

1 MILFORD PLANNING BOARD WORK SESSION MINUTES

2 January 7, 2020 Board of Selectmen's Meeting Room, 6:30 PM

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4 **Members Present:**

5 Doug Knott, Chairman

6 Tim Finan, Vice Chairman

7 Janet Langdell, Member

8 Pete Basiliere, Alternate Member

Staff:

Kellie Shamel, Planner

Darlene Bouffard, Recording Secretary

Nate Addonizio, Videographer

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10 **Excused:**

11 Paul Amato, Member

12 Susan Robinson, Member

13 Jacob LaFontaine, Member

14 Laura Dudziak, Selectmen's Rep.

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18 **1. Call to order:**

19 Chairman Knott called the meeting to order at 6:30 p.m. Introductions were made of Board members and
20 staff, it was noted that Pete Basiliere is an Alternate member and will vote in the absence of Paul Amato.

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22 **2. Public Hearing(s):**

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24 **a. Capital Improvements Plan.** – public hearing regarding the proposed 2020-2025 Capital Improvements
25 Plan. Community Development Director Lincoln Daley joined the Board for this discussion and
26 introduced Jason Plourde, Chairman of the Capital Improvements Plan Committee. L. Daley explained to
27 the Planning Board that the 2020-2025 Draft CIP has previously been presented to the Planning Board for
28 discussion and requires two public hearings prior to adoption of it. The Planning Board previously
29 provided good input that has been addressed and he asked if the changes should be reviewed this evening.
30 D. Knott asked that the changes be reviewed.

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32 L. Daley indicated that during the CIP process, the focus was mostly on safety and there are other projects
33 that are not considered as high importance because of the safety aspect. Because of that, the CIP
34 Committee had discussions and decided to add a paragraph to the CIP report to include the public and
35 social welfare of the community in addition to the safety of the community. J. Langdell indicated that the
36 evaluation criteria for the CIP came from the Office of Strategic Initiatives (OSI) originally and asked if
37 that office has updated the criteria? L. Daley said not that he is aware of, but he will follow up with the
38 office that was formerly OSI on that. It was found that those projects that do not affect community safety
39 often ended up last on the priority list unfairly because of that. The other change to the report was to add
40 the water and sewer capital improvements that are being considered but are paid for through the water and
41 sewer users and not through the tax rate. There is a school of thought that those (water and sewer) capital
42 improvements benefit the entire town, not just the users and therefore should be included in the tax rate
43 not just paid for by water and sewer users.

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45 J. Langdell thinks that has been discussed before and she thought there was a project years ago when a
46 water capital improvement that benefitted the entire town was somehow paid for through both the tax rate
47 and the user fees. L. Daley continued that over the next six years, there are about \$6 million in
48 improvements to water and sewer that will be paid for by water and sewer rates.

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50 L. Daley indicated the MACC Base Warrant Article needed additional information for the CIP and after
51 that was provided, it got a higher ranking for the CIP. D. Knott asked about the highway equipment and
52 how the equipment is cycled out and obtained. D. Knott asked why the town would lease the equipment
53 and then have nothing at the end of the lease? Chris Labonte, Board of Selectmen representative, stated
54 the DPW equipment is actually a lease purchase and at the end of the lease, the town owns it and there is
55 no buy out. J. Langdell said that item is on the ballot, not on the CIP which should identify that it is a
56 Lease/Purchase.
57

L. Daley explained the Highway Warrant article is now \$400,000 not \$2,000,000. After the CIP document was prepared the number (\$2,000,000) was changed to \$400,000 on December 23, 2019 at the BOS meeting.

The Library renovation warrant article did not include any improvements to the parking lots except for a few handicapped parking spaces. The CIP Committee felt that this warrant article should identify a parking lot design to present to the Library Trustees for consideration and that it should include additional parking spaces, considering the difficulties with parking in the downtown oval area. The CIP Committee is working with the consultant to identify the cost and how many additional spaces can be put on the lot, but it is too early to determine that detail right now.

Projects 1 through 7b were reorganized as a result of the last discussion. P. Basiliere thinks the CIP needs to look at the town, school and water and sewer altogether. Right now all capital requirements are not gathered in one place. J. Langdell said that getting information from the School District has always been a challenge and that is because of the way the school plans. It is all about communication and a willingness to collaborate. P. Basiliere said maybe the CIP Charge could be revised to include the school and water/sewer. J. Langdell said it might not say that, but it is all about the tax rate, which is all of it. In the past there has always been a School Board member on the CIP committee. P. Basiliere stated that the new Superintendent is a major proponent of planning for the future, a strategic plan should include what is needed in the future so this might be improved for Milford. J. Langdell noted that this group of volunteers is great, if there are other members of the community who would be interested in volunteering for the net CIP cycle, it is a great way to get involved in volunteering. P. Basiliere said the CIP is a fall project for which the CIP Committee meets once a week and is usually done by Thanksgiving.

J. Plourde said this is a wonderful way to learn about the Town Departments and find out what is needed. L. Daley said a vote is needed from the Planning Board to adopt the CIP as amended. There was no further discussion. D. Knott opened the meeting to the public. There were no comments or questions from the public. D. Knott closed the public hearing. T. Finan moved to adopt the 2020-2025 CIP as amended. J. Langdell seconded. All were in favor. Motion passed.

- b. Amend Article VI. Section 6.03 Floodplain Management Ordinance in its entirety to comply with the National Flood Insurance Program (NFIP) and National Flood Insurance Program Act of 1968 (P.L. 90-488, as amended) and general administrative changes throughout the article.

K. Shamel explained this is the first public hearing for this amendment. She has reviewed what was discussed and there have been no changes since the last review, noting these amendments are to incorporate the Federal Floodplain Management regulations in the Town ordinance to make it easier to understand by staff and property owners and also make it easier to enforce by the Town. D. Knott asked if this amendment is to make the ordinance current? K. Shamel explained the Office of Strategic Initiatives (OSI) developed a model ordinance and this amendment reflects those changes. P. Basiliere asked if this amendment will replace the existing ordinance and its requirements from 2007? J. Langdell said the existing ordinance was derived by a model ordinance from OSI, it was not penned by the Town. P. Basiliere asked if the Town will adopt the model and put that in the ordinance instead of redline the existing ordinance? K. Shamel responded that the model is much easier to read and understand than the existing ordinance. This is the first public hearing and the second public hearing is on January 21, 2020.

J. Langdell did not think a second public hearing is required if there are no changes. L. Daley agreed but he tries to be conservative and wants to have a second public hearing to be safe. T. Finan asked if this will change anything for the residents of town? L. Daley said the floodplain maps might change, the residents might be impacted more or less based on the current information. J. Langdell stated the affected residents would have been informed of any changes when the new maps came out. K. Shamel said when new maps come out, the affected residents will be notified and the town has to enforce those new maps.

P. Basiliere asked about the amendment, asking why we want to be part of the National Flood Insurance Program (NFIP)? K. Shamel said the NFIP allows people who are required to get flood insurance to get it

through NFIP. P. Basiliere asked if that is a benefit, and if so, that should be identified. The Warrant Article needs to describe what is being done, if it is an update, it should say that. Seeing no further comments or questions from the Planning Board, D. Knott opened the public hearing. There were no comments or questions from the public. D. Knott closed the public hearing.

J. Langdell moved to continue this discussion, for a vote, to the public hearing on January 21, 2020. T. Finan seconded. All were in favor. Motion passed.

- c. Amend Article VI. Overlay District, Section 6.06.0 Commerce and Community District by deleting said section in its entirety and renumbering subsequent sections of the Zoning Ordinance accordingly.

L. Daley explained the Commerce and Community District Overlay was developed for large developments coming in surrounding the Brox property to provide pedestrian accessibility in accordance with the Master Plan. Those large developments did not occur after this ordinance was approved by the town. The types of developments that have shown interest in that portion of town would not take advantage of this overlay district. For example, the solar company that will be leasing the Brox property has a contract that begins in 2020. The Commerce and Community District Overlay will not be utilized for that type of development and the Planning Board finds that this overlay district could be removed from the ordinance and the properties within that overlay district would revert back to their underlying district, mostly being ICI. There are 41 existing properties which will be affected, each of those property owners have been notified of this change. Those 41 properties are a mixture of industrial and residential, ICI and Res R. It was viewed that the solar farm project would take up most of the industrial property and some residential property. J. Langdell said this overlay district was developed for a specific reason to address very specific discussions regarding developments that were on the table at that time. The detail that was included in the ordinance at that time was needed for those larger developments. L. Daley said the types of developments the town has seen more recently, mostly smaller projects, found it to be cumbersome and added time for those smaller projects. We are not seeing the large scale developments that this overlay district was developed for.

D. Knott asked if there have been any inquiries for large scale projects? L. Daley said the last one was about two years ago. The recent inquiries were not large scale. J. Langdell said access from Route 101 was the biggest issue with that property. The State was not on board with access from 101 because of cost. L. Daley said that is a low priority to the State. P. Basiliere asked if removing the overlay district changes anything for property owners? L. Daley said it does not, it is an overlay district of the existing zone and has additional requirements. By taking that overlay away, it would not take away any of the existing zoning requirements. It is the design element of the property; it will go back to its base zoning.

T. Finan said if this first amendment fails (deleting the overlay section) what will happen to the ordinance? L. Daley said the two amendments are independent of each other. The second proposed amendment is to extend the Elm Street Gateway District (see d. below). L. Daley said this Commerce and Community Overlay District would be removed and the next amendment is proposed to capture some of those properties affected and add them to the West Elm Street Gateway District. J. Langdell moved to continue this discussion, for a vote, to the public hearing on January 21, 2020. T. Finan seconded. All were in favor. Motion passed.

- d. Amend Article VI. Overlay District, Section 6.07.0 West Elm Street Gateway District by extending the overlay district to include the properties located at Map 13, Lot 3 (621 Elm Street), Map 13, Lot 4 (605 Elm Street), and Map 13, Lot 5 (589 Elm Street) on the north side of Elm Street.

J. Langdell indicated the Planning Board talked about removing the Commerce and Community Overlay District but also extending the West Elm Street Gateway District – this is about design standards. L. Daley explained this amendment is to extend the West Elm Street Gateway District to include the three properties that were in the Commerce and Community Overlay District. These are part of Old Wilton Road down to the former Police Station (Now Odnher Holographics). This amendment which just includes those three properties, has two properties owned by the State of NH and the other is privately owned. L. Daley also noted that he feels the West Elm Street Gateway District overlay has been used for

the new Dollar General, which he feels looks like a success. L. Daley stated if Item c) above passes town vote and the second does not pass, the properties just remain as they are now. L. Daley will clarify the second amendment language in case that happens. Seeing no further discussion from the Planning Board, D. Knott opened the public hearing. There were no comments or questions from the public. D. Knott closed the public hearing.

J. Langdell moved to continue this discussion, for a vote, to the public hearing on January 21, 2020. T. Finan seconded. All were in favor. Motion passed.

3. Discussion / Possible action regarding other items of concern:

D. Knott indicated a letter was received by all Planning Board members from the Town of North Hampton NH regarding a bill that was passed last year and is recommended for repeal. This Bill would set up a Housing Appeals Board and could possibly remove Planning Board authority for residential developments in NH towns and cities. J. Langdell said as of July 1, 2020 this Housing Appeals Board would take effect. This is in motion but was presented by a Real Estate Board that felt building was being stymied in Planning and Zoning. This bill circumvents the town and city Planning and Zoning authority. Plans would go to an appointed Board of three people. In many towns, the Planning and Zoning Boards are elected. J. Langdell said she will read about SB-306 and check in with NRPC on it. This bill passed in 2019. It is going before committee in January 2020 to repeal it. P. Basiliere said if Senator Shandley will need to vote, the Planning and Zoning Board might want to send a letter to here to find out more information. We should reach out to the Senator on this. J. Langdell wants to know who was in favor of it passing. It undermines our zoning, master plan and development regulations. J. Langdell does not know how this Board of Appeals would take that into consideration. D. Knott asked what the boundaries are? J. Langdell might send an e-mail if she finds anything on line. She thinks it might be good to ask if the ZBA is aware of this.

4. Adjournment. The meeting was adjourned at 7:40 p.m. on a motion made by T. Finan and seconded by P. Basiliere. All were in favor. Motion passed unanimously.

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

MINUTES OF THE 1/7/20 MEETING WERE APPROVED 2/18/20