



**ZBA Application**  
**MILFORD ZONING BOARD OF ADJUSTMENT**  
**GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS**

PROPERTY INFORMATION	
Street Address: Mile Slip Road	
Tax Map / Parcel #: 50/4-4	Lot Size: 41.5 acres
PROPERTY CURRENTLY USED AS	
The subject lot and the adjacent Map 45 Lot 11 total approximately 430 acres in area and are the home to Spring Creek Sand & Gravel. Lot 4-4 is 41.5 acres in area and is the location of the proposed processing of sand and gravel materials for sale, which is the subject of this application.	
<i>If the application involves multiple lots with different owners, attach additional copies of this page.</i>	
PROPERTY OWNER	
Name: Spring Creek Sand & Gravel, LLC	
Address: 320 Mile Slip Road	
City/State/Zip: Milford, NH 03055	
Phone: ( ) 603-493-9240	
Email:  pamato@alene.com	
<i>The applicant is the person who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.</i>	
APPLICANT/REPRESENTATIVE	
<input type="checkbox"/> SAME AS OWNER	
Name: Leighton A. White, Inc.	
Address: 138 Elm Street	
City/State/Zip: Milford, NH 03055	
Email: dale.white@leightonawhite.com	
Phone: ( ) 603-673-2294	Cell: ( ) 603-493-6888
The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.	
 Property Owner's signature	
Date: 8-21-19	

Date Received: 8/22/19  
 Case Number: 2019-27  
 Application Number: 2019-1004  
 Hearing Date: 9-19-19  
 Decision Date: \_\_\_\_\_  
 Decision: \_\_\_\_\_

**Zoning District (check one):**

- Residence A
- Residence B      Residence R
- Commercial
- Limited Commercial
- Industrial
- Integrated Commercial-Industrial
- Integrated Commercial-Industrial-2

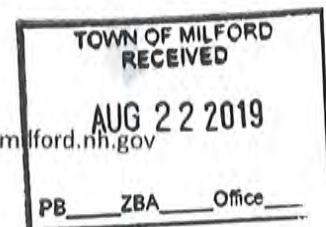
**Overlay District (check any that apply):**

- West Elm Street Overlay
- Nashua/Elm Street Overlay
- Commerce & Community Overlay
- Open Space & Conservation
- Wetlands Conservation
- Groundwater Protection
- Floodplain Management

**APPLICATION FEES**

Application Fee:	\$75.00
Abutters Fee: \$4 x 16	64
Amount received:	139
Date Received:	8/12
Check <input checked="" type="checkbox"/> Cash <input type="checkbox"/>	

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.





**GRANITE ENGINEERING, LLC**

civil engineering • land planning • municipal services

August 22, 2019

Mr. Lincoln Daley, Director  
Community Development Department  
Town of Milford  
1 Union Square  
Milford, New Hampshire 03055

**Subject:                    Application for Special Exception – Leighton A. White, Inc.  
Spring Creek Sand & Gravel, Map 50; Lot 4-4  
Mile Slip Road, Milford, NH  
GE Project No. 19-0414-1**

Dear Mr. Daley:

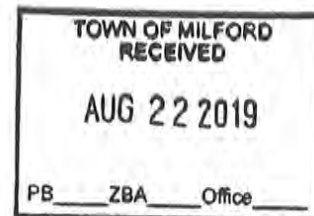
On behalf of the applicant, Leighton A. White, Inc. we are pleased to submit an Application for Special Exception to the Milford Zoning Board of Adjustment. As you will read in the materials attached, the applicant is working with the owner of Spring Creek Sand & Gravel to expand the existing gravel excavation operation on Map 50; Lot 4-4. Harvesting of natural resources is a permitted use in the Residence 'R' zone, but the processing of those materials to produce marketable construction materials is only permitted by Special Exception. Attached under this cover you will find:

- (1) One completed application for Special Exception. Fee for the application to be submitted by the applicant under separate cover;
- (1) One signed owner affidavit;
- (1) One Abutters list (fee to be paid at Town Hall by the applicant under separate cover); and
- (10) Ten copies of a ZBA exhibit plan.

We trust you will find the application and its attachments complete and ready for the Board's consideration. Should you have any questions or require further information, please do not hesitate to contact me directly.

Respectfully,

Brenton Cole, PE  
Principal Engineer







**ZBA Application – Special Exception**  
**MILFORD ZONING BOARD OF ADJUSTMENT**

Date Received: \_\_\_\_\_  
 Case Number: \_\_\_\_\_  
 Application #: \_\_\_\_\_  
 Date Complete: \_\_\_\_\_  
 Hearing Date: \_\_\_\_\_  
 Decision Date: \_\_\_\_\_  
 Decision: \_\_\_\_\_

**PROPERTY INFORMATION**

Street Address: 0 Mile Slip Road, Milford, NH

Tax Map / Parcel #: Tax Map 50; Lot 4-4

*A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board of Adjustment. Most special exceptions have a list of additional criteria that must be met in order for the ZBA to approve the application.*

**\*Note that in addition to the specific criteria that may be listed for a particular special exception, all special exceptions are subject to the general criteria in Section 10.02.1 of the Zoning Ordinance.**

What section of the Zoning Ordinance are you applying under?

Article   V   Section   5.04.2(A)9  

Describe the use you are proposing under the above section of the Ordinance.  
 Processing of natural resources (i.e. sand and gravel materials) within the Residence 'R' zoning district.

**Application for (check all that apply):**

- Home Occupation
- Self-Storage Facilities
- Accessory Dwelling Unit
- Office in Res-A & B
- Wetland Buffer Impact
- Change/Expansion of Non-conforming Use/Structure
- Side/Rear yard setback reduction
- Other

**General Criteria Section 10.02.1**

Describe the project you are requesting a Special Exception for:

The applicant is proposing an expansion of the existing Spring Creek Sand & Gravel operation on the subject lot. Harvesting the sand and gravel material is a permitted use within the zone. Processing of those materials (i.e. crushing, screening, and sorting) is permitted by Special Exception. See attached Special Exception Supplement for further information.

**Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:**

A. The proposed use is similar to those permitted in the district because:  
 See attached Special Exception Supplement.

B. The specific site is an appropriate location for the proposed use because:  
 See attached Special Exception Supplement.

C. The use as developed will not adversely affect the adjacent area because:  
 See attached Special Exception Supplement.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:  
 See attached Special Exception Supplement.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:  
 See attached Special Exception Supplement.



## GRANITE ENGINEERING, LLC

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### ZBA Application – Special Exception Spring Creek Sand & Gravel, LLC - Leighton A. White, Inc.

#### Special Exception Supplement

The applicant, Leighton A. White, Inc. requests that the Zoning Board of Adjustment (ZBA) grant a Special Exception pursuant to Section 10.02.1 of the Milford Zoning Ordinance to allow the processing of natural sand and gravel materials within an expansion of the existing Spring Creek Sand & Gravel facility. Spring Creek Sand & Gravel has been in operation at its Mile Slip Road location for many years. The existing gravel operation is approximately 14 acres in area and derives its access from Mason Road over Map; Lot 11. The site is situated within the Residence 'R' Zoning District, where the harvesting of natural resources (i.e. sand and gravel) is a permitted use. Spring Creek plans to expand the existing operation further to the south into the existing undisturbed area. The expansion will open approximately 11.5 acres of additional area. Leighton A. White, Inc. has operated a successful full-service site work company in the Town of Milford since 1978 and wishes to expand his operations in Milford. The applicant desires to process (i.e. crush, screen, sort, and stockpile) the excavated sand and gravel materials on-site. Section 5.04.1 *Acceptable Uses* lists D. *Harvesting of natural resources* as a permitted use within the 'R' zoning district. However, Section 5.04.2(A) *Acceptable Uses and Yard Requirements By Special Exception* list 9. *Processing of natural resources on parcels of a minimum five (5) acres in size.*

Presented below are explanations as to how the applicant's proposal meets the general criteria for the granting of a Special Exception Pursuant to Article X, Section 10.02.1 of the Zoning Ordinance.

A. The proposed use shall be similar to those permitted in the district.

In this case, the proposed use is a permitted use in the district. The harvesting of natural resources is a permitted use in the Residence 'R' Zoning District. The processing of those harvested natural resources, which necessitates the Special Exception request, is required in today's construction industry in order to create marketable materials and is complementary to the permitted use. For the applicant to prepare sand and gravel conforming to NH Department of Transportation Standard Specifications the native materials must be crushed, run through a screener to sort the materials by size, and stockpiled for sale. The applicant intends to rent a portable processing plant on a temporary basis, processing the native materials over the course of several days of a month. Once an adequate stockpile is developed, the rented equipment will be returned, and harvesting of the native materials will continue until the equipment is rented again in subsequent months. Correspondingly, material processing will not occur every day of that month.

B. The specific site is an appropriate location for the proposed use.

As discussed previously, Spring Creek Sand & Gravel has maintained an active gravel pit at the Mile Slip Road location for over a decade. The gravel operation is situated on two lots, that when taken together total over 430 acres in area. The active area of the excavation, as well as the proposed expansion where the processing of sand and gravel materials will occur, are remotely



situated with substantial wooded buffers in all directions. The nearest residence is approximately 396 feet from the nearest point of the excavation. The continued use of the property as an active gravel excavation is an appropriate use of the site because the use is permitted in the zone, the subsurface soils have proven to be marketable as construction products, and the operation is remotely located within a large tract of land, minimizing or eliminating disturbance of residential abutters.

C. The use as developed will not adversely affect the adjacent area.

Harvesting the sand and gravel materials from the subject site is a permitted use within the zone. The processing of those materials to produce marketable construction materials will occur in a very small area and will consist of running the excavated material through a crusher and a series of screens before sorting and stockpiling for sale. This processing of the materials following excavation will have no adverse effect on the adjacent area.

D. There will be no nuisance or serious hazard to vehicles or pedestrians.

Spring Creek Sand & Gravel has existed at this location for many years and has an exceptional track record for safety on site. That said, given the remote location of the excavation relative to the nearest public way, the processing of sand and gravel materials onsite will not create a nuisance or serious hazard to vehicles or pedestrians. Vehicles and pedestrians will not be permitted near the processing operation.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use.

The processing of sand and gravel materials to produce specific gradations will require rental of a portable crushing and screening plant on a regular basis, as the applicant does not own this equipment. Otherwise, very few facilities are required for proper operation of the proposed use, other than adequate access. A gravel driveway wide enough to accommodate two vehicles passing each other exists off Mason Road and serves the existing Spring Creek Sand & Gravel. The expanded excavation will rely on the use of the same driveway for importing rented equipment and exporting sand and gravel products.

## OWNERS AFFIDAVIT

I Paul Amato of Spring Creek Sand & Gravel, LLC, owner of the subject property located at Mile Slip Road in Milford, NH referenced as Tax Map 50, Lot 4-4, hereby authorize Granite Engineering, LLC and Leighton A. White, Inc. to submit local, state, and federal land use applications on my behalf relative to development of the listed property. Further, I authorize Granite Engineering, LLC and Leighton A. White, Inc. to aid in the representation of said permits as required.

 8-21-19

Paul Amato  
(Spring Creek Sand & Gravel, LLC)  
320 Mile Slip Road  
Milford, NH 03055

SPRING CREEK SAND & GR  
320 MILE SLIP ROAD  
MILFORD NH 03055

LEIGHTON WHITE INC  
ATTN: DALE WHITE-PRES  
138 ELM ST  
MILFORD NH 03055

PAUL & NANCY AMATO TR  
PAUL AMATO TRUST OF OCT  
320 MILE SLIP ROAD  
MILFORD NH 03055

BRIAN & TRACY CARTER  
250 MILE SLIP ROAD  
MILFORD NH 03055

JAYSON & KERRIE WALKER  
224 MILE SLIP ROAD  
MILFORD NH 03055

JEREMY & CARRIE MOREL  
256 MILE SLIP ROAD  
MILFORD NH 03055

TED PATENAUDE  
212 MILE SLIP ROAD  
MILFORD NH 03055

HAO ZHANG & TIAN YU  
252 MILE SLIP ROAD  
MILFORD NH 03055

RICKY & SHARON SMART  
200 MILE SLIP ROAD  
MILFORD NH 03055

LINDA SUSAN NIGRO TSTEE  
LINDA SUSAN NIGRO LIV TR  
194 MILE SLIP ROAD  
MILFORD NH 03055

MARTIN P SAMPLE  
196 MILE SLIP ROAD  
MILFORD NH 03055

LYNN TONODONATO-  
DEBELIS & DAVID DEBELIS  
227 MILE SLIP ROAD  
MILFORD NH 03055

GREG & AMANDA ATWOOD  
203 MILE SLIP ROAD  
MILFORD NH 03055

STEVE & SHELLEY LASALLE  
201 MILE SLIP ROAD  
MILFORD NH 03055

GRANITE ENG LLC  
250 COMMERCIAL ST  
SUITE 3008  
MANCHESTER NH 03101

TOWN OF MILFORD  
1 UNION SQUARE  
MILFORD NH 03055





# GRANITE ENGINEERING, LLC

civil engineering • land planning • municipal services

## Spring Creek Sand & Gravel Mile Slip Road, Milford, NH Leighton A. White, Inc. – Applicant

### Abutters List August 20, 2019

#### Owner

Map 50 Lot 4-4, Map 45 Lot 11  
Spring Creek Sand & Gravel, LLC  
320 Mile Slip Road  
Milford, NH 03055

#### Applicant

Leighton A. White, Inc.  
Attn: Dale White, President  
138 Elm Street  
Milford, NH 03055

#### Abutters

Map 50 Lot 6  
Paul K. and Nancy A. Amato, Trustees  
Paul K. Amato Trust of Oct. 29, 1998  
320 Mile Slip Road  
Milford, NH 03055

~~Map 50 Lot 6-1  
Joshua Eaton Larabee, Trustee  
Sara Elizabeth Amato Larabee, Trustee  
Larabee Family Trust  
290 Mile Slip Road  
Milford, NH 03055~~

Map 50 Lot 5-1  
Jeremy M. and Carrie E. Morel  
256 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 5  
Hao Zhang and Tian Yu  
252 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 4-1  
Brian L. and Tracy L. Carter  
250 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 4-2  
Jayson M. and Kerrie K. Walker  
224 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 3  
~~Chappell Properties, LLC  
454 NH Route 138  
Milford, NH 03055~~

TED PATENAUDE  
212 MILE SLIP RD  
MILFORD, NH 03055

Map 50 Lot 4-3  
Ricky L. and Sharon E. Smart  
200 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 4-5  
Linda Susan Nigro, Trustee  
Linda Susan Nigro Living Trust  
194 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 4-7  
Martin P. Sample  
196 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 1-1  
Lynn M. Tonodonato-Debelis and David A.  
Debelis  
227 Mile Slip Road  
Milford, NH 03055

~~Map 50 Lot 2-1  
Christopher Daigle  
223 Mile Slip Road  
Milford, NH 03055~~

Map 50 Lot 2-4  
Gregory P. and Amanda Atwood  
203 Mile Slip Road  
Milford, NH 03055

Map 50 Lot 2-5  
Steven M. and Shelley S. Lasalle  
201 Mile Slip Road  
Milford, NH 03055

Professionals to be Notified  
Granite Engineering, LLC  
250 Commercial Street, Suite 3008  
Manchester, NH 03101

 16 AB-TTERS

TOWN  
TOWN OF MILFORD  
UNION SQUARE  
MILFORD, NH 03055



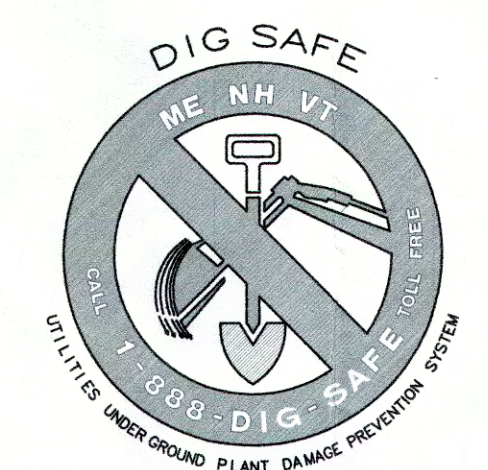


**GENERAL NOTES:**

1. THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE PROPOSED EXPANSION AREA ASSOCIATED WITH THE EXISTING GRAVEL AND EARTH REMOVAL OPERATION FOR SPRING CREEK SAND AND GRAVEL, LLC ON TAX MAP 50 LOT 4-4.
2. AREA OF PARCEL = 1,113,282 SF OR 41.592 ACRES.
3. OWNERS OF RECORD:  
AREA OF CONTIGUOUS PARCELS OWNED BY SPRING CREEK SAND & GRAVEL = 431.29 ACRES  
SPRING CREEK SAND AND GRAVEL, LLC  
320 MILE SLIP ROAD  
MILFORD, NH 03055
4. THE SUBJECT PROPERTY IS LOCATED ENTIRELY WITHIN THE RESIDENCE 'R' ZONING DISTRICT AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS:

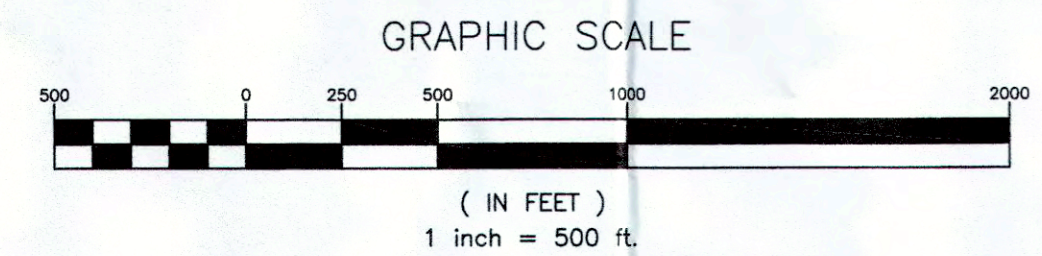
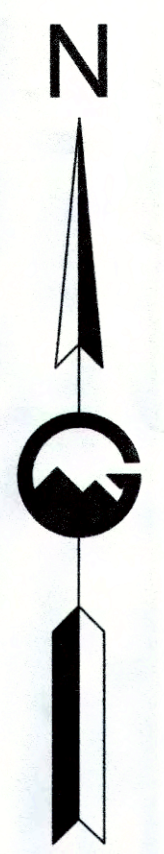
TABLE OF ZONING REQUIREMENTS		
DESCRIPTION	REQUIRED	LOT 4-4
MINIMUM LOT SIZE	2 AC	41.592 AC
MINIMUM LOT FRONTAGE	200 FT	236.78 FT
FRONT YARD SETBACK	30 FT	N/A
SIDE YARD SETBACK	15 FT	N/A
REAR YARD SETBACK	15 FT	N/A
MINIMUM OPEN SPACE	30%	>30%
BUILDING HEIGHT	35 FT	N/A

5. BASE INFORMATION SHOWN ON THIS PLAN IS TAKEN FROM TOWN GIS.
6. SPECIAL EXCEPTION REQUESTED:  
ARTICLE V SECTION 5.04.2 (A) 9. - PROCESSING OF NATURAL RESOURCES

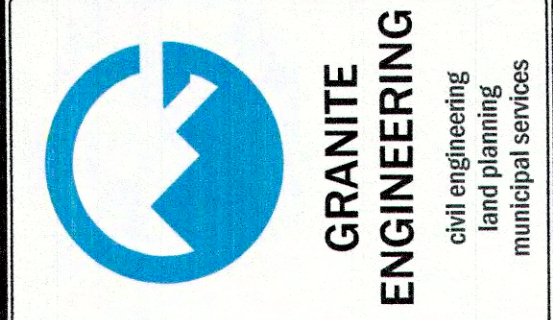


CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION

THE UTILITY LOCATION(S) INDICATED ON THESE DRAWINGS ARE APPROXIMATE. GRANITE ENGINEERING, LLC MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. THE CONTRACTOR AND OWNER ARE RESPONSIBLE FOR FIELD VERIFICATION OF ALL UTILITIES, ABOVE OR BELOW GROUND PRIOR TO EXCAVATION ON OR OFF SITE. THE CONTRACTOR SHALL CONTACT DIG SAFE AT 1-800-DIG-SAFE (1-800-344-7233) 72 HOURS PRIOR TO CONSTRUCTION.



TOWN OF MILFORD  
RECEIVED  
AUG 22 2019  
PB ZBA 0109



No.	DATE	COMMENTS	BY
			B/C
0	08/21/2019	ZBA SUBMITTAL	

OWNER:  
SPRING CREEK SAND AND GRAVEL, LLC  
320 MILE SLIP ROAD  
MILFORD, NH 03055-3310

APPLICANT:  
LEIGHTON A. WHITE, INC.  
1000 WINDY HILL DRIVE  
MILFORD, NH 03055

**GRANITE ENGINEERING**  
civil engineering • land planning • municipal services

250 Commercial Street, Suite 3008  
Manchester, New Hampshire 03101  
603.518.8030

www.GraniteEng.com

STAMP:

LOCATION:  
**TAX MAP 50 LOT 4-4  
MILE SLIP ROAD  
MILFORD, NEW HAMPSHIRE  
HILLSBOROUGH COUNTY**

PROJECT:  
**SPRING CREEK  
SAND & GRAVEL**

TITLE:  
**ZBA EXHIBIT**

PROJECT No. DATE: SCALE:  
19-0414-1 AUGUST 21, 2019 HORIZ.  
SHEET: 1 OF 1 1"=500'

C:\Users\Owner\Granite Engineering, LLC\Granite - Documents\9\1904141\1904141.dwg - ZBA, B/C/2019 12:02:24 PM, Owner, E:\rsam\ZBA\_A\ESI.D (22.00 x 34.00 inches), 1:1