

MILFORD PLANNING BOARD MINUTES
July 23, 2019 Milford Town Hall, BOS Meeting Room, 6:30 PM

Members Present:

Doug Knott, Chairman
Tim Finan, Vice Chairman
Janet Langdell, Member
Paul Amato, Member
Laura Dudziak, Selectmen's Rep
Pete Basiliere, Alternate Member

Staff:

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

Excused:

Susan Robinson, Member
Jacob LaFontaine, Member

1. Call to order:

Chairman Knott called the meeting to order at 6:30 p.m. Introductions were made of Board members and staff. It was noted that Pete Basiliere as an Alternate member will sit with the Board as part of the discussions and will vote in the absence of Susan Robinson.

2. Approval of Minutes: 6/25/19, 7/10/19

T. Finan moved to approve the minutes of June 25, 2019 as presented. P. Amato seconded. T. Finan, J. Langdell, P. Amato, P. Basiliere and L. Dudziak were in favor, with D. Knott abstaining. Motion passed 5/0/1. T. Finan moved to approve the minute of July 10, 2019 as presented. P. Basiliere seconded. T. Finan, P. Basiliere, J. Langdell, P. Amato were in favor, with D. Knott and L. Dudziak abstaining. Motion passed 4/0/2.

3. Public Hearing:

- a. Meridian Land Services (applicant) and Richard Keogh (owner)** – Continued review for final approval of a major subdivision application to subdivide the existing lot of record into eight (8) residential lots. The parcel is located at 118 Amherst Street in the Residence A District. Tax Map 23, Lot 2. *Request for continuance.*

D. Knott indicated that the applicant, Meridian, has requested a continuance to August 20, 2019 for this application. J. Langdell confirmed with K. Shamel that a written request has been received. K. Shamel said that is correct. P. Amato moved to accept this request. J. Langdell seconded. All were in favor of this request. *Continuance granted to August 20, 2019.*

- b. Frank Kling (applicant) and Mengyuan Property Management, LLC (owner)** – Conceptual discussion of a potential major site plan to raze an existing building and construct a six (6) unit condominium and associated site improvements. The parcel is located at 159 Elm Street in the Commercial, Nashua Elm Street Overlay and Milford 79-E Districts. Tax Map 19, Lot 5.

D. Knott indicated this application is for a conceptual discussion only, for which there will be no decisions made. Tom Carr, representing the applicant Frank Kling, explained this application is for the property at 159 Elm Street which has 1.19 acres in the Commercial District. There are no wetlands on the site that would affect the buffer. There is an existing multi-family unit building on the lot with a small parking lot. Water utilities service will be by town water and sewer. Frank Kling has met with Community Development Director Lincoln Daley several occasions to discuss options for this property along this corridor. This application will be for a six-unit condominium building. The property record card for this lot shows it is 4-6 units. The restoration of the existing building was considered, however the cost was beyond its worth and it was determined the existing structure would be razed. There would be a 24' egress with parking in the back with a garage under each unit. All lighting and landscaping will be presented at the time of site plan presentation. Frank Kling would like to keep as much of the existing landscaping. Tom Carr indicated the lot size of 1.19 acres would yield 5.95 units, almost 6; Frank Kling

wonders if that can be rounded up to the 6 units? K. Shamel said the Town would not be rounding up to the 6 units. Tom Carr wants to talk to the Planning Board about that, we are aware of that limit. The building elevation was shown with 6 units. Landscaping will be in the front of the building, which is what will be visible from Elm Street with parking in the back. P. Amato asked if the front doors are on the front of building? Tom Carr responded that they are, and the mailboxes would be out front but guests would go around back for parking and entry. Tom Carr asked for questions from the Planning Board. This is just to show the Planning Board the conceptual plan. D. Knott asked for specifications of the intent of the overlay. Kellie Shamel said it would fall under the intent of the Overlay District, this is an acceptable use (multi-family). K. Shamel spoke with Lincoln about the density and he advised a variance from the ZBA (for 6 units). The architecture shown would be acceptable for that corridor and also the performance standards for that district. K. Shamel indicated comments were received only from the Ambulance Department regarding the ability to turn around on site for Fire and Ambulance with only the one entrance. The back of the building has a total width of 42'.

Tom Carr explained the garage is for two cars under the unit with 18' of stacking cars for guests behind the garage. K. Shamel said the concern raised was the turning around for an ambulance (for fire truck) because there does not appear to be any area for turn around. J. Langdell asked if the ambulance could use the front door instead of the back door when responding? Tom Carr said there could be an ambulance service in the front yard but we could only use pavers to allow that. K. Shamel said it was not realized there were actual front doors at the time of review. D. Knott asked if the set back is too far? P. Amato said it is set back 30' which is what we require. P. Amato asked if there is living space on the garage level? Frank Kling responded there is not. T. Carr said we would need a front access for ambulance; from the garage there will be stairs going up to the living area. P. Amato said if the building was moved back 20' would that give a little more space in the front for access? Tom Carr said he is trying to balance the cut and fills. J. Langdell said there is a significant drop in back. Tom Carr agreed if the parking area were full with guests, it would be hard for an ambulance to turn around. P. Amato suggested dropping a unit on the plan so there are 5, not 6, and then have that extra space for a turn around. P. Amato thinks if the building were moved back a little, that would allow people (guests) to go in the front door instead of the back. J. Langdell said we need a safe place for people to cross. The sidewalks in that area have some gaps. D. Knott said there is no side walk going into the Granit Town Plaza which is in this area.

P. Amato asked if Frank Kling has gone to the Heritage Commission about razing the existing structure? Frank responded that he has and an agreement was reached. D. Knott asked Dave Palance of the Heritage Commission if he had any input. Dave Palance, Chairman Heritage Commission, talked with Frank and asked if the oldest portion of the building toward the southern portion could be preserved; they talked about different ideas. There was a well that has been removed but there is another dug well inside the building built with small river stones, the Heritage Commission would like that well somehow preserved, to which Frank agreed to move that well from the inside to the outside of the structure. Further, the Commission concluded that the only benefit to the town heritage would be to request that the new building when built, would carry the name of the original owners, Frederick and Freeman Crosby. Mr. Kling has offered the beams for reuse on another location and the stone lined well could be moved outside to be included in the new concept. Dave Palance did not see any of these ideas on the lplan and he would like to see those.

J. Langdell said if the planned building were moved back away from the road could any of these be done? Tom Carr said we would be losing some buffer in the back if we do that. P. Amato said there is room for the building to move back and then the land levels out and is flat. It would still be at the level and would require fill to be brought in. P. Basiliere said emergency vehicle access is important, we should make sure they can get in and then out of the property. T. Carr agreed and will discuss this with Frank Kling about going to five units (instead of 6) to allow for turnaround area. J. Langdell wants to be sure in an emergency they can access the units through the front doors. J. Carr believes the Fire Department would react badly to having only one egress for fighting fire in the front and back of the building. K. Shamel said she did not hear from the Fire Department, only from the Ambulance Department. J. Langdell said this building has been vacant for many years and if we get some more market rate affordable housing in the area, that is a good thing.

- c. **2C Builders, LLC (applicant) and John J. Franks and William Franks (owners)** – Review for acceptance and consideration of final approval for a minor site plan for a change of use to permit the conversion of a 10,000 square foot facility (previously used as a bowling alley) to a machine and fabrication shop. The parcel is located at 244 Elm Street in the Commercial and West Elm Overlay Districts. Tax Map 18, Lot 9.

D. Knott said this application is substantially complete according to staff. J. Langdell asked what is “substantially complete”? Kellie Shamel explained it is a general term and is meant to be that the application is recommended to be accepted. There is a waiver request that has now been signed and is in the file to be acted on tonight. P. Basiliere moved to accept the plan for review. T. Finan seconded. All were in favor. Motion passed unanimously. J. Langdell moved there is no potential regional impact. P. Amato seconded. All were in favor. Motion passed unanimously. Abutters were read into the record, the following abutters were present: NPC Inc., John Franks, 2C Builders LLC (Chris & Christina Brown) and Town of Milford.

K. Shamel explained the waiver request is for relief from the performance standards of the West Overlay District because it is a minor site plan and nothing is being done to the exterior including parking land landscaping and it would be impractical for the applicant to meet the requirements of the district for this site plan. It is up to The Planning Board to decide whether they wish to waive all or part of the standards. Staff recommends waiving all the standards. J. Langdell said 6.07.4 spells out where this would come into the process, is it assumed that this falls under 6.07.4A? K. Shamel said yes because it is a site plan. J. Langdell asked if there have been other re-use of an existing facility in a Commercial zone that has come in for a change of use in this corridor? P. Amato thinks there has been. J. Langdell could not remember ever being asked to waive the entire requirement.

P. Amato said when this is with a site plan, we can talk about how the use fits into the neighborhood and how it works within the neighborhood. P. Amato would like to think about how the front of this building could be made more attractive. Chris Brown said they do have plans to improve the aesthetics of the building. This is a big step for them, our goal is to get some good landscaping, paint the building and make it fit into the area. D. Knott asked if the green area out front could be widened between the parking lot and the road. J. Langdell said the Planning Board has encouraged that with the last few applicants. Chris Brown said we want it to look nice too. P. Amato asked if the building is right on the property line? Chris Brown thinks it is pretty close. He thinks the bowling alley and Trelleborg buildings were built around the same time. P. Amato said the Planning Board would be happy to work with Chris on the improvement to the building and agrees that the waiver is applicable for now. Pete Basiliere said by approving the waiver in its entirety, that would waive the entire overlay district requirement. Why would we do that? P. Amato responded that is because it is not a new building, it has been there since the 1960’s. P. Basiliere asked why the Planning Board doesn’t just waive the section? P. Amato asked what does that get for the town? P. Basiliere said the Board should only be waiving what is necessary, let’s just waive that. K. Shamel said 6.07.06 gets into the actual requirements, if the Planning Board wants to call out certain sections (to waive), they can. J. Langdell said the spirit and purpose is still there. She is comfortable waiving the whole thing, but does not want it to go with the land. They are showing that their thoughts are in line with this ordinance even though it is an existing building.

D. Knott asked if we are looking at the performance standards being waived? Chris Brown is looking to make this into manufacturing space inside the building, we are trying to make it work, the business machines small parts and works on protocols for its customers. Right now, there are three employees and he would like to expand his current 2200 square foot business into this space, he is currently turning away work. His goal is to get one or two more employees once they are moved into this building and purchase some new pieces of equipment, but he does not anticipate growing much more than that. Christina said the business has been open since 2009. The economy is doing well right now and they plan to section off some of the space and use it for storage, but will not be renting out any portions of the building. J. Langdell said there are currently 17 parking spaces, asking staff if that is sufficient. K. Shamel said based on the square footage it is sufficient. J. Langdell thanked Chris Brown for the outline of his business and asked if the food truck will stay? Chris Brown responded yes he will keep the food truck, there is no

reason to let it go. K. Shamel said there are 33 existing parking spaces, which J. Langdell said some of that parking is used by the food truck for their truck and set up. K. Shamel said if the food truck stays, she thinks there is still enough space. There are some spaces along the side of the building as well, that were not included in her count. Chris Brown noted there is a delivery each week. P. Amato said there is an existing right of way on both properties (bowling alley and Trelleborg). Christina said they have talked to the rep at Trelleborg about sharing that right of way. P. Basiliere asked about any shipments. Chris Brown said typically they deliver the parts by driving to the customer, some items are sent UPS. Down the road, we may need more trucks for deliveries but we do not send any parts. P. Basiliere asked about any by-products of the manufacturing process. Chris Brown responded that they do not have any by-products, it is all water based, there is no by product produced. There were no further questions from the Board. D. Knott opened the public portion of the meeting.

Rob Rockway, representing Trelleborg, met with Chris Brown and talked with him; he is pleased that the building appearance will improve going forward. We can probably work something out about the trailer delivery. Dave Palance said it is nice to see businesses coming to town; noting that candlepin bowling came to Milford in the 1800's, to the oval and then later moved to this location. The Historic Society is interested in taking some pictures and in getting a few artifacts from the alley. Ralph Valentine, representing John Franks indicated if there is anything the town wants from the bowling alley building, you might want to reach out to get it before everything is removed from the building. K. Shamel asked about noise. Chris Brown said all noise is contained inside the building, the bowling alley probably made more noise than this will, it is actually pretty quiet. Christina Brown is hoping to put a door in on the back side of the building. J. Langdell said there are residents on the other side of the railroad tracks. Chris Brown is also interested in having some car shows in the parking lot eventually, if that is something the town is interested in. Hearing no further comments. D. Knott closed the public hearing.

P. Basiliere moved to approve the Performance Standards (6.07.06) waiver request. T. Finan seconded. All were in favor. Motion passed. P. Basiliere asked about there being no curb cut on the plan. Does the Planning Board need a more current plan than this? P. Amato said if they were looking to change things, there would be a new plan drafted, but this is just a change of use without having an engineered plan drafted, which is a big cost. J. Langdell asked if they know where the exact curb cut is? K. Shamel said staff will work with the applicant on getting a more exact location and will ensure the conditions are added to the plan. J. Langdell moved to grant a conditional approval to the application including staff recommendations:

- 1) Final plans to be signed by all property owners. The appropriate professional endorsements and signatures shall also be added to the final plans as applicable;
- 2) The applicant shall obtain all required State approvals/permits as may be applicable, note the approvals/permits on the plan and provide copies to the Community Development Office;
- 3) Any waivers granted (including Section and date granted) and/or any changes requested by the Planning Board shall be listed and fully described on the final plan, as applicable;
- 4) The applicant shall provide draft copies of any applicable legal documents for review, at the applicant's expense, by the Town's Legal Counsel;
- 5) The applicant shall address the following Planning Staff technical comments:
 - a. The applicant shall obtain appropriate relief from the Zoning Board of Adjustment;
 - b. The applicant shall add Planning Board signature blocks on appropriate sheets of the plan set;
 - c. The applicant shall add the following plan notes to the plan:
 - i. The purpose of this plan is to permit a machine and fabrication shop in the existing building
 - ii. The property description: Tax Map 18, Lot 9, 244 Elm Street, Milford NH 03055
 - iii. Property Zoning: Commercial "C" District; West Elm Street Gateway District; Groundwater Protection District;
 - iv. The property is serviced by municipal water and sewer;
 - v. Hours of operation will be Monday through Friday from 8 a.m. – 5 p.m.;

vi. Required parking for the proposal is 17 spaces; 33 spaces are provided;

vii. All signage will comply with the Town regulations and be properly permitted;

6) The applicant shall address any conditions made by the Planning Board during the public hearing;

7) Any proposed easements and/or applicable legal documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant;

8) Add Special Exception information to the plan after the ZBA hearing;

9) Demarcation of curb cut on plan set.

P. Amato seconded the motion. All were in favor. Motion passed unanimously.

3. Other Business: There was no other business discussed this evening.

4. Adjournment. The meeting was adjourned at 7:50 p.m. on a motion made by P. Amato and seconded by T. Finan. All were in favor. Motion passed unanimously.

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

MINUTES OF THE 7/23/18 MEETING WERE APPROVED 9/17/19