

1 MILFORD PLANNING BOARD MEETING MINUTES
2 March 26, 2019 Board of Selectmen's Meeting Room, 6:30 PM

3
4 **Members Present:**

5 Doug Knott, Chairman
6 Tim Finan, Vice Chairman
7 Janet Langdell, Member
8 Susan Robinson, Member
9 Pete Basiliere, Alternate Member
10 Paul Amato, Member
11 Jacob LaFontaine, Member

Staff:

Lincoln Daley, Planning
Darlene Bouffard, Recording Secretary
Videographer, Tyler Berry

12
13
14

--

15
16 **1. Call to order:**

17 Chairman Knott called the meeting to order at 6:30 p.m., introductions were made of Board members and
18 staff, it was noted that Pete Basiliere is an Alternate member and will sit with the Board as part of the
19 discussions but will not vote this evening. It was felt that the election of officers should be held prior to
20 hearing any applications. J. Langdell nominated T. Finan for the position of Vice Chairman and for D. Knott
21 for the position of Chairman of the Planning Board. Both members accepted the nomination. J. Langdell
22 moved to elect T. Finan as Vice Chair and D. Knott as Chairman for the Planning Board. S. Robinson
23 seconded. All were in favor. Motion passed unanimously.

24
25 **2. Review/Approval of Meeting Minutes: 2/26/19, 3/5/19.** J. Langdell asked if the minutes of 2/26/19 were
26 included in the packet sent to Board members? L. Daley said they were not. J. Langdell moved to table the
27 review of minutes of 2/26/19 to the next Planning Board meeting. J. Langdell asked for one amendment to
28 the minutes of March 5, 2019. J. Langdell moved to approve the minutes of March 5, 2019 as amended. T.
29 Finan seconded. All were in favor with P. Basiliere abstaining. Motion passed unanimously.

30
31 **3. Public Hearings:**

32 a. **Burbee Sand & Gravel, 35 North Mason Road, Tax Map 58, Lots 1, 2 and 3.** Major site
33 plan application and Gravel and Earth Removal Permit for an earth and sand removal operation to
34 excavate and regrade approximately 4.7 acres within the Residential R district. This discussion was
35 continued at the February 26, 2019 Planning Board meeting when it was decided that an amended site
36 plan would be required; those amended plans were submitted outside of the timing for tonight's
37 meeting, so the application will be heard at the April 2, 2019 Planning Board meeting. P. Amato
38 asked if the plan is complete? L. Daley said it is, the changes include that the unpermitted section of
39 Phase 8 modification and it is ready to be heard. T. Finan moved to continue this application to the
40 April 2, 2019 Planning Board meeting. J. Langdell seconded. All were in favor. Motion passed
41 unanimously.

42
43 Agenda items b) and c) will be discussed concurrently after the Subdivision plan for Map/Lot 6/14 is
44 presented in the public hearing.

45
46 b. **Milford DG Series, LLC for the property located at Tax Map 6 Lot 14.** Minor Subdivision
47 Application to subdivide Tax Map 6 Lot 14 to create one additional lot totaling approximately 1.22
48 acres within the Integrated Commercial – Industrial Zoning District (Continued from February 26,
49 2019). L. Daley recommended the subdivision plan go through its public hearing and then move to
50 the Site plan application and talk about them together. L. Daley explained one lot with 1.22 acres
51 would be created in order to create a lot for retail use.

52
53 c. **Milford DG Series, LLC, for the property located at Tax Map 6 Lot 14.** Minor Site Plan
54 Application to construct a 9,320 square foot retail store with associated parking, drainage, and site
55 improvements within the Integrated Commercial – Industrial Zoning District. Waiver request from
56 Section 6.05.6(E) Parking and Loading Area Standards seeking relief requiring the separation of off-

57 street parking and loading/unloading spaces from any public street right-of-way and separation from
58 such right-of-way by a granite curb and landscaping (Continued from February 26, 2019).
59

60 At the February 26, 2019 meeting regional impact for Wilton was identified; the information was sent
61 to NRPC and the Town of Wilton was notified of regional impact. There was a discussion with
62 NRPC regarding traffic impact brought up at the February meeting. Tonight, it is hoped this can
63 move forward and discuss the site plan, building layout and conditions. J. Langdell asked if anyone
64 from the Town of Wilton is present tonight. L. Daley communicated with Wilton but there were no
65 commitments from the town. D. Knott asked for the abutters to be read. L. Daley indicated this
66 application has already been accepted and abutters were read at that time.
67

68 Austin Turner and Matt Bombaci, representing the applicant, were presenting this evening. A. Turner
69 indicated at the last meeting the site walk was not talked about; based on the site walk and the staff
70 comments, the plans were updated. The buffering and landscaping along Wilton Road and abutters
71 was enhanced. Visual screening has been added to extend across the site on the banking. The fence
72 screening to the rear of the property has been extended as far as it can, up to the easement. New
73 plantings were added, including evergreen trees in front of the fence. It was asked that the fence be
74 six feet tall, it will instead be eight feet tall. L. Daley said the zoning ordinance states any fence over
75 six feet requires a building permit, however it does not require a permit if it is six feet or under; he
76 feels there are strong merits for an eight foot fence considering the size of the building and he can
77 work with the applicant on this. Mr. Turner wants to be sure an 8' fence does not cause another issue
78 with permitting, so rather than add another element of approval, they may go with the six foot fence.
79 To increase the pedestrian connectivity, the applicant has added a sidewalk in the Wilton Road Right
80 of Way for future potential expansion. It is difficult when you do not know what could be in the
81 neighboring parcel, but they will add a sidewalk to connect to a future development. A \$5,000
82 donation to the town of Milford relative to sidewalks in order to improve the sidewalks toward Wilton
83 has been discussed. Mr. Turner reduced the parking space dimensions to 9x18' instead of the original
84 proposed size.
85

86 L. Daley met with NRPC about three weeks ago, in response to the last meeting and the regional
87 impact decision. The initial reaction of NRPC was that it did not cause regional impact to the
88 neighboring community. They did additional research and wrote that a couple of other locations were
89 looked at for this use and the trip generations. NRPC found the trip generations provided were
90 consistent with other facilities. J. Langdell said one of the facilities was part of a plaza and one was
91 freestanding. Mr. Turner said there are between 6,000-7,000 vehicles per day; in Concord that was
92 looked at, but that facility is located on a highway, the same as the facility in Merrimack. At NRPC
93 they agreed with the methodology used for traffic for a facility like this. NRPC did not feel it
94 warranted a traffic count. J. Langdell noted that NRPC did establish that there could be 100 vehicles
95 for the peak pm visit. She felt it was higher than what was presented at the last meeting; J. Langdell
96 indicated that most of the traffic to be generated will be the pass-by trips. The road in Concord has a
97 higher volume because of the roadway. P. Basiliere asked what time of the year was the traffic
98 studied? Did they allow for peak holiday hours? A. Turner responded the study was reflective of a
99 physical count, and is highly variable. P. Basiliere asked if the trees will remain? A. Turner
100 responded the tree line will be cut back to allow for the fence along the abutter's property line. A.
101 Turner asked if any further information needs to be reviewed. D. Knott responded that he wants to go
102 through all of the issues raised by staff. T. Finan asked where did the \$5,000 come from? A. Turner
103 explained the applicant came up with the number based on the cost per linear foot. T. Finan asked if
104 the applicant feels that should be enough to pay for a side walk? J. Langdell asked if information
105 from DPW was provided? L. Daley said the cost from DPW is \$45 per linear foot for curbing and
106 sidewalks. A. Turner said he is talking about curbing, once curbing is introduced, the storm water
107 will not be able to drain properly and a curb cut introduces other complications.
108

109 D. Knott asked about the West End Overlay District regulations. L. Daley said those regulations rely
110 on the standards, which include sidewalks and curbing. Without sidewalks and curbing, D. Knott said
111 this plan is not in compliance with those regulations. J. Langdell said there are alternative types of
112 sidewalks and curbing. D. Knott said let's find out the minimum of what the town requires. L.

113 Daley said it is dictated by the amount of traffic to allow pedestrians the ability to walk safely. T.
 114 Finan asked if the sidewalks farther down towards Wilton have curbing? L. Daley checked on
 115 Google Earth which showed that those sidewalks are in disrepair. P. Amato said if you put the
 116 sidewalk at the same level as the road, it makes sense. J. Langdell noted the Dollar General in
 117 Swansea has that type of curbing. S. Robinson asked if there is room to do this? L. Daley said 13' is
 118 there, in the right of way. There is room within the right of way, they could keep the landscaping and
 119 have the curbing and sidewalk. If the sidewalk is built within the right of way, the town maintains it,
 120 he feels working with the applicant, a design could be agreed to that will work for both the applicant
 121 and the town. A. Turner said there is sufficient room for a sidewalk in the right of way and we would
 122 design the drainage appropriately. L. Daley said it is not just the Planning Board wanting the
 123 sidewalks, this is part of the connectivity design, this area is part of the West Elm Overlay District, it
 124 is a requirement and is a high priority area. S. Robinson asked if the \$5,000 would cover that? L.
 125 Daley said the existing sidewalk is 400' from the lot being discussed, we have to be realistic and only
 126 expect a sidewalk in front of this business which would be enough for the town to extend eventually.
 127 P. Basiliere said what is being discussed is sidewalk on the same side as this business, but he feels
 128 what is needed would be a sidewalk across the street for people to walk from the apartments. The
 129 offer of \$5,000 for sidewalks is generous, but shouldn't the sidewalk be farther than just in front of
 130 this building? P. Amato said the sidewalk improvements would be better in places where people
 131 walk, not just in front of the building. P. Basiliere agreed, stating people need a way to get to the
 132 business. J. Langdell said in other plans, there was a fund for sidewalk improvements and the
 133 connecting sections so it is part of a larger plan. A. Turner said we know it is a municipal project, we
 134 want to figure out what would be a good contribution to that effort and he would be happy to engage
 135 in conversation with Lincoln to strike a balance for that.

136
 137 L. Daley asked the preference of the Planning Board regarding sidewalks. S. Robinson said a
 138 sidewalk of some sort needs to be done, it has to be finished in front of this parcel. T. Finan agreed, it
 139 seems to meet the requirements of the West Elm District with a sidewalk in front of the building.
 140 Down the road, the sidewalk could be connected. J. Langdell said there might be 400' of sidewalk
 141 down the road, people do walk and bike right there on the road, even without a sidewalk. A. Turner
 142 said the \$5,000 contribution is toward the bigger sidewalk plan, it will slowly become a connected
 143 sidewalk system through the Master Plan. We can work with the Town on the design for the
 144 sidewalk. P. Amato said we do not want a patch work on sidewalks, the town has the responsibility
 145 to maintain the sidewalks and the stop and go does not work well. L. Daley asked if it is possible in
 146 addition to the contribution, could a sidewalk be engineered in front of the building, and be designed
 147 so we know it could be connected in the future? A. Turner said he could do that and get a financial
 148 agreement with Bohler to work with the Town for a collaborative sidewalk design for this area of
 149 town.

150
 151 P. Amato has concern with the driveway entrance, precluding the lot to the west. He feels one
 152 driveway should access both parcels. If the owner comes back and expects a driveway for that parcel,
 153 it will not work. J. Langdell said this was brought up previously, but this is where the driveway is
 154 proposed. P. Amato said it might be short-sited and the other lot could not be accessed. J. Langdell
 155 said there is a gravel road there now. A. Turner said there is about 150 feet between where this
 156 driveway will be and where the next lot driveway could be, but he cannot design a driveway for
 157 something that he does not know what it might be. L. Daley said there is an access easement for
 158 access to the railroad and Penn Stock, it is a dedicated easement. P. Amato said if a site plan is
 159 submitted in the future with heavy driveway usage, the Planning Board could tell that applicant that
 160 no heavy traffic use would be allowed. L. Daley said there is a requirement for cross access in the
 161 West Elm District, to reduce access points, it is very important on a well-travelled roadway. J.
 162 Langdell said none of this is new, this has been talked about at every meeting thus far. The Planning
 163 Board asked for a Master Plan for the connectivity at the start of this project. L. Daley asked if the
 164 applicant could create an opportunity to create pedestrian access to connect the two properties
 165 together? A. Turner said if there is connectivity with the sidewalk in the future, we can design to
 166 have the infrastructure and a driveway will be ready to connect. P. Amato said that connector would
 167 act as connectivity for that curb cut. M. Bombaci said if the adjacent use were compatible, we would
 168 require that another access drive be used for heavy truckloads, but if it made sense, we could have it

169 connect. D. Knott said there would still be a curb cut for deliveries. A. Turner said he can control
170 getting the sidewalk to the boundary on the proposed site plan. S. Robinson said when the easement
171 is created, it would identify what uses could share that driveway. J. Langdell said it is in the
172 requirements for the West Overlay District to have cross access. A. Turner can put in the framework
173 to accommodate the future use. L. Daley said this would meet the intent.
174

175 J. Langdell said the road is tight and not made for trucks to come in and out. A. Turner said he was
176 adding things for that, but does not know what the future use of the abutting property is. That
177 property will need to go through this same process at some point. A. Turner is trying to work with the
178 Town to maintain the regulations and can put in the framework for cross access. He would rather
179 design the framework now. P. Basiliere asked about including a driveway apron 24-30 feet wide for a
180 future connection? J. Langdell asked the total acreage of this parcel including the railroad? A. Turner
181 said it is a total of 1.22 acres and we can use one acre of that. J. Langdell likes the Swansea store set
182 up. A. Turner said this store fits nicely on this parcel.
183

184 Items noted for conditions on the plan include: pedestrian connection points; pedestrian crossing
185 between two properties; apron for a future driveway – 24 feet with flares; \$7650 (\$45 multiplied by
186 170 linear feet). Truck turning radius – A. Turner said the turn radius will allow a 73 foot truck
187 entrance, that is the worst possible case. L. Daley said the delivery truck turn radius is shown in the
188 exhibit of the plan. A. Turner said trucks pull down the driveway and back into the loading area. The
189 parking lot is about 130' long; the largest truck will fit with no problem. J. Langdell said the parking
190 regulations state handicapped spaces are 20 feet long and it looks like the truck is pretty close to those
191 spaces. A. Turner said the numbers were run conservatively, the frequency of these deliveries is one
192 per week in off peak hours. If it becomes a problem they can do restricted deliveries.
193

194 P. Basiliere asked if customers can enter or leave the parking lot when a truck is maneuvering? A.
195 Turner responded that the maneuver takes just a minute to do. One of the biggest problems for these
196 trucks, according to P. Basiliere is maneuvering into the small lots on a busy street. People cannot get
197 into the parking lot during these maneuvers. A. Turner said the deliveries will be during off-peak
198 hours. L. Daley indicated the handicapped space regulation is 20 feet, the plan shows smaller spaces.
199 A. Turner can pull the parking area into the buffer to have it a little wider. D. Knott asked how the
200 maneuvering pattern is created? A. Turner said he uses a program to determine the turning and how
201 the turns get done. P. Amato does not think the problem is backing the truck in, it is more that
202 customers might be in the parking lot, and a truck is backing into the loading area. A. Turner said
203 small retail places have trucks backing in all the time. We will accommodate the turn movements in a
204 parking lot.
205

206 D. Knott said from a safety standpoint, the truck just starts to back up and there is possibly a customer
207 coming out of the store walking, maybe with a child, that's not safe. J. Langdell said other retail
208 stores that are local are able to go around the building and access the dock in the rear. A. Turner said
209 we cannot drive around the building because of the easement. J. Langdell said unless it was a smaller
210 building. A. Turner said DOT requires that they can move around the property without impacting the
211 parking spaces. When a driver is approaching the store, the truck will be in the way, according to P.
212 Basiliere. A. Turner responded they can add a 6' rumble strip down the middle to help. P. Amato
213 said that does not solve the problem of pedestrians crossing the lot; most strip malls or shopping
214 centers have truck access around back. A. Turner said in Swansea it is this exact same layout. L.
215 Daley went by the Loudon store which is similar to this one, asking what are the traffic counts and are
216 there any issues with circulation? Their ROW is substantially wider than this. A. Turner said the
217 truck maneuver is the same as this one. S. Robinson asked what DOT requires for truck maneuvers?
218 A. Turner answered its fine as long as the truck does not go into the parking spaces. L. Daley
219 indicated the plan instructs trucks to back up on Wilton Road, what is the time for deliveries and
220 hours of operation? A. Turner said the deliveries are determined by the shipping methods; they make
221 sure it is minimally disruptive. L. Daley said this model uses the largest trucks, could this store use a
222 smaller truck? A. Turner cannot tell them what trucks to use.
223

224 There is a letter from the Getman's about this development. DPW will work with the applicant for
 225 the entrance design to improve the access. Water and sewer questions have all been addressed. The
 226 major points needing to be addressed include signage; gooseneck lighting could be added to the plan.
 227 Lighting is required as part of the overall design. Snow storage needs to be identified. A. Terner said
 228 snow storage will be around the edge of the property, but protect the growth cover. The cross
 229 movement will be part of that area so snow storage will be modified. Snow cannot be put in the
 230 stormwater basin and will be taken off site if needed. GreenPro snow cannot be maintained unless it
 231 is in the ordinance. L. Daley asked if the 24x30' curb cut could be used for snow storage and once it
 232 is developed, have a snow storage area for both? A. Terner responded that snow storage note is on
 233 the plan so that it can be enforced by the town by the site plan, he can also add snow storage in the
 234 parking spaces. L. Daley asked if diversity could be added with the plantings? A. Terner responded
 235 that DES requires pea stone to allow infiltration and to have plantings as appropriate. M. Bombaci
 236 said the stormwater requirements are very specific. Outside of the stormwater infiltration area,
 237 Austin can have some diverse plantings. J. Langdell asked about lighting after business hours.
 238 Austin responded there will be small lights over the front entrance down to the parking area and the
 239 loading door after business hours. The sign (light) will be off except one hour after business hours.
 240 L. Daley said the hours of operation are until 10 p.m., so the sign light will go off at 11 pm? Adam
 241 said the lights will be on a timer and will go off at 11. Austin said there is no lighting in the back of
 242 the building, there is only a light at the door. P. Amato said the emergency exit door has to have a
 243 light. P. Basiliers asked if there is any lighting in the back of the building, if not that is unsafe for
 244 emergency personnel. J. Langdell said asked why are there light fixtures in the back of the buidling?
 245 If lighting is not required, why are there fixtures? P. Basiliere said if emergency staff goes out there,
 246 it seems unsafe; maybe have motion sensor lighting.

247
 248 L. Daley asked how the applicant arrived at the orientation of the building on the lot? A. Terner said
 249 that Matt Bombaci discussed that in January, it was established that this was most appropriate and
 250 provided an opportunity for landscaping buffers and truck movements. This was the orientation that
 251 was arrived at. L. Daley said the size of the store and lot dictates the position of the building. The
 252 building should be the same orientation as other buildings, the lot is restricted, but he asked if any
 253 other designs were considered? In the West Milford Gateway Regulations, it states the orientation
 254 shall be similar to others in the area. D. Knott said the regulation states that the design shall be met, if
 255 you do not meet it, a waiver should be requested. L. Daley said the Planning Board needs to
 256 determine if 115' from the street is in accordance with the neighboring structures. J. Langdell asked
 257 if it is appropriate, that is the question. P. Amato said the adjacent structures (storage units) could be
 258 considered too close to the road. L. Daley said the district encourages the building to be closer to the
 259 road for pedestrian connectivity. J. Langdell noted the connectivity could be done in other ways like
 260 the sidewalks; she understands the comment and with the regulations, it would have been nice to do a
 261 Master Plan of this. It is not an easy road to work with, it is just the regulation; a smaller building or
 262 a bigger lot would be better.

263
 264 P. Amato said if the parcel had 20,000 more square feet, there would have been more flexibility but
 265 meeting the ordinance the town has, it will be hard to meet. T. Finan thinks it is better to have the
 266 building further back from the road because it is further from the house. P. Amato said if it was
 267 closer to the road, there would be less parking. D. Knott said because of the regulations, should there
 268 be a waiver? L. Daley said the Planning Board needs to decide if it is appropriate. The front door
 269 orientation is on the street side. It sounds like the Planning Board feels it is adequate. A. Terner said
 270 the regulation does say "if appropriate" so it is felt we meet it. If the front door were facing the side,
 271 J. Langdell said the Planning Board would want a waiver, but the front door is on the road side of the
 272 building. L. Daley asked for the elevations to be discussed. A. Terner indicated the upgrades
 273 incorporated include the peaked roof and upgraded building materials including clapboard style
 274 siding which is more versatile and faux windows. There was a general consensus of the Planning
 275 Board in January and additional landscaping was requested and has been added. Mr. Terner has not
 276 received much feedback on the elevations, this is the design from January and what he got back was
 277 more buffer and landscaping. J. Langdell knows that in the discussions about this project years ago,
 278 they did discuss more than what was brought forward in January. The biggest issue brought up by the
 279 Planning Board at that time was the flat roof, which was changed. Six pages of other Dollar General

280 Stores in New England were provided by the Planning Board, based on the regulations in those
281 communities, the pictures showed other architectural features. D. Knott asked if the proposed design
282 meets the requirements of the West Milford Gateway Regulation requirements? L. Daley said it
283 meets certain elements, but the proposed structure could be improved. D. Knott said the residential
284 abutter's side of the building could have utilities and does that meet the standards? L. Daley said the
285 guideline is that flat roofs are strongly discouraged. J. Langdell said we have three walls on this
286 proposed building that are just flat. Three sides of this building should meet the guidelines of the
287 overlay district; L. Daley indicated there is room for flexibility here with the overall design. In Wells
288 Maine there is one example, the Pine Valley Mill theme could be used. S. Robinson asked what is the
289 square footage of the Wells store? L. Daley said it is 7000 sf. S. Robinson said the Swansea store
290 has a pitched roof. J. Langdell has seen landscaping on the sides of buildings; that might help break
291 up the wall. M. Bombaci said in January it was determined that landscaping and plantings would
292 shield the building sides. Landscaping was also added to the front of the building.

293
294 P. Amato said to meet the spirit of the ordinance, they have not done it with the design of the
295 building, but have shielded the building enough that it would meet the spirit of the ordinance. M.
296 Bombaci said the intent of the proposal was to meet the regulation. A. Ternier suggested the Board to
297 focus on the area with the most problems. What he is hearing is to look at other options available for
298 this. P. Amato said the shielding of the building is appreciated but the Board wants to hold to the
299 regulations to improve as new development comes to West Milford. P. Basiliere feels the design does
300 not meet the spirit of the regulation and the developer has agreed to go back to see what else might be
301 available for the building. L. Daley continued through his comments in the staff report. He asked
302 why there are faux windows on the building? A. Ternier explained that is for safety since there will be
303 stock right inside the windows and also for aesthetics from the outside to appear as though there are
304 windows. It gives the appearance of a window. Seeing no further comments from the Planning
305 Board, D. Knott opened the hearing to the public for comments or questions.

306
307 Becky McCloud, North River Road, has a concern with the intersection of North River Road and
308 Wilton Road – there is a blind spot and what about traffic backups? Natalie Watson, North River
309 Road is concerned about traffic on North River Road and it being used as a bypass to Route 101A.
310 People drive too fast, it could be a big issue. The gateway district is to retain this as a nice part of
311 Milford. People will cut through North River Road to get to this store and Ms. Watson feels it will
312 increase the traffic. She hopes the town holds to the look that is in this part of Milford.

313
314 Brendan and Janelle Getman, abutters, talked to the Fire Chief about a fire lane in that area and that it
315 is not required but would make it safer. Also, a pine fence is being proposed but there are other types
316 of fences that can hold back fire. If Wells Maine can have a 7500 sf store, why can't Milford?
317 Janelle Getman said one item brought up is that a truck cannot cross the double yellow line when
318 pulling in or out of the driveway, she wonders what the turn radius is for the truck.

319
320 Lauren Tedford, neighbor of the Getmans, feels there should be a fire lane, she would appreciate that
321 it be strongly considered. Every safety measure taken would mean a lot to her. Seeing no further
322 questions or comments from the public, D. Knott closed the public hearing

323
324 J. Langdell asked if Dollar General will own this property or be a tenant to the owner? Matt Bombaci
325 said they will be a tenant. P. Basiliere indicated when a truck pulls in off 101A, will its lights shine
326 into the Getman's home? P. Amato said all cars pulling into the parking lot will shine into their
327 windows. A. Ternier said the 5' fence will go all the way down the property line and should reduce
328 those lights shining into windows.

329
330 P. Amato moved to continue this application to the April 23, 2019 Planning Board meeting; at that
331 time mostly to look at any new architectural design and other items discussed tonight. J. Langdell
332 seconded. All were in favor. Motion passed unanimously.

333

334 **d. Station 101 Tap Room, 193 Union Square, Map 25, Lot 19.** Minor Site Plan Application
335 for a change of use from an auto repair/service building to a restaurant use with site,
336 landscaping and parking improvements.

337
338 J. Langdell moved to accept the application for review. P. Amato seconded. All were in
339 favor. T. Finan moved no potential regional impact. J. LaFontaine seconded. All were in
340 favor. Motion passed unanimously.

341
342 Chip Pollard and Gage Perry, applicants, were presenting the plan. Mr. Pollard and Mr.
343 Perry live in Merrimack and are very interested in history and preserving the past, Mr. Perry
344 is the head of Conservation in Merrimack. This proposal is to re-purpose the building at 193
345 Union Square into a 1940's style gas station and have a Tap Room, serving local brew and
346 small food items. Old gas stations are being restored all over the country in this way.
347 Milford has a beautiful downtown and this will add to the town and add value to bring people
348 to Milford. An overhang will be added to the building and old-fashioned (inoperative) gas
349 pumps will decorate the site, along with non-functioning air machines. The building built in
350 the 1950's will be completely cleaned out. The business name is Station 101 since it is
351 located on a portion of the old Route 101, which came right through downtown before the
352 bypass came in.

353
354 Everything will remain the same, including the two existing (town) lights on the sidewalk,
355 the porcelain panels on the building will be restored, no additional lights are required. The
356 existing 8' sign will be changed to a 6x6' round sign, 6 feet in diameter. There will be
357 outdoor seating and plantings around the site. There are 10 existing parking spaces, the lot
358 has two means of entry/exit, the entrance will remain and the exit on the west side of the lot
359 will be enter and exit but with one-way traffic on the site. The dumpster will be shared with
360 the Riverhouse restaurant once they have moved next door. Landscaping will be kept low
361 because of site distance for cars traveling through the oval.

362
363 J. Langdell asked about the landscaping. Mr. Pollard said all the landscaping will be in
364 movable pots because of required clearing of snow. The site plan will be amended so that if
365 there is excessive snow, it will be taken off site and that will be noted on the plan; no salt will
366 be used on the site. Mr. Pollard's goal is for nothing to change as far as the current traffic
367 flow. The plans have been submitted to the Fire Department for indoor capacity (35-40
368 people). S. Robinson asked what will be offered? Mr. Pollard said they will sell wine and
369 beer and very basic food items. Mr. Perry indicated hot and cold appetizer type food,
370 nothing prepared on site, as there is no kitchen. S. Robinson anticipates people would make
371 a quick stop, or is it anticipated that people will hang around? Mr. Pollard feels people will
372 stop in to try a new beer or two and he is not expecting people to come to stay for a while.
373 D. Knott asked if there will be music? Mr. Pollard indicated maybe a guitar player. P.
374 Basiliere asked how many employees there will be and where will they park? Mr. Pollard
375 answered 2 or 3 and they will be asked to park off site. He anticipates people coming here
376 that might walk not drive. S. Robinson asked if this will be a pub? Mr. Pollard said there
377 will be high end beer brought in from local brewers. P. Amato said parking on the oval does
378 not matter for businesses on the oval, there are no requirements for parking. Mr. Perry said
379 they will not be preparing food on site. Mr. Pollard agreed, stating they plan to cooperate
380 with the surrounding restaurants for some of the food provided and people can bring in their
381 own food as well.

382
383 P. Amato said there are rules for food being brought in from other restaurants. Mr. Pollard
384 responded that they will follow those guidelines from the Health Department. L. Daley

385 asked if the property will have one way or two way traffic? Mr. Pollard answered one way.
386 P. Basiliere does not think it is legal to cross the double yellow lines to enter this property. J.
387 Langdell indicated the double yellow lines on Route 101A are crossed all the time to enter
388 businesses. P. Basiliere suggested the applicant research that to see if it is legal. L. Daley
389 indicated the Traffic Safety Committee could be contacted to look at that as well, noting
390 there should be something more permanent to identify the entrance and exit locations. P.
391 Amato thinks this will be a great addition to the oval area. Mr. Pollard noted the sign
392 illumination will be facing downward but he would like to leave the pump lights on all night.
393 Seeing no further comments or questions from the Board, D. Knott opened the hearing to the
394 public for comments or questions.

395
396 Paul Joyce, Annand Drive, thinks this is great addition and the applicant seems to have a
397 handle on the requirements and has a sense of humor. There were no further public
398 comments.

399
400 P. Amato thinks the entrances are too wide and the island (on the lot) might need to be
401 extended, he wants to see the driveways restricted to either enter or exit. P. Basiliere said it
402 looks like on the plan the enter and exit are too wide, the applicant should work with staff on
403 the planters and entrance and exist. P. Amato moved to grant conditional approval to the site
404 plan with the conditions: excessive snow removed to off site location; requirement to include
405 landscaping island; accurate location for snow storage on the plan; work with staff regarding
406 entrance/exit and double yellow line. S. Robinson seconded. All were in favor.

407
408 **e. Keogh Design Review Subdivision Plan, Amherst Street, Tax Map 23, Lot 2.** Major
409 Subdivision Design Review Application to subdivide Tax Map 23, Lot 2, 118 Amherst Street
410 into nine (9) total residential lots on a proposed 800 foot subdivision roadway and related
411 stormwater/drainage improvements.

412
413 J. Langdell moved to accept the plan for review. P. Amato seconded. All were in favor. Motion
414 passed unanimously. P. Amato moved no potential regional impact. T. Finan seconded. All were in
415 favor. Motion passed unanimously. Abutters were read into the record with the following abutters
416 present: Stephen Currie, Ross Maclaren, Norman & Jennifer Fisk, Bartlett Common Condo
417 Association, Martin Family Revocable Trust, Meridian Land Services, Inc., Town of Milford.

418
419 L. Daley indicated power utilities, water and sewer will come from Milford but water and sewer will
420 not be provided to the abutting property in Amherst.

421
422 At this point, L. Daley indicated at this time (10:00 pm), the Planning Board typically will end their
423 meetings, given the time, and the fact that the applicant has waited, he suggested at least hear their
424 plan and go from there.

425
426 Sam Ingram, Meridian Land Design, presenting for the applicant, explained this is a Design Review
427 for Residence A zone with 800 feet of public road and nine lots with public water and sewer. This
428 plan exceeds Residence A requirements and is still a work in progress. Mr. Ingram indicated with the
429 proposed road, the storm water is shown on the plan to be dealt with through catch basins and
430 channeled off the road from the crown and recharged into the ground. Uncontained water will go on
431 to Amherst Street. The flow is what it is and will be slightly more than what exists now. J. Langdell
432 would think there will be quite a bit more sheet flow. She asked what is directly across the street?
433 Mr. Ingram said a condominium complex is directly across; Amherst Street is paved, so it sheds off
434 towards Milford. This is the best option to maintain water run off. The drainage will contain the
435 water from that section. The regulations require a bridge right off the road. There is a catch basin to
436 the West of the site on Merrimack Road. J. Langdell suggested adding another catch basin. Mr.
437 Ingram said there is a manhole cover in the road; if it is a drainage system right there, we could tap

438 into that for the run off. D. Knott said or the water will run into the road and that will not work. L.
 439 Daley suggested Sam talk to Rick at DPW about the run off. P. Amato asked where the water table is
 440 depicted on the plan? Sam Ingram same it is on a separate plan. J. Langdell asked that the water
 441 table be transferred on to the town copy of the plan? Mr. Ingram stated this is a conventional lay out
 442 subdivision. He will not be coming in for an open space subdivision. The sense he got was for a
 443 conventional subdivision. J. Langdell said we make that decision through this process. S. Robinson
 444 asked how large are these homes? Mr. Ingram answered 1200-1500 sf. S. Robinson asked if they
 445 have a garage? Sam has not worked through the details of each home yet. J. Langdell does not see
 446 lot 23-8 as a buildable lot. Sam responded that it is a tight building lot. P. Amato said if it was an
 447 open space subdivision, it would look pretty close to this. L. Daley said we have had other similar
 448 developments in the past, are we setting up future owners to have issues with maximizing the use of
 449 their properties?

450
 451 D. Knott referenced notes A-I on the staff memo, have they all been addressed? L. Daley put the staff
 452 memo out to determine if the parcel would be better as an open space subdivision or conventional
 453 design. J. Langdell said the detention pond on the lot has wetlands, what is the usable dry land on
 454 that parcel? Sam Ingram said on lot 23-8 there is 21 feet between the detention basin and the location
 455 of a proposed home. L. Daley is not convinced that the lot meets the purpose and intent. Sam said he
 456 could reconfigure the lot line between lots 7 and 8 to give it more space. D. Knott asked why can't
 457 you combine lots 7 and 8 into one lot? J. Langdell does not remember a detention basin ever being on
 458 private land. Sam said that will be done with an easement. J. Langdell indicated the Spaulding Street
 459 development has a detention pond. L. Daley said that open space is on the common land. This is
 460 burdening the property owner with the detention basin on the lot. P. Amato said the easement would
 461 be for the town to maintain the basin; this lot comes with wetlands and wetland buffers and a
 462 detention basin. J. Langdell suggested increasing lot 7 and get rid of lot 8 and put some of lot 8 into
 463 lot 7 and make lot 8 into just wetland. Sam said for a conventional plan, we came up with 11 lots;
 464 using the formula, it actually comes up with 11.5 lots. P. Amato said you have to show that with a
 465 conventional subdivision.

466
 467 P. Basiliere asked how close is the detention basin to the closest abutter? Sam Ingram said about 40
 468 feet; they are designed to handle a certain amount so that overflow does not happen. L. Daley asked
 469 how large is this, Milford Conservation Commission would prefer that no lots include wetland
 470 resources areas and requested a site walk. J. Langdell said with a better design, you can put the
 471 detention basin elsewhere. P. Amato indicated if there is a total of 8 lots, he can design it with 8 lots
 472 and he can design it as an open space subdivision or we can say we do not like lot 2-8. L. Daley said
 473 if the design review process is continued, the Planning Board can decide the type of subdivision at the
 474 next meeting, the potential access and viability of the road without additional authorization from
 475 Milford. An easement does not constitute frontage, therefore it is not a buildable lot and a variance
 476 would be needed. Sam Ingram responded that lot 3-8-5 is a lot of record, with the proposed access
 477 easement, that does not require frontage it just requires access for an existing lot of record. L. Daley
 478 clarified that the lot in Amherst is a part of a lot that extends from Milford into Amherst. The Milford
 479 Planning Board needs to grant the easement and allowance from the Board of Selectmen to allow the
 480 access to Amherst. The access creates a burden to Milford and it is up to the Milford Board of
 481 Selectmen to allow Milford to bare the burden for emergency services to another town. P. Amato
 482 said Milford did that in other areas to Amherst. L. Daley indicated it requires more design from the
 483 applicant and this can only be used to service one home in Amherst. P. Amato said it is an access
 484 easement which is a driveway. L. Daley said the lot in Amherst is land locked and they are asking for
 485 an easement from a Milford town road in order to provide access to the driveway in Amherst. P.
 486 Amato said if the road went to the Amherst town line, then Amherst could do this, but it does not so
 487 the applicant is asking Milford to allow this access for the lot. It was asked if Bartlett Commons can
 488 grant access to the Amherst lot from their road? The Bartlett Commons Condominium representative
 489 said they cannot, due to the language in the deed. L. Daley asked if it is good Planning to extend the
 490 Milford road right up to the town line? If Amherst extends the road, they can have two buildable lots.
 491 If the road is extended to the line, that provides proper frontage then Amherst can do what they want
 492 with the Road; the easement is more restrictive. There is a 1000 linear footage limit on a cul-de-sac
 493 road in Milford. P. Amato said we need to determine if all the lots presented are viable. J. Langdell

494 asked if a site walk can be set up prior to the next Planning Board meeting. P. Amato said the
495 Planning Board needs to decide the type of subdivision: conventional or open space.

496
497 Hearing no other comments or questions from the Planning Board, D. Knott opened the hearing to the
498 public.

499
500 Steven Currie, Amherst Street, asked for possible screening for abutters. Bartlett Commons
501 Condominium representative, asked if Mr. Keogh is going to develop this himself? Tom Martin,
502 Amherst Street, is concerned with storm water, right now storm water comes onto his side of the road;
503 he ends up with 6" of water when there are snow banks. He has a culvert under the driveway and it
504 gets full of water and branches. The property will be sold to a developer, can they change the
505 development or are they subject to these plans? Are they staying single family homes? J. Langdell
506 said they would have to come back to the Planning Board if they want to change what is approved. L.
507 Daley said this development will have underground utilities, asking if there are plans for sidewalks
508 down Amherst Street? It might be good to provide sidewalk information to the applicant to include in
509 the design. Debbie Dunn, abutter, asked that her friend Paul Joyce ask on her behalf about her farm
510 located downhill from this development, and asked about the ribbons marking on her property. Sam
511 Ingram said he is not familiar with ribbons marking anything but will ask about it.

512
513 Dave Palance, Heritage Commission Chairman, said this area is full of stone walls and used to be
514 pasture land, noting that the Heritage Commission expects about 60% of the stone walls to be affected
515 and asked if there is any provision to preserve the walls as part of the history of Milford? J. Langdell
516 indicated the Heritage Commission contact NRPC regarding the stone walls. Dave Palance
517 responded UNH has maps of the stone walls in NH, but none of Milford stone walls are mapped. J.
518 Langdell asked if the Heritage Commission could look at that. L. Daley said there is a way to add
519 that to the town's overlay. Sam Ingram said we could re-use some of the stones in the stone walls
520 that are disturbed. Norman Fisk said these lots will be challenging, the apartment on the corner of
521 Merrimack Road and Amherst Street had problems with water in the basements so the developer
522 might want to check with them before any work is started. This is challenging land to work with, the
523 water is going to end up in someone's basement, this would be a nice piece of property to leave as
524 open space, it is the last piece of open land in that area. Every time there is building, it affects his lot.
525 D. Knott closed the public comments portion of the meeting.

526
527 A site walk for the Keogh property was set up for April 16 at 4:30, at which there will be no decisions
528 made. P. Amato moved to continue this design review to April 23, 2019. J. Langdell seconded. All
529 were in favor. Motion passed unanimously.

530
531 **4. Adjournment:** The meeting was adjourned at 11:30 p.m. on a motion made by P. Amato and
532 seconded by T. Finan.. All were in favor. Motion passed unanimously.

533
534
535
536 _____ Date: _____
537 Signature of the Chairperson/Vice-Chairman:

538
539
540 **MINUTES OF THE 3/26/19 MEETING WERE APPROVED 4/23/19**