

1 MILFORD PLANNING BOARD MEETING
2 March 27, 2018 Board of Selectmen's Meeting Room, 6:30 PM
3

4 **Members Present:**

5 Janet Langdell, Member
6 Tim Finan, Member
7 Susan Robinson, Member
8 Jacob LaFontaine, Alternate member
9 Kevin Federico, BOS rep
10

Staff:

Lincoln Daley, Comm Dev Director
Darlene Bouffard, Recording Secretary
Hazen Soucy, Videographer

11 **Excused:**

12 Christopher Beer, Chairman
13 Doug Knott, Vice Chair
14 Paul Amato, Member
15 Veeral Bharucha, Alternate member
16

17 **1. Call to order:**

18 In the absence of the Chairman and Vice Chairman, K. Federico moved to appoint J. Langdell as Chair for
19 tonight's proceedings. S. Robinson seconded. All were in favor. Member Janet Langdell assumed the role of
20 chairperson. J. Langdell called the meeting to order at 6:40 p.m. introductions were made of Board members
21 and staff. J. Langdell stated when abutter's lists are read this evening, please state you are here.
22

23 **2. Review/Approval of Meeting Minutes:**

- 24 a. February 6, 201 – K. Federico moved to approve the minutes of February 6, 2018. J. Lafontaine
25 seconded. All were in favor with T. Finan abstaining as he was not in attendance at that meeting. Motion
26 passed.
27 b. February 27, 2018 – K. Federico moved to approve the minutes of February 27, 2018. J. Lafontaine
28 seconded. All were in favor. Motion passed.
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30 **3. Public Hearing(s):**
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32 **a. Ronald and Loreen Racicot, 21 Old Wilton Road, Tax Map 124, Lot 10.**

33 L. Daley explained that the Racicot applicant has requests to continue this to the April 24, 2018 Planning
34 Board meeting. They do not have their elevations at this time. They have requested to be on the agenda
35 for April 3, to which L. Daley asked the Board's pleasure. The Board concurred that other business must
36 be addressed at the April 3 work session, so it should be continued to April 24, 2018. On motion made by
37 K. Federico, the Board continued this application to April 24, 2018. T. Finan seconded. All were in
38 favor.
39

40 A request was made by J. Langdell to take the items out of the order on tonight's agenda due to the length of
41 some of the items. K. Federico moved to hear the smaller cases first. J. Lafontaine seconded. All were in favor.
42

43 **b. Marilyn J. Piekarski, as Trustee of the Wilfrid J. Piekarski Rev. Trust, 221 Osgood Road, Tax Map
44 42, Lot 55, and Leonard Golden and Ozlem Arslan-Golden, 60 Mason Road, Tax Map 42, Lot 50-1.**

45 Attorney Andy Prolman explained that a prior plan was approved in 2016 for this lot and tonight the
46 applicant is requesting for that plan to be revoked for title purposes so that the new plan approved in 2017
47 can be recorded. J. Langdell said this is to complete this application and is simple. T. Finan asked why
48 this is necessary. A. Prolman answered this is a bit of overkill but it makes it very clear that the plan
49 approved in 2016 is no longer valid. K. Federico said this will be one less piece of information out there.
50 A. Prolman agreed stating the 2016 plan cannot be removed without doing this. There were no questions
51 from the Board or the public. J. Langdell closed the public portion of the meeting. T. Finan moved to
52 approve the revocation of the October 25, 2016 lot line adjustment. K. Federico seconded. All were in
53 favor. Motion passed.
54

55 **c. Pine Valley Hydroelectric Power Company, LLC for the property located at Tax Map 6, Lot 13, 37
56 Wilton Road.**

L. Daley read the abutters list; those present included: Dakota Partners Inc., Fieldstone Land Consultants, and Town of Milford. T. Finan moved no regional impact. K. Federico seconded. All were in favor.

Attorney Prolman was presenting on behalf of the applicant. A couple of years back, the Dakota Partners team came to renovate the mill building into condominium units: one was residential units and two were commercial units. Everything was renovated and there was a hydroelectric power station located in the basement of the mill. Last year, they sold that portion of the mill, as they do not know anything about hydroelectric power or its upkeep. There is an agreement with Marti Greko who knows how to use these power stations. The Dakota Partners is going to sell the hydroelectric power station to the Greko's out of Casco Maine. In order to sell the dam, Penn Stock and hydro power station, they must create a third unit out of unit two. They have amended the condo documents to separate out the unit with the hydroelectric power station and they must subdivide unit two into two units. Attorney Prolman said there is a piece of the CDBG grant involved as well to add the third commercial unit. No parking spaces are being added, nothing is being changed in the building, however in order to convey this to the new owner, it must be changed to a third unit.

J. Langdell asked if the documents for CDBG have to be amended. L. Daley has been reviewing them and they are satisfactory. Attorney Prolman said they are preparing an easement plan and a subordination from the lenders to the easement, Wells Fargo holds the first mortgage the Town of Milford holds the second mortgage and we're going to have both Wells Fargo and the Town of Milford subordinate to the new easements being created for the benefit of unit 3; and that is fine if that's a condition on the plan. J. Langdell asked will this company out of Maine own the entire dam, even the portion that goes under the road. Attorney Prolman said yes they do and the dam does go to the Wilton line at the gates and the parking lot into unit 3. They have put a liner inside the Penn Stock already and have done other improvements. J. Langdell opened up the discussion for public comments.

David Palance, Heritage Commission, lives near this site and said there is the dam in Wilton and the infrastructure and piping that is huge and there are a lot of unknowns. What if the dam breaks? He is concerned with what we do not see. D. Palance asked if the board is satisfied with the answer given about ownership. J. Langdell said yes, we have gone through all of the iterations when the Pine Valley Mill went through. Attorney Prolman said everything to do with the dam; penn stock and power went through the Dakota Partners. All of it will be conveyed to the Pine Valley Hydroelectric Company who will be fully responsible for it. Attorney Prolman is asking to create a unit 3 out of the existing unit 2 with 1200 sf which houses the turbine and the associated equipment. There were no further comments from the public. J. Langdell closed the public hearing.

T. Finan asked if this discussion is just to add unit 3 to this development through subdivision. J. Langdell said yes and it will be the new company that is responsible. L. Daley added that it is to make sure the documentation is done in accordance with the statute. J. Langdell opened the public hearing again for comments from the public. Dave Palance asked for the plan that shows the final project. L. Daley brought up the plan on the computer screen that shows the floor plan of units 1, 2 and 3. It shows the layout of all three condos as proposed. The plan is four pages in total. Dave Palance asked for copies of the plan which L. Daley will provide. J. Langdell closed the public hearing. S. Robinson asked again if the Penn Stock was re-lined. Attorney Prolman said yes it was done by the new owner. K. Federico feels this makes sense to sell off to a company that deals with hydroelectric power, it is a good idea.

K. Federico moved to approve conditionally with the completion of any modifications to the CDBG documentation and any other easement documents that are required. T. Finan seconded. All were in favor.

d. **Jessica Hudson for the properties located at Tax Map 43, Lots 24 and 25, Tonella Road (major subdivision).**

L. Daley asked if the Board would like to hear the subdivision and site plan applications concurrently as they are related or if they would like to hear them separately. Consensus was to hear them concurrently.

112 T. Finan moved there is no regional impact for the subdivision application. J. Lafontaine seconded. All
113 were in favor. K. Federico moved to accept the subdivision application as complete for review. T. Finan
114 seconded. All were in favor. Motion passed. T. Finan moved there is no regional impact for the site plan
115 application. K. Federico seconded. All were in favor. K. Federico moved to accept the site plan
116 application as complete for review. T. Finan seconded. All were in favor. Motion passed.

117
118 e. **Jessica Hudson for the properties located at Tax Map 43, Lots 24 and 25, Tonella Road (major site**
119 **plan).**
120

121 L. Daley indicated that several discrepancies were found in the plans and questions were identified that
122 were presented to the applicant. There are further questions tonight. L. Daley read the abutters of which
123 the following were present: Jessica Hudson, Doug Maguire, Tim Sutherland, and Town of Milford. T.
124 Finan moved there is no regional impact for the site plan application. J. Lafontaine seconded. All were in
125 favor.

126
127 Tim Sutherland, The Dubai Group, presenting for the applicant indicated that Tonella Road is a dead end
128 road terminating at Ledgewood Drive, a large retirement community on the hill. The road terminates on
129 one of the properties. There is not a logical termination point of Tonella Road. There is a single family
130 home and on the quarry property there are some homes. This proposal is to upgrade Tonella Road. By
131 upgrading Tonella Road it also provides the necessary frontage as part of this plan. To match Tonella
132 Road, the new road would be the same width. The utilities would be extended through the property. The
133 house would be on the new portion of Tonella Road. It made sense to handle the site plan and then the
134 subdivision of town homes. There are two waiver requests for the subdivision; one is to extend the 40'
135 right of way. L. Daley provided copies of the waiver requests to Planning Board members. The Right of
136 way is extending and the utilities are contained within the right of way. There has been no opposition by
137 town staff to the utilities in the right of way. There is room for the snow to be angled off the driveway at
138 the end of the road. What are being proposed are 16 town houses. Working with the existing slope, the
139 proposal has the garages under some of the units. All parking area is fully contained within the property.
140 The buildings are set back far enough without any encroachment into the right of way. We prepared
141 complex plans. We were intending to move the existing home to the quarry property, which would
142 require additional permitting and a variance. This plan would completely upgrade the roadway. The
143 drainage and treatment were suggested from staff and will be implemented. We are collecting the run off
144 along the frontages into two ditches and will be converting that to rain gardens. This design will have
145 good re-charge. A full drainage study was conducted and showing reductions based on this design. We
146 will show reductions with this design. We will work with the slopes and we do not show drainage issues
147 with the plan. Streetscaping will be nice and landscaping will be the responsibility of the ownership.

148
149 J. Langdell asked where will people who live here congregate outside? T. Sutherland responded in the
150 backyard area it is pretty flat and about 25' wide but that might not be for everyone. We are constrained
151 because of the slopes and are working with trying to keep it reasonable. The slopes will be stabilized with
152 jute matting. We will not get full run off from the units above. T. Finan asked where lot 25-1 is going to
153 be. T. Sutherland responded it is on the top but off of this map. The quarry lot is completely landlocked
154 so this will provide frontage. J. Langdell asked about Lots 24 & 25 and if that is the original lot? Justin
155 Demontigny, Trustee, answered that there have not been any lot line changes done.

156
157 S. Robinson asked why this has not gone into Lot 24. Tim Sutherland responded we were creating
158 frontage to get the 225' minimum frontage; we were making it a conforming lot. J. Langdell asked if we
159 gave a conditional approval to this plan and the existing home was demo'd, but does that subjugate the
160 plan that was approved? L. Daley gave an example of a similar project (to locate another house on the
161 property which is nonconforming). J. Langdell would rather see it done that way instead of having them
162 go to the ZBA to get what they want. L. Daley thinks it should be taken off the plan completely. S.
163 Robinson asked if they are already cutting into Lot 24 for the outside area for the units. Tim Sutherland
164 responded they created a lot sized to meet the density. The family wants to keep as much land to them as
165 they can. That was done intentionally, which is why the lot is shaped the way it is. It is done on purpose
166 to design it this way. J. Langdell asked about sidewalks. Tim Sutherland said the applicant wants to

work with the town, but if people are going to walk, they would walk along the sides or down the driveway. J. Langdell suggested it could just be designated with paint for people to walk, it does not need to be raised and curbed. Anyone that has a driveway would take care of that driveway. T. Sutherland said the “stubs” can be removed on the plan, legally it is the town’s land, but it will be the responsibility of the owner to maintain it. S. Robinson said having a stripe for walking areas would help. L. Daley indicated plowing could wipe away any grassy area and he would recommend not having the green “stubs”. T. Sutherland can make that change on the plan. J. Langdell asked if these are condos or apartments. T. Sutherland responded that they are proposing them as apartments. We can always come back to make them into condominiums. J. Langdell noted the Planning Board will be asked to approve multi-family apartment buildings. T. Sutherland said they are proposing to put the Tomahawk road ending. It is gravel now but it will be paved. We will be putting in a rain garden to make sure all the water is treated and also the snow will be treated. That has been reflected on the plans. J. Langdell said the conditions are based on how the land is used, now you are adding 16 units with two cars per person plus visitors. J. Langdell asked if the turnaround is 50’ and does it meet the Fire Department requirements? T. Sutherland said he has not heard otherwise but can revise if necessary. L. Daley said this is designed by the regulations, there should be more clarity by the next meeting. T. Sutherland had a long conversation with staff on the stormwater, out of which came the rain garden. Many of the comments tonight will be included in the next plan revision. A lot of the staff comments have been addressed, but have not been reviewed by staff yet. Tim is looking for direction on sidewalks and the two waiver requests and is interested in thoughts from the Planning Board and the DPW Director.

J. Langdell said the Planning Board will not make any decisions without hearing from the DPW Director. L. Daley asked about Woods Road and if there are alternatives to consider regarding snow storage. T. Sutherland responded that there is a Woods Road on the plan, but it depends on how the Board feels about it. If there are substantial revisions to the property, it would be different. There have not been any complaints about snow until now. There are alternatives to look at. J. Langdell said we need to hear from R. Riendeau on this. L. Daley said here will be 16 new apartments, snow storage will be a concern since it could block the existing driveway. J. Langdell said there could be another place to store snow. T. Sutherland said the grade is being improved to meet the grade. J. Langdell said maybe the snow could be pushed onto Woods Road, instead of at the end of the Tomahawk near the wetlands. J. Langdell wants to hear from Fire and DPW before making any decisions on waivers.

J. Langdell asked about the granite building on the left hand side, what will happen to that? Justin Demontigny said they will be taking it apart and the granite will be moved to the quarry area. It might be used on the property but it will not end up in a pit somewhere. J. Langdell asked if there were any more questions from the Board. K. Federico said this development will impact both Ledgewood Drive and Tonella Road with the additional cars (possibly 32) and additional traffic. J. Langdell thinks it would be good to bring back the traffic study that was done on Tonella Road a few years ago. The Oval area improvement plan should also be looked at since some of the money was considered to be used for this area. What does the data say and what is the impact? Let’s bring that information back to look at. K. Federico said the town has studies that were done relatively recently; he is interested in how close the town was to the threshold (for traffic). J. Langdell agreed. S. Robinson asked if we will address variances at all. J. Langdell said not this evening. J. Langdell asked for comments or questions from the public.

Lorraine Marchant, Condo Association President, said the abutter listing did not include Ledgewood, it only included Ledgewood Bay the Assisted Living facility, so the Ledgewood Condominiums were not notified. L. Daley said the notices were sent to the abutters list that was provided by the applicant. Tim Sutherland apologized and said they pride themselves on the notification of abutters and it was an honest mistake; he will have them notified for the next meeting and will not let it happen again. J. Langdell was just curious why they did not show up on the abutters list. Lorraine Marchant said for first meeting last year they were notified, but this one they were not.

Dave Palance, Heritage Commission, asked how the plans would look if the Stone House were not there. Tim Sutherland answered they were looking at that, to be able to keep the Stone House as it is, the main

4. Public Meeting:

5. Other Business:

- ## 6. Adjournment

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

MINUTES OF THE 3/27/18 MEETING WERE APPROVED 4/24/18