. S. Foisie said when that was subdivided, the driveway for that property was created for that lot. C. Gilbert know that he does not have the right to drive on Carl's property; he has no issue with what is being done tonight. Seeing no further comments or questions from the public, D. Knott closed the public portion of the hearing.

S. Robinson said if the business expands, what kind of protection does C. Gilbert have? P. Amato said the business owner would have to come back for a new site plan if it expands and as an abutter, C. Gilbert would be welcome to attend at that point. T. Finan asked if the wetlands have expanded? That would not impact this subdivision at all. L. Daley said if the application does not go into the wetland, they would need to change their site plan, they cannot operate in a wetland. If the wetlands were to increase in size, they would need to talk to the State and go through the ZBA about wetland buffers. S. Foisie said it would be similar to the setbacks for the house and it has not changed anything, if the same has occurred with the business, they would still have the right to use that area. L. Daley agreed, they could continue to operate as long as the operations are still within the setbacks and the wetland buffers are still intact. They would need to have an amended wetland delineation if it changed and if the wetland setbacks are no longer adhered to the operation would have to revise the site plan, the operation cannot be in the wetlands. The applicant would need to go to DES to operate inside a wetland if it were found the operation was occurring inside the wetlands. C. Chappell said the beavers cause sections of the wetlands to expand; so what are the actual wetlands? What is there and what is the brook does not change other than what the beavers/wildlife do. P. Amato said the beavers haven't gotten any permits. C. Chappell agreed they have not gotten permits, but they cut the trees down and do a very good job.

J. Langdell moved to conditionally approve the subdivision application with 1-the lot re-numbering according to the Town Assessor; 2- monummentation documentation being requested by staff be added to the plan; 3-driveway for Mr. Gilbert parcel being added to the plan; 4-the easement that runs across the business area will be clarified and addressed on the plan; 5-copy of the State subdivision approval including septic review. P. Amato seconded. All were in favor. Motion passed.

- b) **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.

J. Langdell moved to accept the application for review. E. Cohen seconded. All were in favor. Motion passed. P. Amato moved no potential regional impact associated with this application. P. Basiliere seconded. All were in favor. Motion passed. Abutters were read into the record by D. Bouffard.

Jeff Merritt, Granite Engineering, presented the plan with assistance from Brent Cole. J. Merritt indicated the original site plan was done in 2017 for this same property which left 6.3 acres with frontage on Wilton Road. The ICD zone and West End Overlay district ordinance were reviewed. The current facility out there is the traditional self-storage model; tonight's application is for Climate Controlled storage. The west side of the property is the focus of this proposal. There will be 360-degree access around the buildings. The current access is gravel. A 50' wide access easement is in place. There is a cross access with the Dollar General Site and an internal driveway that would allow access to the cold storage buildings.

Scott Spridler of 30 Wilton LLC, indicated not a lot of traffic is generated by these facilities. There is one full time employee on site at this facility. The elevators and hallways are in the climate-controlled building. The maintenance access is North and South of the driveway. There is 96" Penn Stock on the driveway. P. Amato said in the past there have been issues with covering that Penn Stock. Jeff Merritt, said the grade will be built up higher in order to get that covered and to meet the Dollar General grade. There is a stormwater management area in the rear of the property, the State of NH specified how to treat stormwater. Because the storage facility project was done less than 10 years ago, the disturbance trips the AoT requirement so the applicant is beginning that process. There will be no new pole-mounted lights. LED fixtures with full cut off are proposed. The landscape plan includes street trees

on Wilton Road and the access road. A trip generation memo with low traffic is provided in the packets for the 5 am and 5 pm trips. A Stormwater Permit and Conditional Use Permit (CUP) is being sought for this use, in order to provide self-storage in this zone, we must meet the criteria to allow this, we have provided an outline for that.

J. Merritt indicated the applicant meets the criteria. Architect Dennis Myers noted he wants the building on an angle to the street and the focus to be similar to the existing storage buildings. Coming from the west, there is a landscaping buffer. The fascade was presented, with bump-out windows, and on the corners an overhang to break up the horizontal and vertical siding. There will be 6-8 condensers about 3 feet tall on the roof. One loading door and one man-door will be on one side. A canopy will be on the same side with parking and one office will be located in one of the corners. J. Langdell asked how tall is the Dollar General? L. Daley will have to look at that plan. D. Knott asked about the architectural features? Dennis Myer responded the bump-outs, windows and canopies are those features. P. Basiliere asked if the windows are functional? Dennis Myers responded they are fixed, but they are glass. D. Knott asked what makes up the buffer between this building and Dollar General? Jeff Merritt said there is a row of arborvitaes from the loading dock to the north and they have shade trees. D. Knott said those should be at least 14 feet tall. Jeff Merritt agreed.

S. Robinson indicated the Planning Board asked Dollar General to make the building more attractive than the original plan, which was done. P. Basiliere does not see that this building complies with the West End Overlay, and asked if brick or faux brick could be incorporated in the siding to fit in more with the surrounding mill buildings. S. Robinson said this plan looks somewhat like a warehouse and asked if the West Elm Overlay requirements were reviewed? Dennis Myers said he did review them, we could not have a pitched roof because of the height, we can try to break up the lines. S. Robinson suggested adding some architectural details on the fascade to make it look less like a warehouse. Dennis Myers responded they tried to do that; we are trying to make it look more attractive with the mass of the building. The view for drivers on approach to the building was shown, which shows the roof line is angled and has an overhang. The colors on the buildings were shown. P. Amato would like to see some type of brick used to add to the outside, with Dollar General we were concerned with the front, not the warehouse side.

J. Langdell said this will be a much taller building than Dollar General so it will look tall in the neighborhood. L. Daley said the Dollar General is 28' tall. L. Daley said the West Elm Overlay District has restrictions so these buildings need to have architectural details to help with the large walls to make them seem less large. D. Knott said there are architectural details that can be used, L. Daley read from the ordinance regarding the West Elm Overlay District, noting the Dollar General spent a lot of time to diminish the flat roof and this is an opportunity to break up the walls that are seen by travelers in both directions. D. Knott added that the Dollar General went through many iterations to get the building the way the town asked in order to comply with the ordinance. L. Daley noted there are other examples of these details that could create the climate controlled storage building to look, instead of a warehouse appearance, and this is an opportunity to advance this design to include those additional elements to meet the intent of the West End Overlay District.

D. Knott said in the ordinance, it does have "shalls" that need to be incorporated into this design. E. Cohen asked if any landscape features will be on the site to have the two sites together like a fence or stone wall? Dennis Myers responded we will have to look at it all together, we can look at alternatives for consideration. P. Basiliere asked about the area between the cold storage buildings and the climate controlled building. Jeff Merritt said that is a slope and it is an access easement so nothing is planned there. That will be for travel aisles. P. Amato said that area has about 20 feet of slope. P. Basiliere said they mentioned access, why isn't the access directly opposite from North River Road? J. Merritt responded there is a reason we did not put it there, but we will look at that. There are topographical differences between them, but they can look at that. P. Basiliere said with two different accesses to Wilton Road, it should be considered to only have one access.

L. Daley said traffic safety and pedestrian access also must be considered and that could be a possibility in the future, that the town could purchase that back portion of property so it should be looked at to consolidate the access and be safe. Jeff Myers added that they have good site lines for this site. P. Basiliere said the applicant should also take a look at the sidewalk construction for pedestrians out

along the front of the building. J. Langdell indicated when the bus stop easement was established on the original lot (cold storage facilities) it was established for pedestrian crossings from the existing Pine Valley Mill apartments. L. Daley said at that time, the easement for the bus stop was discussed but has not been codified. D. Knott asked if the sidewalk would be a municipal sidewalk? J. Langdell said it would. L. Daley added that when Dollar General came to Milford, the sidewalks were discussed at that time and were added to that plan. P. Basiliere indicated there are three parking spaces on the plan for the climate-controlled storage building, this is a similar concept as the cold storage buildings, but why only 3 spaces, should there be additional parking? In other towns, these buildings have more parking with similar buildings, he believes more than 3 spaces should be made. The applicant should consider weekend and weekday parking needs. Jeff Merritt responded the traffic study looks at the traffic generated by the use. In the towns reviewed by P. Basiliere there is much more parking provided. J. Merritt indicated those other towns probably have an ordinance for this type of use that has certain requirements, Milford does not have anything in the ordinance for this type of use, so we do not want to overbuild the parking.

Scott Spridler, owner 603 Self Storage, said this business has been around for many years, people that need to park are the people that are with customers. The busiest day typically is Saturday, since a lot of people take care of the account online and then they can come to visit the unit on a Saturday, if we have 3 people waiting to park, that would be very busy. The last thing we want to do is build a facility and not have enough parking. The applicant does not feel it is necessary. When people are moving in, or out, or they come to visit and are finished in 15-30 minutes. S. Robinson asked if there is one loading area? S. Spridler responded yes, and this is a smaller building with 350-400 units. P. Amato asked if one loading dock is enough for the number of units? S. Spridler responded he can look at that to see if another dock can be added. P. Basiliere also looks at the traffic numbers during the week, he does not think 3 parking spaces is enough; we want to be sure there is adequate parking for people. This is a discussion S. Spridler has at every Planning Board hearing and he has never had a parking issue at these units. P. Basiliere asked if there is a unit that has not paid the bill, what happens? S. Spridler responded the contents get auctioned off (online) and it gets removed by the new owner, the auction is not held on site. S. Robinson asked what types of items get stored in the climate-controlled units? S. Spridler responded anything that is upholstered and lots of collectibles. There is a lack of climate-controlled storage in the area. P. Amato suggested the applicant works with L. Daley on the sidewalks and take a look where the bus stop will be located. J. Langdell would like to know why the roads do not align across 101A. J. Merritt said the landscape buffer between this building and Dollar General, the approved plan has a lot of arborvitaes and then shade trees. Does the town want a line of hedges between the two buildings? D. Knott said no, the trees grow and break up the building size.

P. Amato commented that the Penn Stock should be clearly shown on the plan as well as the elevation of it. L. Daley said the Penn Stock location is outside of the access easement, it appears that any improvements in that area will not affect the Penn Stock, but that may have something to do with the access location. J. Langdell said there is also a guardrail in that area. D. Knott asked if there were any additional comments. Seeing none, the public hearing was opened. Seeing no questions, D. Knott closed the public hearing. P. Amato asked if one month will be enough for the applicant to address the concerns? S. Spridler said we can try to address some of the comments but we may not be able to address everything in one month.

P. Amato moved to table the application to July 19. J. Langdell seconded. All were in favor. Motion passed. There will be no further notices sent on this application.

- c) **Eversource Energy – Scenic Road Public Hearing** for tree trimming and removal, as part of the annual maintenance program, on the following scenic roads: Savage Road and Mason Road.

Crystal Franciosi, Eversource, joined the meeting via Zoom and indicated the plans for trimming trees on Savage and Mason Road (scenic roads) were previously submitted, she asked if there were questions. J. Langdell asked if Crystal can prove who she is, to which D. Bouffard indicated she has spoken to Crystal on the phone and vouched for her.

Crystal Franciosi indicated the trimming is due to a lot of outages on these roads and only ten of the trees identified are town-owned; all other trees have been identified and private owners have been notified and provided consent to the trimming. Either the trees are dead or deteriorated. The entire tree

will be removed with town approval and they will take the wood unless the owner has identified they would like the wood. J. Langdell said this hearing is because of the scenic road in Milford and is being done for safety. Crystal and the crew know about the stone walls and if any are damaged they must repair them. T. Finan moved to grant Eversource permission to do this maintenance in accordance with what was presented to the Planning Board. J. Langdell seconded. All were in favor. Motion passed.

### 3. Other Business:

a. **CIP Committee Member Finalization.** L. Daley has not had time to reach out to the public for CIP members but will do that very soon. J. Langdell stated for viewers, if someone wants to volunteer for the town, this is an area in which to do it. The first meeting will be at the end of June. E. Cohen indicated that her name was inadvertently left off the list of Committee members, which L. Daley said would be corrected.

b. **Brookstone Manor Tax Map 19, Lot 25-9 – Donation of Property.** This requires a recommendation to the Board of Selectmen from the Planning Board and Conservation Commission to support the donation / acceptance of property. This was discussed before the Planning Board previously to add the parcel to the town property. J. Langdell thanked L. Daley for the additional information provided. T. Finan brought up concerns to the BOS based on the Planning Board concerns. P. Basiliere appreciated that his concerns were taken into account. L. Daley responded that this will come before the Planning Board with a Site Plan where any details can be sorted out. J. Langdell moved to recommend acceptance of the donation of land to the BOS as identified in the provided documents in tonight's packet. P. Amato seconded. All were in favor. Motion passed.

c. **Milford Stormwater Regulations.** L. Daley asked if the items could be taken out of order, all concurred. L. Daley indicated this stormwater regulation was previously reviewed by the Planning Board and a few comments were made by Conservation and the Planning Board, so it is before the Planning Board again tonight; he is looking for approval to go to the Board of Selectmen for approval if this Board recommends. Mike Vignale of KV Partners is here tonight via Zoom, to answer any questions the Board may have. M. Vignale explained that this revised Stormwater Regulation is in response to changes in the Federal MS-4 Regulations for clarification. J. Cleghorn, the previous Milford Town Planner, had put in a 20,000sf disturbance amount which will cover any properties downstream of any disturbance, but there is a way of requesting a waiver on that. This (required) update was an MS-4 requirement in 2021, and should be completed by June 30, 2022. L. Daley indicated the impact to small property owners is minor, this would affect larger properties. M. Vignale said this depends on the type of project being done and there is the ability to request a waiver on the requirements. T. Finan said the current limit is 5,000 sf so this is less restrictive than it is today. M. Vignale agreed. D. Knott asked if we voted to move this forward? L. Daley said the Planning Board did not feel comfortable moving forward and requested clarification, which is why M. Vignale is here tonight. All members concurred to move this forward to the BOS to review.

J. Langdell indicated she previously abstained at the last meeting because of the size and noted we can always look at this again in a year. L. Daley agrees we can evaluate it again next year and look at any impacts. J. Langdell changed her vote to be in favor of recommending BOS review and approve. All other members were in favor of moving this to the BOS.

### 4. Meeting Minutes:

J. Langdell moved to approve the minutes of May 3, 2022 as presented. E. Cohen seconded. All were in favor. Motion passed.

J. Langdell moved to approve the minutes of May 17, 2022 as presented. T. Finan seconded. All were in favor. Motion passed.

**5. Upcoming Meetings:**

7/5/22 – No Planning Board Meeting

7/19/22 – 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.

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

The Planning Board minutes of 6-21-22 were approved 7-19-22