

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

Members Present:

Doug Knott, Chairman
Tim Finan, Vice Chairman
Janet Langdell, Member
Susan Robinson, Member
Pete Basiliere, Alternate Member
Paul Amato, Member
Jacob LaFontaine, Member

Staff:

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

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 is an Alternate member and will sit with the Board as part of the discussions but will not vote this evening. It was felt that the election of officers should be held prior to hearing any applications. J. Langdell nominated T. Finan for the position of Vice Chairman and for D. Knott for the position of Chairman of the Planning Board. Both members accepted the nomination. J. Langdell moved to elect T. Finan as Vice Chair and D. Knott as Chairman for the Planning Board. S. Robinson seconded. All were in favor. Motion passed unanimously.

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

3. Public Hearings:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 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.

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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.

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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.

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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.

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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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. **Adjournment:** The meeting was adjourned at 11:30 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-Chairman: Date: _____

MINUTES OF THE 3/26/19 MEETING WERE APPROVED 4/23/19