

MILFORD PLANNING BOARD MINUTES ~ APPROVED

NOVEMBER 21, 2023 Board of Selectmen Meeting Room, 6:30 PM

Members Present:

Doug Knott, Chairman
Janet Langdell, Vice Chairman
Peter Basiliere, Member
Susan Smith, Alternate
Dave Freel, Selectman's Rep
Paul Amato, Member
Andrew Ciardelli, Member

Staff:

Terrey Dolan, Director Comm. Development
Andrew Kouropoulos, Videographer

Members Excused:

S. Robinson, Member
D. Bouffard, Recording Secretary

1. Call to order: Chairman Knott called the meeting to order at 6:30 p.m. The Planning Board and staff were introduced, S. Smith, Alternate Planning Board member, will be sitting and voting in place of S. Robinson tonight.

2. Approval of Meeting Minutes: The minutes of October 3, 2023 and October 17, 2023 Planning Board were reviewed. P. Basiliere moved to approve the minutes of October 3, 2023 as presented. S. Smith seconded. All were in favor with D. Freel abstaining. Motion passed 6/1/1.

P. Basiliere moved to approve the minutes of October 17, 2023 as presented. S. Smith seconded. All were in favor with P. Amato, A. Ciardelli and D. Freel abstaining. Motion passed. Motion passed 4/3.

3. Public Hearings:

a. Case SD2023-04: Falcon Ridge Subdivision Lot Line Adjustment:

Belvedere Trust, has filed a Lot Line Adjustment Application to partially exchange square footage of two existing, adjoining vacant lots, and revise the common side and rear lot lines between Tax Map 3 Blk 5 Lot 23 (Parcel "B") & Tax Map 3 Blk 5 Lot 24 (Parcel "A"), located at the corner of Falcon Ridge Road & Peregrine Way. Both lots were previously approved in their current configurations in Case SD#2006-16, date: 8/5/2006.

D. Knott asked if the application is complete. T. Dolan responded the application is complete. J. Langdell moved to accept the application for review. P. Amato seconded. All were in favor. Motion passed.

P. Amato moved no potential regional impact. J. Langdell seconded. All were in favor. Motion passed.

Abutters were read into the record by D. Bouffard, the only abutters that were present were the Town of Milford and Fieldstone Engineering, M. Ploof, who stated this application is to adjust a common lot line by removing an amount of acreage and adding it to an abutting lot. Both lots could be developed, however by revising the lot line, will prevent difficulty in traversing the steep slope. These lots are part of an Open Space subdivision from 2005. By doing this, it creates a bigger lot in order to get to the buildable area. Mr. Ploof asked if there were any questions. P. Amato asked about the front of parcel 24, which was answered by Mr. Ploof. There were no further questions from the Board. D. Knott opened the public portion of the meeting asking that abutters state their name and address. There were no questions from abutters. D. Knott closed the public hearing. J. Langdell moved to approve the Lot Line Adjustment. S. Smith seconded. All were in favor. Motion passed.

b. Case SP2022-03 Amherst Label Expansion Major Site Plan Six Month Extension Request:

Amherst Label Realty, LLC, located at 15 Westchester Drive, Tax Map 15, Lot 15, has provided a formal request to extend their site expansion work Substantial Completion Deadline for an additional six months past the established 6/01/2024 deadline, in order to complete the necessary construction work for the site. Therefore, the requested and revised deadline would become 12/01/2024.

Sam Foisie of Meridian, representing the applicant, indicated an extension of six months is requested for the Substantial Completion Deadline identified when the Site Plan was approved. J. Langdell moved to accept the application. P. Basiliere seconded. All were in favor. Motion passed.

S. Foisie was the engineer representing the applicant for this case and explained that due to the prices of steel and interest rates, this has caused a delay in the construction and they are now looking to start the construction next summer to meet the extended date, only a six-month extension is allowed, therefore there could be another six-month extension in the future. By the time December 2024 comes around, substantial construction must be accomplished. J. Langdell appreciates this applicant coming in early for this, instead of waiting until the end. D. Knott saw no other comments from the Planning Board and opened the hearing to the public. Seeing no comments or questions from the public, the public hearing was closed. P. Amato moved to extend the Major Site Plan Expansion six months, to December 1, 2024. S. Smith seconded. All were in favor. Motion passed.

c. Case #SD2023-05, Lot Line Adjustment, 2 Spring Street (Johnna Pike) and 39 Highland Street (V. Haerinck Rev. Trust)

Two applicants, Johnna Pike, (located at 39 Highland Street, Tax Map 22-Blk 95) and V. Haerinck Rev Trust, (located at 2 Spring Street, Tax Map 22 Blk 93 Lot 1) are providing a Lot Line Adjustment Request for lands subject to an existing Access Easement, to adjust the Haerinck Trust northern rear lot line by receiving 809 sq feet (.019 acre) from the westerly adjoining lot owned Johnna Pike, in exchange for an equal 809 sq. feet from the 2 Spring Street property's (western) side lot to be conveyed to the Pike-owned property located at 39 Highland Street. The existing Access Easement would be extinguished pending the approval of this Lot Line Adjustment. Both lots are zoned Residence "A" under Section 5.02 of the Town of Milford's Zoning Ordinance.

D. Knott read the agenda item into the record. J. Langdell moved to accept the application for review. S. Smith seconded. All were in favor. Motion passed. P. Amato moved no potential regional impact. J. Langdell seconded. All were in favor. Motion passed. The abutters were read by D. Bouffard. The abutters that were present were Sam Foisie, Meridian, standing in for Sam Ingram; and the Town of Milford. There were no abutters attending on Zoom.

S. Foisie indicated this is a simple land swap, Sam Ingram is the lead Engineer and could not be here tonight. The land on Spring Street would be swapped with the land on Highland Street with the same acreage. This swap will make Parcel A less non-conforming and will make Parcel B a conforming lot. T. Dolan mentioned there is an Easement which will be vacated after this LLA is completed since it will no longer be needed. J. Langdell asked when that lot was created? S. Foisie said that is a question for S. Ingram. P. Amato said there are a lot of paper streets that were created in that neighborhood but never built. S. Foisie said that Nashua and Manchester both have a lot of them; typically for the back lots. S. Foisie said the original house was built in 1893. J. Langdell was curious about the other lot. T. Dolan said that was built in the 1990s after the lot was subdivided. The revised deeds need to be submitted for both of these parcels to be reflected in the Milford parcel information. T. Dolan indicated there have been adjustments to parcels but no deeds were ever submitted. S. Foisie said that once the plan is recorded, the deed number gets referenced in the deed so the deed gets recorded after the plan is recorded, but there are occasions that the plan gets recorded and the plan number never makes its way to the attorney for the deed. J. Langdell agreed and said that the approval should include the reference to the deed getting done as part of the approval.

There were no further comments or questions from the Board. D. Knott opened the public portion of the hearing. There were no questions or comments from the public. D. Knott closed the public portion of the

hearing. J. Langdell moved to approve the Lot Line Adjustment as presented. P. Amato seconded. All were in favor. Motion passed.

d. Case #SP2022-08 Sooner Transportation, LLC Major Site Plan Approval Time Extension

The applicant, Sooner Transportation, LLC, for property located at 754-756 Elm Street, Tax Map 12, Lot 11, has provided a formal request to provide for a One-Year Extension of their November 15, 2022 Major Site Plan Approval, to extend their deadline to commence substantial activity on the approved site work to November 15, 2024. This Extension Request is primarily due to delays with the required NHDOT review of required sidewalk easement language for the site's frontage along Elm Street.

T. Dolan indicated this is just a request for extension of the Sooner Transportation approved Site Plan, that was approved 11/15/22; the applicant has experienced difficulty in getting Department of Transportation assistance with the review of required sidewalk easement for the site's frontage along Elm Street and requests it be extended to 11/15/2024.

P. Amato moved to accept this request for review, to extend the finish date to 11/15/24. S. Smith seconded. All were in favor. Motion passed. T. Dolan added that the Chair had yet to sign off on these Plans, because the plans have not been completed due to the easement and the unknown circumstances with the DOT and the nature of this case. Things were not signed yet and T. Dolan recommended this be extended by one year. He hopes the draft easement language gets approved by DOT. D. Knott asked if this is considered a waiver? J. Langdell said T. Dolan explained there is an obscure paragraph in the regulations that if the plans have not been signed, that the applicant may request an extension, it is not a waiver. S. Smith said that during review there was discussion about the clean up of some waste and trailers on the site, has that been cleaned up? J. Langdell has seen that there is clean up being done out there but it is still continuing.

D. Knott opened the meeting to the public, asking that abutters state their name and address. Seeing no comments or questions from the public, D. Knott closed the public portion of the hearing. A. Ciardelli moved to grant the one-year extension of this approval by one year, to 11/15/24. J. Langdell seconded. All were in favor. Motion passed.

e. Case #SP2023-05, Ciardelli Major Site Plan Approval Request, 467 Nashua Street

The applicants, the Michael R. & Heather Ciardelli Revocable Trust, located at 469 Nashua Street (lot equaling .351 acre), Tax Map 32 Blk 24 Lot 1, along with the adjoining southerly lot owned by the MAC Milford Realty, LLC, located at 473 Nashua Street (lot equaling .203 acre), Tax Map 32 Lot 23 have applied for a Voluntary Lot Merger under common ownership. This request is processed administratively by the Town of Milford.

A Major Site Plan Approval Application has also been filed for these two pending, combined lots. The two lots are zoned as Limited Commercial Business ("LCB") Zoning District, under Section 5.07, & under the Nashua & Elm Street Overlay District, Section 6.05 of the Town of Milford's Zoning Ordinance. The Major Site Plan proposal will be to demolish the former two-family residence at 473 Nashua Street, and replace it with a 3,300 square foot (30' wide by 55' long) two-story office building, with 1,650 sq feet per floor, for the Ciardelli Fuel Company.

Andrew Ciardelli recused himself from this case. P. Amato motioned to accept the application for review. P. Basiliere seconded. All were in favor. Motion passed. J. Langdell moved no potential regional impact. S. Smith seconded. All were in favor. Motion passed. T. Dolan indicated the application is complete. The abutters were read into the record by D. Bouffard. Abutters present were Meridian Land Services, the Town of Milford, and A. Ciardelli.

Brad Casperson, Meridian Land Services is representing the applicant and explained the intention of this application is to merge the two lots, demo the existing building, widen the existing driveway and said the easement will remain. There is a paved area that comes into the storage unit area in the next lot. The existing

house was built in the early 1900's and has not been cared for; the only usable items from that home are the granite foundation blocks which will be re-purposed for landscaping after the house and walkway is demolished. There will be temporary erosion control around the perimeter. A proposed sidewalk will connect to the Nashua Street side walk. The parking lot will be utilized and have landscaping. There will be a drip edge on the new building for drainage and sheet flow drainage will be used. B. Casperson indicated the new building will face the existing florist and there will be a parking area that will connect to both lots with no additional curb cut. One utility pole will need to be moved. There is connectivity, and the florist, Ciardelli Fuel and the new office building will all have access to each other. Landscaping is proposed to meet the requirements plus due to the drainage. P. Amato noted that the proposed trees might interfere with the power lines.

B. Casperson presented the architectural renderings. P. Amato asked how far off Nashua Street will the new building be? B. Casperson answered 17 feet; noting this district allows a 15-30' front set back. The building is situated closer than it is currently mostly because of the district and the parking has to be in the rear or side which causes the building to be closer. T. Dolan said the house is currently 34' from the road. P. Amato asked how close to the road are the other buildings on Nashua Street? T. Dolan said it is a mixed bag regarding the types of buildings on Nashua Street. J. Langdell said the ordinance is trying to keep the buildings in line. P. Basiliere asked about the house proposed to be demolished, is that a residence? B. Casperson answered it is. And a Lot Merger needs to be provided to the Town after this gets approved. Beyond the granite foundation blocks, there is nothing salvageable in the home which is 90 feet to the closest fire hydrant. The overhang on the new building is over the entrance and will face the florist. P. Basiliere said there is an office for the Ciardelli Fuel business for customer service, why add another office? A. Ciardelli explained the new building is for a quiet space, not for customer service. The current office handles customer payments, billing, HR, etc. Because the two lots are being merged the parking requirements are different.

J. Langdell asked about the handicapped parking space and if more were needed. The sidewalk is ADA, but most walk-in business is for the florist which is where the handicapped space is located. P. Basiliere asked about the traffic flow for the site. S. Smith asked about the parking and where people can park. B. Casperson said it is a shared parking lot, so they can park in either lot. P. Basiliere added that if an employee has a mobility issue, it would be easy enough to add additional handicapped parking spaces. P. Amato would hate to take up the parking spaces with handicapped spaces that rarely get used. D. Knott said this application is in compliance with the development regulations, there is nothing wrong with this application. It meets all of the requirements, therefore the Board must approve.

B. Casperson said the easement was originally there for the original Woodman's Florist business. S. Smith asked about merging the two lots and what is the purpose of a merge? B. Casperson said the Nashua Street overlay district asks that there be interconnections between lots. P. Basiliere indicated this professional office building will be much closer to the road and it might obscure the view of the florist. T. Dolan said the florist has signs for identification. J. Langdell asked what is more desirable, cars parked in the front or in the back of a building? P. Amato asked if it would be better if some parking in the front were allowed? B. Casperson responded this was designed this way because that is what the overlay district asks for. T. Dolan noted that the Nashua Street overlay district design guidance includes this, not the ordinance.

J. Langdell asked about the comparable distance from Nashua Street to the existing houses? The Turnstone Building (previously a house, converted to a business) is a two-story house. A. Ciardelli said the lot the existing residence is on is very small. Putting parking in the front will not gain anything. Landscaping for curb appeal would be considered, to soften the size but this keeps to the regulation. S. Smith said if the applicant did not need to have the interconnections, would that make any difference? A. Ciardelli said if the other lot were not merged, we would not meet the parking requirements. P. Amato again said this application meets all the requirements. D. Freel said they have met the requirements and regulations, this should be approved. J. Langdell said the Board is just having the conversation to work it through. P. Basiliere asked about the existing structure square footage versus the proposed office building square footage. T. Dolan said they area about the same; even if the four parking spaces in the back were removed to re-locate, the building would still be in pretty much the same location as the existing house.

D. Knott asked if there were any further comments from the Board. There were none. Dave Palance, Heritage Commission was on zoom and said there was nothing found on this site that would prevent building a professional office building on the site. There are no internal features that should be documented. The house has been ignored for about 20 years. The granite foundation that was hand cut is the only useful item of significance and will be utilized by the applicant in the landscaping. Seeing no further comments or questions from the Board or other staff, D. Knott opened the public hearing, stating for abutters to state their name and address for the record. There were no public comments in person or on zoom. D. Knott closed the public portion of the hearing. P. Amato moved to approve the application. D. Freel seconded. Motion passed.

f. Capital Improvement Program Advisory Committee (CIP) Draft 2024-2029 Report – First Public Hearing:

D. Knott opened the first public hearing for the CIP Draft 2024-2029 Report. T. Dolan asked that Chairman P. Basiliere present the draft report. P. Basiliere said he thinks this should be noticed as a separate meeting for the CIP First Public Hearing. T. Dolan said this was included in the public notice for tonight. J. Langdell said that meets the requirement. P. Basiliere presented the report, and introduced Patti Kenyon from the CIP Committee who is also here tonight. P. Basiliere recommends the projects listed in the report be considered by the Board of Selectman as they choose. J. Langdell indicated if there is an issue with the report, the Planning Board would ask the CIP Committee to meet with the Planning Board to discuss. The CIP is created as a tool to give guidance on the town spending priorities. Seeing no further comments or questions from the Planning Board, D. Knott opened the meeting to the public. Seeing no comments or questions from the public, D. Knott closed the public portion of the hearing. This concludes the First Public Hearing of the Planning Board review of the 2024-2029 CIP report. The Second Public Hearing of the Planning Board review of the 2024-2019 CIP Report will be held on December 19, 2023 at the scheduled meeting.

4. Upcoming Meetings:

12/05/23 – Planning Board Work Session
12/19/23 - Planning Board meeting

5. Adjournment. The meeting was adjourned on a motion made by J. Langdell and seconded by S. Smith. All were in favor. The motion passed unanimously.

Date: _____

Signature of the Chairperson/Vice-Chairperson: _____

The Planning Board minutes of 11-21-23 were approved 12/19/23