

1 MILFORD PLANNING BOARD MEETING (APPROVED)

2 July 24, 2018 Board of Selectmen's Meeting Room, 6:30 PM

3
4 **Members Present:**

5 Doug Knott, Chairman

6 Christopher Beer, Vice Chairman

7 Janet Langdell, Member

8 Tim Finan, Member

9 Paul Amato, Member

10 Susan Robinson, Member

11 Kevin Federico, BOS rep

12 Jacob LaFontaine, Alternate member

Staff:

Lincoln Daley, Comm Dev Director

Darlene Bouffard, Recording Secretary

Videographer, Amy Concannon

13
14 **Excused:**

15 Veeral Bharucha, Alternate member

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19 **1. Call to order:**

20 Chairman Knott called the meeting to order at 6:30 p.m. introductions were made of Board members and
21 staff, noting that Jacob LaFontaine is an Alternate member of the Planning Board and is sitting in for Full
22 Member Chris Beer who will be here later this evening. Chairman Knott indicated that tonight's meeting has
23 several items on the agenda beginning with meeting minutes of June 26, 2018.

- 24
25 a. **Review/Approval of Meeting Minutes: June 26, 2018** – K. Federico moved to approve the meeting
26 minutes of June 26, 2018. T. Finan seconded. Four were in favor, with K. Federico, D. Knott and S.
27 Robinson abstaining as they did not attend that meeting. Motion passed 4/0/3.

28
29 **2. Public Hearings - Applications:**

- 30 a. **The Stabile Companies, 20 Cotton Road, Nashua, NH 03063 for the property located at Tax**
31 **Map 48, Lot 48, Federal Hill Road.**

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33 D. Knott indicated this application is continued from June 26, 2018. Kevin Anderson of Meridian
34 Land Services, representing the applicant, indicated the drainage was discussed June 26 and
35 determined a full design and review was necessary. A full design has been submitted and reviewed
36 by the town. There were some questions for the five remaining homes in the second Phase and if they
37 should be included in the new drainage plan. The way the swales in the previous plan fit, he can
38 include it fully into the Phase 3 design. Kevin Anderson pointed out for the remainder of Phase 2,
39 stormwater will be conveyed into the infiltration system into the swale and culverts. A new AoT
40 permit will be requested. Mr. Anderson asked if there were any questions.

41
42 L. Daley said over the past month there has been effective dialog and a few changes have been
43 requested and he sees no further issues. There are some clean up issues to be included into the AoT
44 request. He will work with the applicant on that. Having the drainage facility in the open space
45 needs to be discussed and requires Planning Board approval. The Planning Board has the authority to
46 allow it but it has to be justified.

47
48 Kevin Anderson said that the previous permits have expired. The previous stormwater design made
49 the most sense at the time and directs water to the infiltration system. That is to the rear of the
50 property. There is no additional space on which to address the stormwater. Sue Robinson asked if
51 this is the only option. K. Anderson said yes. J. Langdell stated the Board did not accept the
52 application, we need to go back.

53
54 T. Finan moved to accept the application for discussion. J. Langdell seconded. All were in favor. J.
55 Langdell moved no potential regional impact. P. Amato seconded. All were in favor. Abutters list
56 was read; the following abutters were present: Stabile Companies, James Dodge, Susan & Stephen

Story, Sandra Bean, Douglas & Karen Penron, John & Patricia Andruszkiewicz, the Town of Milford and Meridian Land Services.

T. Finan asked if the new infiltration system will put additional requirements on the homeowners' association? K. Anderson answered yes, they are responsible for it. P. Amato asked about the people that bought earlier when this was not part of the plan, but now this is part of it. K. Anderson responded that this is an additional maintenance requirement. P. Amato asked what is the open space that is being used, how much open space is here? L. Daley said this does not change the percentage of open space. P. Amato asked if it is still open space even if water is sometimes on it. S. Robinson asked if there is any other option for drainage, asking what the homeowners think about this plan. K. Federico said the 3 Phases were always part of this plan. K. Anderson said yes they were. K. Federico said concerns have been brought up about drainage and water flow, asking if those issues were addressed.

K. Anderson, with Meridian, entered into a contract with Stabile to note any deficiencies or areas of concern in the plan including the erosion of swales. K. Anderson will compile a report and provide it to Fred Elkind about those concerns. There is a timeline for the repairs to be addressed. None of the issues are huge but they do need to be addressed. K. Federico said five new houses will be part of the Phase 3 for stormwater and be a part of the Phase 3 drainage. K. Anderson answered for those remaining Phase 2 homes, yes. K. Federico asked if those Phase 2 homes will go toward the Phase 3 drainage or be dealt with on the property? L. Daley said Milford Conservation met on this issue and had comments for drainage enhancement such as using a water feature to hold stormwater. D. Knott asked what a water feature could be? L. Daley said this could be an opportunity to create a walking area. D. Knott is not sure what a water feature could be. L. Daley said it could be a viewing area, it is an open area, not just a basin area. Something other than just rip-rap. J. Langdell asked if that is something the residents might want? L. Daley said the town could get input from the public. L. Daley noted that Fred Elkind's comments were responded to and his issues have been addressed. J. Langdell asked what the Conservation Commission was concerned with. L. Daley asked about the steep slopes. K. Anderson said there are some 2/1 in-grades but he is not sure if terracing could even work. L. Daley said the development agreement requires amendment to the Appendices for when the project would be completed. They are extending it to 2021 and that is the recommendation and they feel that the three year window would be enough time.

Jim Dodge, 39 Reserve Way, is concerned with there being more water in Phase 2. He would like the developer to talk to the Association about this development before doing any additional work. Mr. Dodge would like to see if Stabile could get the Association some seed money to be sure the catch basins continue to get cleaned out, just something to put in an escrow account for the Association. Other than that he has no problem speaking on behalf of the Association and as a resident. S. Robinson asked if the Association does not want additional landscaping? Mr. Dodge would like for the developer to talk to the Association before making any more changes. J. Langdell said the Conservation Commission was not making a viewing area a requirement, it was just a suggestion for discussion.

Andy, 6 Reserve Way, asked what is the final grade for his road? Will the builder bond the road because he wants to be sure we will get a file identifying the grade. Gordon Beam indicated the previous owner of his home left information about the road. There is no culvert under his house. Everything that runs down runs across his driveway. Mr. Beam had a good meeting with Stabile and one concern was a pad being put in. Stabile e-mailed that it was done. The type of stone being put on the road is washing away. K. Anderson said Mr. Beam is talking about the construction entrance. K. Anderson will work with Fred Elkind on changes and report to Andy. Jim Dodge said at the last meeting the roads were discussed and the town is not responsible for the roads because they are private, but is the town responsible for the roads during construction? K. Anderson said the developer is required to prepare stormwater permitting which allows Fred Elkind to go on the site to do inspections, the ordinance allows the town to inspect relative to stormwater. Mr. Dodge said the

staff or third party would inspect the property pre-, during and post-construction to be sure it complies with the site plan.

Mr. Dodge asked about the house location in accordance with zoning? L. Daley said the town goes by the as-built plans which are in compliance with zoning. Mr. Dodge said his house is not in accordance with zoning so the town needs to be a little more in compliance with town specifications. P. Amato indicated the town road inspections are done for roads that are going to become private because they need to be built to town specs. The town is on site inspecting properties. D. Knott asked if the inspections are done to be sure it is built to the site plan? L. Daley answered yes. P. Amato indicated that Kevin Anderson said reports will be prepared and held to the plan. There is an agreement and a timeframe, there needs to be cause and effect. K. Anderson said that Fred Elkind has authorization to hold the CO for stormwater compliance to address his concerns. K. Federico wants to be sure that things are being done correctly and it does have to prevent things from being done incorrectly. He feels this should be a conditional approval because he wants to be sure the issues that have been brought up here are addressed. J. Langdell said enforcement is done by the Community Development staff. D. Knott asked how long the report will take to prepare? K. Anderson said a couple of weeks. L. Daley said the Planning Board has the authorization to revoke a plan if it is not in compliance. J. Langdell said the homeowners can also file a complaint with the town to trigger a compliance review.

P. Amato moved to conditionally approve the plan with the staff recommendations as identified in the Staff Memo dated July 18, 2018: 1) the applicant shall submit any/all revised plans, reports and associated information referenced in the staff memo dated July 18, 2018 and discussed at the public hearing to the Community Development office for review and approval by the town and its agents; 2) the applicant shall finalize the stormwater management and drainage design for the project and submit to the town staff for review and approval; 3) final approval of the plan is conditional upon the issuance of the AoT permit and the town's approval of the local stormwater permit. The applicant will provide written confirmation to the Community Development office; 4) recordation of the amended development agreement at the Hillsborough County Registry of Deeds. J. Langdell seconded the motion. All were in favor. Motion passed unanimously.

Vice Chairman C. Beer arrived 7:15 p.m. J. LaFontaine stepped down from the voting position and resumed his role as an Alternate.

b. **INFEST LLC, 79 Old Wilton Road, Tax Map 14, Lot 7-1.**

Discussion: This discussion was continued from June 26, 2018. Since that time, the size of the structure has been reduced. Parking spaces have been adjusted and plantings have been added to the area along the Northern Boundary. Neil Smith, representing the applicant, stated there are 26 deciduous trees along the border that will be protected during construction and evergreens are proposed to be planted. The engineering details of the enclosure were presented. Mark Delage said he does not need a dumpster area, as that is his business. Neil Smith addressed all of the questions from staff and asked for any additional questions. The site walk was held last night and everyone talked about screening along Elm Street, there are invasive plants in the buffer area which are killing other plants. The screening is pretty dense. The bittersweet is climbing in trees and will kill the existing trees. D. Knott said you can spray and cut the bittersweet to kill it. L. Daley asked if there is an alternate tree that could be used rather than evergreen.

J. Langdell asked if anything came out of the site walk. L. Daley said nothing else came out of it. P. Amato asked about paving and will it all be paved? Mark Delage would like to pave as much as he can. That is the final step of this project. After this is completely built, he has to rip everything up and re-grade it because it was not graded prior to the last paving. That will be done in the future. Mark Delage said he would like to have it all completed within two years. P. Amato asked how high the fence will be. Mark Delage said it will be six feet. L. Daley said the fence is a visual mitigation and also to prevent any debris from escaping onto other properties. Mark Delage said the operation will be inside. D. Knott said the fence is to contain the potential of paper products from flying

166 around. M. Delage said the trash comes in with covers. P. Amato added that the fence is also a visual
167 mitigation. D. Knott noted a gate will be needed to be in the back for the detention pond
168 maintenance. J. Langdell asked if the equipment would need to be used for the detention basin? P.
169 Amato asked how high is the berm? Neil answered it is about 6 inches. C. Beer thinks the fence is
170 not necessary because recycling will be done inside the building. K. Federico said the building is
171 closed except for the ventilation screens, so he agrees a fence is not necessary. D. Knott asked if
172 there have been any complaints about trash flying around in the past? L. Daley said there have been
173 complaints. It is a recycling facility, there could be debris on the ground and this is a way to keep it
174 away from neighboring properties.

175
176 Anthony Rodrigues, Hitchiner Director of Facilities and Engineering Projects, spoke to Mark and Ed
177 Delage about the swale and they did a great job cleaning up the area. A fence was being put up to
178 keep debris out so they put up a Jersey barrier and a fence. If another fence line were put up, it would
179 make it difficult to maintain the swale. They did clean it up and it is better. D. Knott asked what is
180 more important; having a fence or keeping the basin clean? S. Robinson said the detention pond is
181 important, if the property is being kept clean, he will probably continue to do so and we should not
182 hinder them keeping the path clear. J. Langdell would like for them to keep the buffer. Neil Smith
183 said access will be needed to the existing drainage swale. Mark Delage said he frequently walks it to
184 make sure there is no trash that escaped. P. Amato indicated there is already a Jersey barrier and a
185 fence, and we are talking about adding another fence. Maybe try it without a fence but leave it on the
186 plan; if it is maintained, the fence will not need to be built. L. Daley asked at what stage can we say
187 the fence needs to be put up? D. Knott if trash starts flying around then the fence goes up. C. Beer
188 does not think a fence is necessary. J. Langdell said to make it a condition as to why the fence is on
189 the plan.

190
191 L. Daley asked if this is done in phases, and drainage is the first phase, will the dirt area affect the
192 design? Neil said if the silt fence is not used, it will affect it, but we will use silt and it is Mr.
193 Delage's obligation to maintain the drainage swale during construction and thereafter. P. Amato said
194 if it is graded, it will wash out over time. Neil responded the area to be paved will need to be graded.
195 L. Daley said this is a 1-2 year commitment to pave the entire property. That is a good timeline. P.
196 Amato said after two years, it will need to be re-graded if it is not paved. L. Daley asked if snow
197 storage could be near the propane tank? Neil said there are bollards around the tank. L. Daley asked
198 is there an opportunity to have the snow taken off site? M. Delage said there is a shed on the property
199 that will be removed and that is where snow will be stored. J. Langdell asked if the plan should be
200 amended to remove the shed to mark the snow storage. L. Daley said Mark and Ed Delage are
201 brothers and work together for snow storage, but there would need to be an agreement for future
202 property owners. J. Langdell asked if we could add an additional note on the plan regarding snow
203 storage or snow removal as needed.

204
205 C. Beer moved to conditionally approve with staff recommendations as identified in the Staff Memo
206 dated July 18, 2018: 1) the applicants shall submit any/all revised plans, reports and associated
207 information referenced in the Staff memo dated July 18, 2018 to the Community Development Office
208 for review and approval by the Town and its agents; 2) The applicants shall submit any/all revised
209 plans, reports and associated information to the Community Development Office for review and
210 approval by the Town and its agents; 3) the applicant shall submit written confirmation of approvals
211 for the local stormwater permit from the Town of Milford and update the plan with the date of said
212 approval. P. Amato seconded. All were in favor. Motion passed unanimously.

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214 c. **Hitchiner Manufacturing, Inc.** 1 Scarborough Lane, Tax Map 6, Lot 42.

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216 P. Amato recused himself from this discussion, therefore J. LaFontaine was asked to step in as a full
217 member for this discussion with all rights of a full member including voting rights. C. Beer moved to
218 accept the application for discussion. J. Langdell seconded. All were in favor. Motion passed
219 unanimously. J. Langdell moved no potential regional impact. C. Beer seconded. All were in favor.
220 Motion passed unanimously.

L. Daley read the abutters list of which the following abutters were present: Hitchiner Manufacturing, Hot To Touch, Anthony Reed (Hitchiner), Earl Blatchford (Haynor Swenson) and Town of Milford. Earl Blatchford, Project Engineer, representing Hitchiner, explained this is an 88,000 sf facility built in 1984. The last addition was built in 1998 including approval of the parking lot on the opposing side of Scarborough Lane. There are two access points and two driveways. There are 130 parking spots in the large lot and 37 in the lot across the street. The stormwater management area is downstream from this area. The need for the loading dock and overhead door is what is driving this plan. A loading dock is being added and putting in an overhead door for improved shipping for the plant. The driveway is being extended 24 feet around the back of the building. One benefit of this, is better life safety around the building. There is a need for additional parking for administration and executive staff and visitors. 17 new parking spaces are being added. A portion of the sidewalks are being reconstructed to get to Scarborough Lane. The trench drain and catch basin are both in the grassy area. All will drain into the lawn area where that catch basin will go to an underground infiltration. This will mitigate the new paved area. Very little tree cutting will be done for this, and the plan meets the landscaping requirements. The retaining walls will be dug down 4 feet. J. Langdell asked why doesn't the paving go over by the roll outs? E. Blatchford responded they want to put them a little further out.

L. Daley said the comments by staff have been addressed, comments made by F. Elkind have been addressed. D. Knott asked for further questions from the Board. Seeing none, he opened it for public comment. Seeing none the public portion of the meeting was closed.

J. Langdell moved to conditionally approve with staff recommendations as identified in the Staff Memo dated July 18, 2018: 1) the applicants shall submit any/all revised plans, reports and associated information to the Community Development Office for review and approval by the Town and its agents; 2) Finalization of the drainage and stormwater management and drainage design for the project for review and approval by the Community Development Office; 3) revise plans to reflect the date of approval of the Stormwater Management Permit. K. Federico seconded. All were in favor. Motion passed unanimously.

- d. **Burbee Sand & Gravel, 35 North Mason Road, Tax Map 58, Lots 1,2,and 3.** L. Daley asked if the Planning Board could take a vote to continue this application to August 28, 2018 as requested by the applicant. K. Federico moved to continue this application to August 28, 2018. J. Langdell seconded. All were in favor. Motion passed unanimously.

3. Public Hearing – Planning Board Administrative Rules:

D. Knott opened the public hearing. L. Daley presented the proposed language for the Planning Board Administrative Rules as discussed previously. After discussion, D. Knott opened the meeting for public comments or questions. Seeing none, the public hearing was closed. D. Knott asked the board for any further input, seeing none, he asked for a motion. J. Langdell moved to make the changes as presented. K. Federico seconded. All were in favor. Motion passed unanimously.

4. **Other Business:** L. Daley indicated 1 Nashua Street is moving along, there was a minor incident which has been corrected; the town has not been made aware of the future tenants. The Hitchiner expansion project is pouring concrete and is moving along. The dog park committee has been working with the BOS to find a place to locate it. The parcel behind Brookstone apartments has been identified for a dog park and could provide a connection to the MCAA fields. Additional information is still being reviewed. P. Amato commented that Eastern Trails looks very nice and suggested all Board members take a drive through. L. Daley indicated the Building Inspectors were on site consistently, it is very easy to find your way around. The sign ordinance will be revisited at the Planning Board work session when there will be discussions on the recommended changes. C. Beer said the CIP committee has had two meetings so far and there are several people scheduled for this coming week, which will be televised.

- 276 **5. Adjournment:** The meeting was adjourned at 8:45 p.m. on a motion made by P. Amato and
277 seconded by T. Finan. All were in favor. Motion passed.
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281 _____ Date: _____
282 Signature of the Chairperson/Vice-Chairman:
283

284 MINUTES OF THE 7/24/18 MEETING WERE APPROVED 8/28/18
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