



TOWN OF MILFORD, NH  
OFFICE OF COMMUNITY DEVELOPMENT

1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620

WEB: WWW.MILFORD.NH.GOV

**STAFF MEMORANDUM**

**Date:** June 16, 2023

**To:** Planning Board

**From:** Terrence Dolan, Community Development Director

*TSO*

**Subject:** Case SP2023-04 Hitchiner Manufacturing Co., for the property located at 96 Old Wilton Road, Tax Map 7, Lot 20. Major Site Plan Request for a change of use from a Warehouse/Commercial to a Manufacturing, on the subject property located in the Integrated Commercial Industrial-2 (“ICI2”) Zoning District.

**BACKGROUND/PROPOSAL:**

The applicant is before the Board seeking approval of a Major Site Plan for a *change of use* for an existing series of physically-connected building units from a warehouse to manufacturing use, on the subject property located in the Integrated Commercial Industrial-2 (“ICI2”) Zoning District, under Article V, Section 5.09.0 of the Milford Zoning Ordinance.

The new local ownership of the entire facility wishes to utilize the designated (existing) *Units #3-5*, out of the existing Units #1-5, (with noted future expansion) for the creation and manufacturing of a proprietary ceramic product that is currently having to be manufactured Out of State, due to lack of local production facilities.

**APPLICATION STATUS:**

The application is complete and as such, ready to be accepted. A companion *Special Exception* Request (Case #2023-07) has also been submitted to the Town to be heard by the ZBA, pursuant to proposed upland buffer impacts of 4,830 sq. feet (i.e. surrounding the existing (5 Unit) warehouse-commercial use facility development footprint.

\*\*\*The Upland Buffer Impacts request was on the ZBA Agenda to be heard for the requested *Special Exception* at their June 15, 2023 ZBA Mtg; but due to lack of remaining hearing time, this Case was continued until the upcoming scheduled July 6<sup>th</sup> ZBA Mtg, and remains pending.

**NOTICES:**

Notices were sent to all property abutters on June 8, 2023. In addition, a Milford Conservation Commission site visit was conducted on June 6, 2023; wherein, the purpose of the Site Walk for solely for the visual inspection of the proposed upland buffer impact areas to be formally heard by both the Conservation Commission (6/9) and the ZBA (6/15).

To staff’s knowledge, no interior building inspection of the existing facilities was conducted.

Two members of the Planning Board were in attendance, (according to the 6/8 Site Visit Roster): Vice Chair Ms. Janet Langdell and Bd. Member Ms. Susan Smith.

### EXISTING USE/CONDITIONS:

- a. The overall subject property's buildable footprint is approximately 2.54 acres of a total site of approximately 5.94 acres. (The remaining 3.4 acres of the site lie within a June 2004-recorded Conservation Easement, which encumbers the southerly portion of the referenced Lot 20, while also encumbering portions of Map 7, Lots 18 & 19), under prior property ownership of all three Lots.
- b. The existing facility site has double road frontage, with frontage along both Old Wilton Road (+/- 449 linear feet) and Perry Road (+/- 418 linear feet). To date, the property is only partially developed with only the adjoining "Units 1-5" built to date, pursuant to the approved Major Site Plan, last approved by the Planning Board in 2007.
- c. The existing units are presently divided amongst two tenants; with areas for Warehousing Use (Units #1 & #2) to remain for the time being, while the new owners wish to seek approval from the Planning Board to convert the ongoing usage of the remaining Units (#3-5) from *Warehousing* to *Manufacturing Use* to serve their own needs.
- d. The additionally (2007) approved separate building, "*Units #7-#12*", (originally proposed and approved to be a separate building structure, along the site's Perry Road frontage) has not been built, to date. The entire development site, known as "Perry Fields" is essentially cleared, while the portion of the recorded Conservation Easement lands that lies within Lot 20, consist predominately of wet pasture, with scattered tree cover.
- e. The property is currently serviced by municipal water and sewer.
- f. The subject property is completely established within the Integrated Commercial-Industrial-2 ("ICI-2") Zoning District. To the north, (across Old Wilton Road) the subject property abuts an existing industrial site ("ICI-2" zoned), also owned by the applicant. To the east, the property abuts undeveloped property, also owned by the applicant ("ICI-2" zoned). To the west, (across Perry Road) lies undeveloped "ICI-2" zoned property. To the south of the developed (northerly) portion of subject parcel lies the referenced Conservation Easement portion of Lot 20, with additional "ICI-2" zoned properties further south of the subject site along Perry Road.
- g. The property site falls within the Level 1 Groundwater Protection District. The purpose of the district is to preserve, maintain, and protect from contamination existing and potential groundwater supply areas.
- h. The proposal calls for the impact of 4,830 square feet of Upland Buffer Area. (See attached site plan, dated 6/07/23).

No impacts to this site's portion of the previously recorded (2004) Conservation Easement Area are proposed.

- i. In 2003, the State of New Hampshire's Department of Environmental Services (NHDES) issued a Wetland Dredge & Fill Permit for the developed portion of the site, in the amount of 18,750 square feet (.43 acre) of wetland impact, for which the overall, multi-lot Conservation Easement Area was ultimately executed in favor of the Town of Milford, (i.e. the Conservation Commission).

## **PROPOSAL**

Under the Town of Milford Development Regulations, the applicant is seeking a Change of Use (i.e. Major Site Plan Amendment) from the existing Warehousing/Commercial Uses in Units #3-5 to Manufacturing Use, presently equaling 7,200 square feet of floor space.

Both Manufacturing & Warehousing are *Acceptable Uses* in the **ICI-2 Zoning District, under Article V, Section 5.09.1 (“H”- Manufacturing & “M”- Processing and Warehousing).**

## **STAFF RECOMMENDATIONS:**

The applicant has filed this Major Site Plan (i.e. “Change of Use”) *Amendment* Request to better facilitate operational and manufacturing logistics through the desired elimination of the present out-sourced creation of a needed ceramic component. The applicant is a large employer for the Town of Milford, and recognized as important to its local economy. (**Note:** This *Change of Use* request is deemed to be a “*Major*” Site Plan (amendment) due to the overall size of the floor area square footage exceeding 600 sq, feet being requested)

Any business desires or goals focused on improvements pertaining to the logistical operations of our local business community should be looked upon favorably by our Planning Board - providing the Applicant is successful in remaining compliant with all necessary Local Land Use & Development Regulations and State & Federal Regulations.

Staff finds this *Change of Use* to be appropriate for the Planning Board to Approve, subject to the following Conditions:

1. The *Change of Use*, as currently proposed should be approved. However, the Planning Board approval of the Major Site Plan Amendment shall be stipulated that the Zoning Board of Adjustment (ZBA) should also need to approve the requested Upland Buffer Impact Special Exception, (currently scheduled for the July 6, 2023 Hearing).
2. If the ZBA were to deny the *pending* Special Exception request, the applicant shall notify the Office of Community Development (as soon as viable) with any possible site plan revisions to be further considered by the applicant and the ZBA. At the time of a possible notification, the applicant and the Planning Board shall re-visit the approved Major Site Plan Change of Use to make a determination whether any Approval Condition Revisions are then warranted.
3. Applicant shall continue work with the Building Department on all appropriate building permitting needed for the conversion and upgrade of this Building’s Units. The Applicant shall comply with all Development Standards and Zoning Ordinance regulations in effect at the time of the Building Permit Application.
4. The applicant shall ensure the submission of a complete and sufficient building permit application is filed with the Town of Milford’s Building Department, and cooperate in its process for review and consideration by the applicable town departments.

**Please see attached aerials, current site photographs and Engineering Plan Set**







'ICI2' Zoning  
(Integrated  
Commercial  
Industrial-2)

ELM ST.

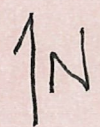
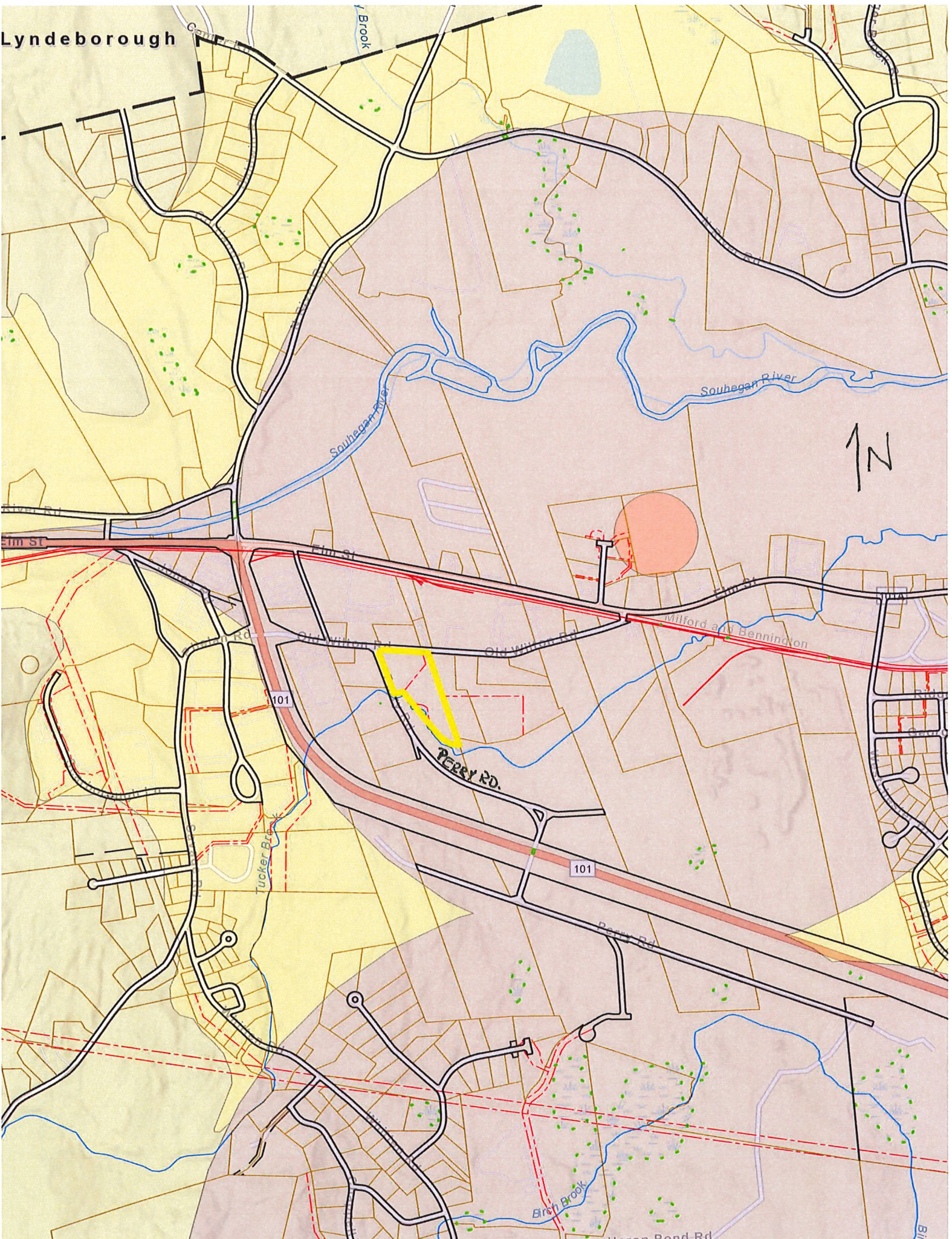
Old Wilton Rd.

20-C





Lyndeborough



Souhegan River

Souhegan River

PERRY RD.

Bennington

Tucker Brook

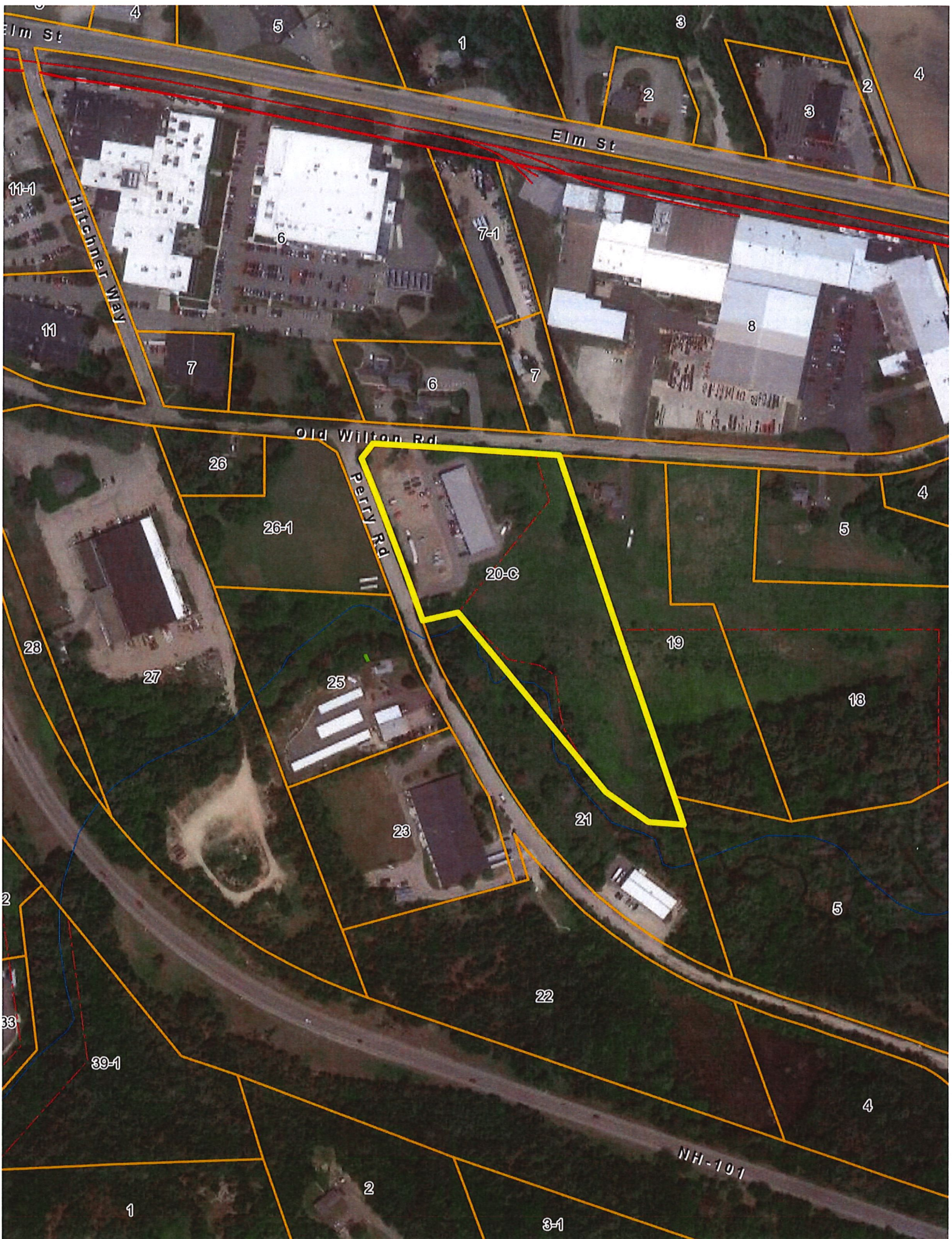
Birch Brook

Heron Pond Rd

101

101











CONSERVATION COMMISSION SITE WALK  
HITCHINER MANUFACTURING CO., INC.  
96 OLD WILTON ROAD SITE IMPROVEMENTS  
JUNE 6, 2023

ATTENDEES:

REPRESENTING:

Chris Labante

Resident

John Yule

Resident

Janet Leysell

PS

Roger Bucknars

Abutter

Mike Thornton

ZBA

RJ Wot

MCC

P.B.

Paul Coats

Anthony Rodriguez

Hitchiner

Susan Smith

Planning Bd

A. J. Hughes

MCC

SUZANNE FOURNIER coordinator of Brook Environmental Citizens

EARL BUTCHER

HAYNER / SWANSON, INC



TOWN OF MILFORD  
RECEIVED  
MAY 29 2023

APPLICATION FOR SITE PLAN APPROVAL

CONTACT INFORMATION

**Property Owners(s):** Name: Hitchiner Manufacturing Co., Inc.  
Address: 594 Elm Street  
Milford, NH 03055  
Telephone Number: (603) 673-1100 Fax:  
Email Address: Anthony\_Rodrigues@hitchiner.com

**Applicant:** Name: same as owner  
(if different from above) Address:  
Telephone Number: Fax:  
Email Address:

**Engineer/  
Surveyor/  
Architect:** Name: Hayner/Swanson, Inc.  
Address: 3 Congress Street  
Nashua, NH 03062  
Telephone Number: (603) 883-2057 Fax:  
Email Address: eblatchford@hayner-swanson.com  
Primary Contact Person: Earle Blatchford

TYPE OF APPLICATION

(Please check all that apply)

- Discussion - Informal meeting with Planning Board.
- Minor Site Plan - Less than 600 sq. ft. of additional exterior construction.
- Major Site Plan
- Design Review Plan  Final Plan
- Request for Waiver of Site Plan Review
- Request for Waiver of Specific Site Plan Requirements
- Other - (i.e. amendments and/or revisions)

**SITE INFORMATION**

LOCATION: Tax Map Number D3 Lot(s) 7-20 ZONING DISTRICT: ICI2 / CCOD  
ROAD FRONTAGE ON: 420' Old Wilton Road, 467' Perry Road TOTAL SITE AREA: 5.94+/- acres  
BRIEF DESCRIPTION OF PROJECT: To amend the previous site plan approval for a change-of-use of the southerly 7,200 SF  
of the existing 12,000 SF industrial building from automotive repair to manufacturing; with appurtenant utility and other site  
improvements. The northerly 4,800 SF will retain it's existing warehouse use. No building addition is proposed.  
NAME OF EXISTING OR PROPOSED SITE PLAN: Proposed Site Improvements, 96 Old Wilton Road

**INSTRUCTIONS FOR SUBMITTING A COMPLETE APPLICATION (Please read carefully)**

For an application to be scheduled on the next available Planning Board agenda, the following items MUST be submitted to the Department of Planning & Community Development by close of business on the officially posted submittal date:

- 1. **Completed and signed SITE PLAN APPLICATION FORM and ABUTTERS LIST.**  
The application will not be placed on the Planning Board agenda unless all required signatures are on the application. The owner MUST sign the application form.
- 2. **Three (3) large and one (1) 11" x 17" prints of the site plan or site plan set.**  
At least one (1) plan MUST be signed by the owner. All applicable information as described on the attached SITE PLAN CHECKLIST MUST be shown on the plans. Owner's signature must be on at least one (1) plan, indicating his/her knowledge of the plan and application.
- 3. **Application fee and Abutter Mailing Fees.**  
These fees will be determined at the time you turn in the application. Fees are based on square footage of new construction and number of certified mailings, which must be sent. All checks are to be made payable to the **Town of Milford**.

**AUTHORIZED SIGNATURES**

Owner(s): I/We, as owner(s) of the property described hereon, certify that this application is correctly completed with all required attachments and requirements in accordance with the Site Plan Regulations for the Town of Milford. I/We also authorized members of the Milford Planning Board and its agents to access the property described on this application for on-site review of the proposed site plan.

Anthony Rodriguez Director Facilities & Projects 5/22/23  
Name (please print) and Title Date

IF APPLICABLE:

Owner(s) authorization for Applicant or Agent to represent the application:

The applicant or agent, as stated hereon, has authorization from the property owner to submit this site plan application and represent the property owner on matters relative to the Town site plan approval process.

[Signature] 5/22/23  
Owner's Signature Date

Applicant's Signature:

I acknowledge, as the applicant stated hereon, that this site plan application has been completed and submitted in conformance with all applicable Town of Milford regulations, and that I am the designated representative for the property owner on matters relative to this site plan application.

[Signature] 5/22/23  
Applicant's Signature Date

Agent's Signature (someone other than the Owner or Applicant who is representing the project):

I acknowledge, as the agent stated hereon, that this site plan application has been completed and submitted in conformance with all applicable Town of Milford regulations, and that I am the designated representative for the property owner on matters relative to this site plan application.

[Signature] 5/22/23  
Agent's Signature Date





# TOWN OF MILFORD, NH

## Application Checklist

### MINOR SITE PLAN

**Minor Site Plan:** An application of six hundred (600) square feet, or less, of additional building space.

For any boxes under "Required" checked "No" please submit written justification if the reasons are not apparent. This checklist is for administrative efficiency. It does not take the place of the comprehensive requirements of the Development Regulations, nor does it preclude the Board from requesting additional information if deemed necessary for making an informed decision.

**Waiver Requests:** Provide written justification for any waiver requests, citing the appropriate section number of the regulations. Waiver Forms are available at the Community Development Office or online at: <http://www.milford.nh.gov>.

If you have any questions please contact the Community Development office at (603) 249-0620.

Name of Application Proposed Site Improvements - 96 Old Wilton Road

Map(s) D3 Lot(s) 7-20

Required				Submitted		Waived
YES	NO		General Submission Requirements	YES	NO	
X		1.	Complete, signed Application	X		
X		2.	Four (4) large 22" x34" copies and one (1) reduced 11" x 17" copy	X		
			<b>Plan Information</b>			
X		A.	Name, address & signature of applicant	X		
X		B.	Name, address & signature of owner (if different from applicant)	X		
X		C.	Name & address of person/firm preparing plan	X		
X		D.	Names & address of all abutters	X		
X		E.	North arrow	X		
X		F.	Scale	X		
X		G.	Date Prepared	X		
X		H.	Locus map	X		
X		I.	Property boundary lines with distances and angles to scale	X		
X		J.	Lot area, frontage & associated minimum zoning requirements	X		
X		K.	Current zoning of property	X		
X		L.	All existing buildings, parking & driveways	X		
X		M.	Building setback lines	X		

Required				Submitted		Waived	
YES	NO		General Submission Requirements		YES	NO	
	X	N.	Location of proposed addition(s)	N/A		X	
X		O.	Flow of traffic		X		
X		P.	All existing utilities (i.e. sewer, water, electric & gas)		X		
X		Q.	Provisions for storage of recycling and refuse		X		
X		R.	Location, size and detail of signs		X		
	X	S.	Location, size and detail of exterior lighting	N/A		X	
	X	T.	Location, size and detail of storage tanks	N/A		X	
	X	U.	Proposed and current landscaping with detail table	N/A		X	
X		V.	Snow storage locations		X		
		W.	Note defining the Purpose of the plan				
X		X.	Note referencing and/or depictions on the plan of all easements, rights-of-way and deeded property restrictions.		X		
	X	Y.	Note detailing applicable impact fees	N/A		X	
X		Z.	Note detailing Open Space calculations		X		
X		AA.	Note detailing Flood Hazard information		X		
X		BB.	Note detailing Groundwater Protection District information		X		
	X	CC.	Architectural details	N/A		X	
	X	DD.	Note detailing any approved waivers	N/A		X	
			<b>Other Information (as necessary)</b>				
	X	1.	Stormwater Management and Erosion Control permit if > 5000 SF of land disturbance (see Stormwater Management and Erosion Control Regulation)	N/A		X	
	X	2.	Alteration of Terrain Permit from NH DES	N/A		X	
	X	3.	All new deeds, easements, covenants and rights-of-way on property	N/A		X	
	X	4.	Any other State/Federal Permits	N/A		X	

**Signature of person preparing the Minor Site Plan Application Checklist:**

Name/Title: Earl D. Brabner Date: 5/22/23  
SENIOR PROJECT MANAGER, HSI