

MILFORD PLANNING BOARD MEETING
December 26, 2017 Banquet Hall, 6:30 PM

Members Present:

Christopher Beer, Chairman
Janet Langdell, Member
Tim Finan, Member
Paul Amato, Member
Jacob LaFontaine, Alternate member

Staff:

Lincoln Daley, Comm Dev Director
Darlene Bouffard, Recording Secretary
Amy Concannon, Videographer

Excused:

Doug Knott, Vice Chair
Susan Robinson, Member
Kevin Federico, BOS rep
Veeral Bharucha, Alternate member

1. Call to order:

Meeting was called to order by Chairman Beer at 6:30 introductions were made of Board members and staff. Chairman Beer stated that alternate Jacob LaFontaine is sitting in for Vice Chair Doug Knott this evening. T. Finan indicated that after some research he found that the RSA states if a Planning Board member is not present at a meeting, it must be documented in the minutes that they are not there and the reason why they are not there. All concurred that the minutes should reflect such.

2. Review/Approval of Meeting Minutes:

November 28, 2017 – J. Langdell requested amendments. J. Langdell moved to approve the November 28, 2017 minutes as amended. T. Finan seconded. All were in favor with P. Amato abstaining. Motion passed.

December 5, 2017 – J. Langdell requested amendments. J. Langdell moved to approve as amended. T. Finan seconded. All were in favor with P. Amato abstaining. Motion passed.

3. Public Hearing(s):

a. Raisanen Homes, LLC, Tax Map 20, Lot 2, 29 Spaulding Street. C. Beer asked if a vote was needed to continue this hearing based on the request by the applicant. J. Langdell and L. Daley both indicated that a vote is needed. P. Amato moved to continue this application to January 23, 2018 as requested by the applicant with no further abutter notifications. J. Langdell seconded. Motion passed unanimously.

b. Milford Propane LLC, Tax Map 7, Lots 5 and 5-4 Hollow Oak Lane. Attorney Prolman requested that the Planning Board hear the lot line applications first this evening, as they are awaiting the arrival of E. Sanford. There were no objections to this request.

Earl Sanford presented the Milford Propane LLC plan indicating this is an existing lot that has propane tanks on it. This proposal also has a building plan, 50% of the building is for office work and 50% is for storage. Since the last meeting, a few things have been cleaned up on the site including the addition of plantings on the front of the site. The plan ensures there is no encroachment on the buffer. They have re-flagged the wetlands. The existing tanks will be moved and two new tanks will be added. More details have been added to the plan, but there were no significant changes. Details need to be worked out with Fred Elkind on stormwater management. E. Sanford does not see any issues with encroachment on any buffers and the infiltration area is adequate. E. Sanford has read the most current regulations and is looking to make sure they are being addressed.

J. Langdell said the plan in front of the Board is different than what is being presented which has more plantings. E. Sanford said yes, he has been working with L. Daley to address some of those comments. We have met the BNP for buffering which is 60 feet. E. Sanford said he has worked hard to be in compliance and he agrees with the staff comments about getting things cleaned up around the site. E. Sanford asked if there were questions. P. Amato asked about the building and if the landscaping meets the requirements. L. Daley just saw the landscaping today but has not yet reviewed it and E. Sanford understands what is required in the regulations. E. Sanford thought they were almost set, he hopes that a

fence is not needed since it is an industrial site and based on the landscaping comments. L. Daley wants to rely upon the existing landscaping and improve upon it. E. Sanford stated they want to comply. The two areas (drainage and landscaping) just need a little more detail. J. Langdell noted they still need to submit the stormwater plan to which L. Daley agreed. There were no further comments from the Board. C. Beer opened the discussion to the public; there were no public comments. The public hearing was closed. E. Sanford will work with staff on the five recommendations and finalizing the landscaping plan. P. Amato moved to grant conditional approved based on the five staff recommendations being completed. J. Langdell seconded. Motion was unanimously approved.

- c. **Linda and Jean Coulombe, Tax Map 34, Lot 18-1 (14 Osgood Road) and Joanne Hayes, Tax Map 34, Lot 19 (16 Osgood Road).** C. Beer stated this is a Lot Line Adjustment application to adjust the common lot line between the properties located at Tax Map 34, Lot 18-1 and Tax Map 34, Lot 19. L. Daley indicated the application is complete. J. Langdell moved to accept the application for review. P. Amato seconded. All were in favor. J. Langdell moved there is no regional impact. P. Amato seconded. All were in favor. Motion passed unanimously. L. Daley read the list of abutters: those that were present were Meridian Land Surveyors, Jean and Linda Coulombe and the Town of Milford.

Sam Ingram of Meridian Land Services presented the plan. L. Daley indicated this is a very small change of less than .10 acres and makes sense for the lot owners. There are no other changes to the lot, it is very straightforward. P. Amato stated the plan shows gravel. S. Ingram responded the gravel will remain. There are granite boundaries in the front and pegs will be set in the back. L. Daley proposed language for Note 4 of the plan. J. Langdell had no issue with the proposed language. S. Ingram has no issue with the proposed language. There were no further questions from the Board. C. Beer asked if there were comments or questions for the public. Seeing none, C. Beer closed the public hearing. P. Amato moved to conditionally approve the application, in order for Note 4 to get updated as stated in the staff memo. J. Langdell seconded. All were in favor. The motion passed unanimously.

- d. **Marilyn Piekarski, Tax Map 42, Lot 55 (221 Osgood Road) and Leonard Golden and Ozlem Arslan-Golden, Tax Map 42, Lot 50-1 (60 Mason Road).** C. Beer indicated this is a Lot Line Adjustment application to adjust the common lot line between the properties located at Tax Map 42, Lot 55 and Tax Map 42, Lot 50-1. C. Beer indicated the application is complete. J. Langdell moved to accept the application for review. T. Finan seconded. All were in favor. P. Amato will recuse from discussion of this application. J. Langdell moved no regional impact. T. Finan seconded. All were in favor. Motion passed unanimously, with P. Amato recusing. P. Amato stepped down from the Board. L. Daley read the list of abutters, abutters that were present were: Amato Family Trust, Marilyn Piekarski, Meridian Land Services, Town of Milford.

Attorney Prolman is representing Marilyn Piekarski this evening. L. Daley explained this is to relocate the boundary, shifting the lot line to create ½ acre of land that will transfer to the Piekarski property. Two conditions were identified in the staff memo. One year ago there was a very similar plan before the Board. The outcome of that was not what the applicant wanted but the plan was recorded but both parties did not like what had been done, so the plan is here again. C. Beer asked for comments or questions from the Board. L. Daley indicated this change is for additional access to the road or to create a driveway. Attorney Prolman did not know the answer but it looks like a future right of way. The two things identified in the staff memo have been addressed according to L. Daley. There were no public comments or questions. The public hearing was closed. C. Beer asked for comments or questions from the Board. There were none. T. Finan moved to conditionally approve. J. Langdell seconded. All were in favor with P. Amato recusing.

P. Amato moved to adjourn from the posted meeting. T. Finan seconded. The Board was unanimous in this decision.

4. **Other Business:** The videographer was dismissed, as there was no need for the work session to be recorded. J. Langdell disagreed with the camera being turned off.

- a. **Community Development Updates / Warrant Articles Work Session.** L. Daley explained that 6.04.1 has proposed changes that will be put on a warrant article in March. J. Langdell asked if the Board tried to put this on a couple of years ago? L. Daley said that was part of the wetlands ordinance. J. Langdell asked if this proposed change was brought to the Conservation Commission? L. Daley said the Conservation Commission supports the changes being proposed. P. Amato asked what is the minimum lot size? L. Daley said right now the Board relies on the applicant. It is based on the underlying zoning ordinance and left up to the Planning Board based on the application. P. Amato said if it is in a certain zone that has water and sewer, the lot sizes could be different. L. Daley said there are lots off of Mile Slip Road that are about one acre. J. Langdell said that was the discussion we had last week. P. Amato has a hard time calling it a “minimum lot size”. If someone wants to manage smaller lots and the property is in the R zone, he would not want to make them 10-15,000 sf lots in that zone. L. Daley said more compact lots can work in certain areas. P. Amato wants to be careful not to do public and private septic systems like on Badger Hill. C. Beer said the Planning Board could establish lot sizes and can say it will not be approved with a public/private septic.

L. Daley said in the Rural zone it is highly unlikely that the developer would build on smaller lots. P. Amato asked if we just say “lot size” and take out the word “minimum” just in the title? L. Daley said the Planning Board does have the authority for determining lot size in the State statute. L. Daley asked if there are any other changes the Board would like? There were no additional changes. T. Finan stepped out of the Banquet Hall briefly. P. Amato moved to hold the public hearing on these changes at the January 9 meeting. J. Langdell seconded. All were in favor with T. Finan abstaining.

- b. **Renewable Energy.** L. Daley indicated wind turbines are being discussed. An individual has contacted L. Daley about renewable energy on town property. J. Langdell asked when the town was contacted? L. Daley responded it has been on and off for a few months and the Town Administrator had been approached and then shared the information with him. We do not speak to renewable energy in the ordinance. Wind is not talked about as much nor allowing it in the different districts either, Brox land is of interest. The timeline was very tight for getting this information.

L. Daley talked to Bill Drescher who felt private ownership could be in the ordinance to introduce this idea, or introduce a solar vendor to sell back energy to the public. Long term, it could be a renewable energy ordinance. P. Amato stated solar energy does not pollute, it makes no noise; solar is the least destructive. C. Beer commented aesthetically nobody wants a wind farm. P. Amato stated the wind turbines usually go on hilltops. L. Daley stated by special exception these would be allowed. This would be captured at site plan review with Planning Board oversight because of its impact but special exception encapsulates all of that. J. Langdell said a Biomass Plant could also be allowed in the rural district. P. Amato said you could have one there now. J. Langdell would like to do this correct the first time around. P. Amato said a lot of time was spent on the wind ordinance and he sees this as a band-aid approach, he does not want to spend a lot of time coming up with words that we will never use. J. Langdell indicated when that was done was when the RSAs first came out; now there are so many ways to do renewable energy, now there are more tools available to us. L. Daley wants to re-visit this next year but he thinks this will get the town through short term and changing the regulatory authority to the Planning Board. We can re-visit it in the future. P. Amato said there is a process. L. Daley responded in site plan regulations we can ask for studies about air quality. However, with Biomass renewable energy, trucks would be coming in and out. P. Amato said the state has not

done anything to encourage solar. L. Daley is not experienced with Biomass energy, emissions, etc. There are a number of areas in which we want to be more efficient. Also the sensitivity of the industrial properties must be kept in mind. J. Langdell asked if Bill Drescher just wants “private ownership” to be added. L. Daley said that is correct. J. Langdell does not agree and L. Daley also has concerns of what is trying to be achieved. J. Langdell said there has to be a copy of the 2011 Zoning Ordinance around that we can compare with.

P. Amato said the Biomass process was using woodchips, but now we are moving into an area where there are other requirements. J. Langdell thinks there are things coming down the line for energy and just changing it to allow it does not get us there. She does not want it to get forgotten. P. Amato agrees but does remember developing language for zoning that has never been used. C. Beer said doing it correctly right now isn’t enough. J. Langdell said we do not have to do anything right now. P. Amato responded we also do not have to wait until next December to start it. If someone submits a plan once a draft is drawn up, they must abide by it. C. Beer asked what unanticipated consequences could there be? L. Daley said special exception would be required in all residential zones. C. Beer asked what is it about this change that worries Janet? Is it that it could be in a place we do not want it? We have not talked about wind turbines and we should. J. Langdell responded when we last talked about it, there were not a lot of options and now there are. This needs to be at the top of the list to talk about. P. Amato said we can look at what other people have done and modify it. P. Amato does not think we will get overrun with wind turbines. J. Langdell said the door is open to question things. L. Daley agrees to a certain point, but anything that comes up on that property will be received that way. T. Finan is okay with using this as a band-aid and then work on the real change after January 1.

J. Langdell said if it passes at the public hearing, it would go to the voters in March. L. Daley asked if the Board would want “public” versus “private” language? T. Finan said we are talking about this because there is a potential person that is interested in possibly doing this. J. Langdell stated that something changed back in 2011 and she wants to find out why it was changed, or what was changed. In 2011 wind turbines were added, L. Daley said he will look into that; Sarah or Jodie were in the Planning Office at the time when the ordinance was changed. P. Amato agrees we should change it now. P. Amato moved to add “private” to the language as recommended by Bill Drescher. T. Finan seconded. C. Beer, T. Finan, P. Amato, J. Lafontaine were in favor with J. Langdell opposed. Motion passed 4/1. P. Amato moved to bring this change to the January 9 Planning Board public hearing. C. Beer, T. Finan, P. Amato, J. Lafontaine were in favor with J. Langdell opposed. Motion passed 4/1. J. Langdell indicated she is opposed because Wind Energy needs more process.

- c. Other potential discussions: Home Occupations is coming up for discussion, as is energy options.

5. Adjournment

The meeting was adjourned at 8:00 p.m. on a motion made by P. Amato and seconded by T. Finan. All were in favor.

MINUTES OF THE 12/26/17 MEETING WERE APPROVED ON 2/27/18