

TOWN OF MILFORD

Office of Community Development
Planning • Zoning • Building Safety • Code Enforcement • Health
Economic Development • Active Projects



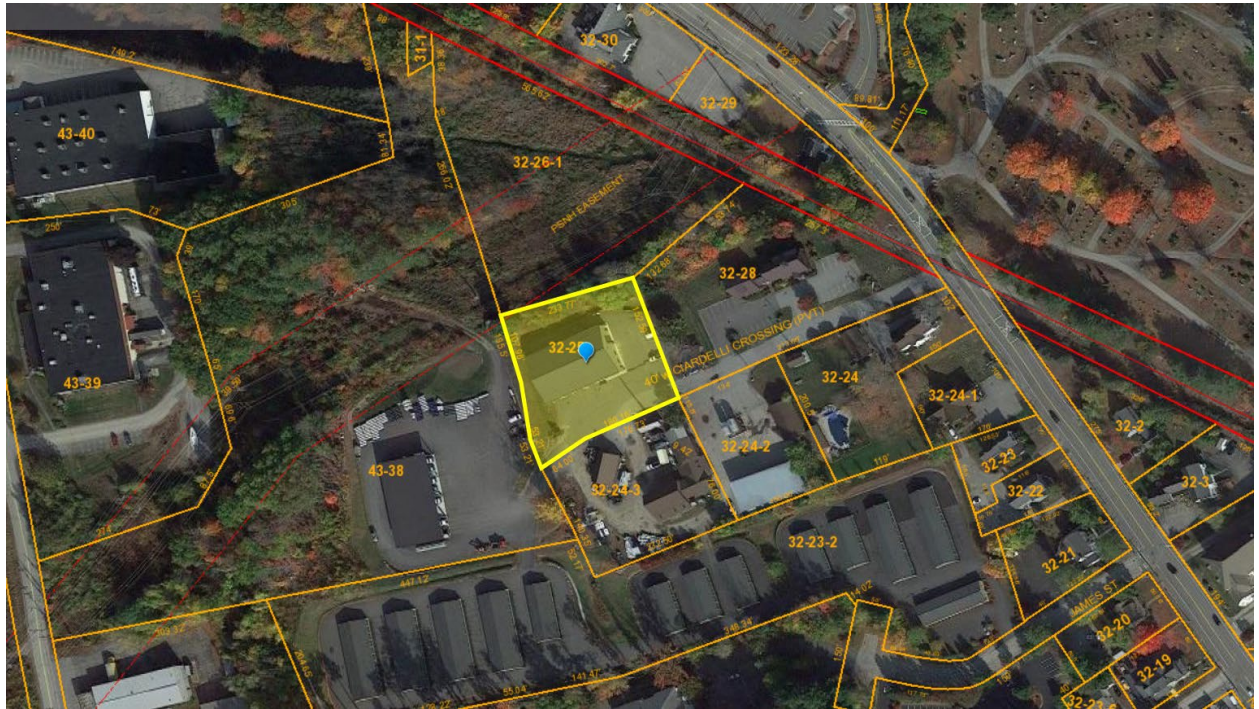
Administrative Review

Date: November 28, 2021
To: Jason Plourde, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2021-29:** Ciardelli Fuel Company/Matt Cirardelli, 17 Ciardelli Crossing, Tax Map 32, Lot 25 – Special Exception to Expand A Non-Conforming Use. (*New Application*)

The applicant is before the Board of Adjustment seeking a Special Exception from Milford Zoning Ordinance, Article II, Section 2.03.C Alteration, Expansion, or Change to add a Station Inspection Station use to service company fleet vehicles within the existing garage within the Limited Commercial Zoning District. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions:
 - a. The subject property is approximately 1.06 acres with more than 150 linear feet of frontage on Ciardelli Crossing. The subject property is primarily developed with a small vegetated area in the rear portion.
 - b. The property consists of 121' x 70', four bay garage structure used by Ciardelli Fuel Company to store and repair fleet vehicles. The property is serviced by municipal water and sewer.
 - c. The subject property is located within the Ciardelli Fuel Company's expanded operations area on Ciardelli Crossing and is surrounded by commercial uses to the south, east, west. To the north, the property abuts undeveloped property mostly comprised of the Eversource utility easement.
2. The garage use was previously approved by the Board of Adjustment in 2009 (Case #3-09) by way of a Special Exception, Article II, Section 2.031.C Alteration, Expansion, Change of a Non-Conforming Use in the Limited-Commercial Zoning District. At that time, the Ciardelli Fuel Company sought to convert the outdoor parking area to a covered/enclosed garage for storage and repair. The property owner subsequently filed for and was granted a site plan permit by the Planning Board to construct said structure with associated improvements.
3. The applicant is proposing to expand the non-conforming use by allowing the garage to include a NH State Inspection Station for its company fleet vehicles. No substantive exterior or interior changes will occur to the site or within the garage facility. The proposed change will require the addition of a computer station to conduct/manage the inspection process. The expansion seeks to add a comparable use that improves overall operations. The NH state inspectional services would only apply to company fleet vehicles only. Further, the use would not impact vehicle and pedestrian traffic along Nashua Street.
4. Pursuant to Article II, Section 2.03.C Alteration, Expansion, or Change, the a change or expansion to allow for the NH State Vehicle Inspection use is permitted by Special Exception granted by the Board of Adjustment.

Aerial Photos of Subject Property:





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

PROPERTY INFORMATION

Street Address:

Tax Map / Parcel #: MAP 32 Lot Size:

PROPERTY CURRENTLY USED AS

Fleet Maint. and housing

If the application involves multiple lots with different owners, attach additional copies of this page.

PROPERTY OWNER

Name: Michael Ciardelli

Address: 17 Ciardelli Crossing

City/State/Zip: Milford, NH, 03055

Phone: (603) 673 1336

Email: M.Ciardelli@cfuel.com

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.

APPLICANT/REPRESENTATIVE

SAME AS OWNER

Name:

Address:

City/State/Zip:

Email:

Phone: () Cell: ()

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.

[Signature]
 Property Owner's signature
11-24-21
 Date:

2021-29

Date Received:	TOWN OF MILFORD RECEIVED
Case Number:	
Application Number:	NOV 24 2021
Hearing Date:	
Decision Date:	ZBA Office
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 <u>8</u>	<u>32.00</u>
Amount received:	<u>\$107</u>
Date Received:	
Check <input checked="" type="checkbox"/> Cash <input type="checkbox"/>	# <u>25365</u>

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.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

2021-29

Date Received: _____
 Case Number: TOWN OF MILFORD RECEIVED
 Application #: _____
 Date Complete: NOV 24 2021
 Hearing Date: _____
 Decision Date: PB ZBA Office
 Decision: _____

PROPERTY INFORMATION

Street Address: 17 Ciardelli Crossing
 Tax Map / Parcel #: Map 32 Lot 25

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 II Section 2.03.C

Describe the use you are proposing under the above section of the Ordinance.

Adding a State inspection station for our own fleet purposes only. Change/Expansion of non-conforming use w/in the Limited Commercial Zoning District

Application for (check all that apply):

- Change/Expansion of Non-conforming Use/Structure (2.03.1 C)
- Wetland Buffer Impact (6.02.6)
- Accessory Dwelling Unit (10.2.6)
- Office in Res-A & B (10.2.7)
- Home Business (7.12.6)
- Side/Rear Yard Setback Reduction (Zoning District Specific)
- Other

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:

Adding a State inspection station for fleet use - a non-conforming use.

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:

White Duck does it down the street. We perform larger scale work here already.

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

our fleet is housed here and the inspection station will not change any of the work we already do.

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

This will not change any of the work we currently do. No changes

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

This will not change vehicle or pedestrian traffic

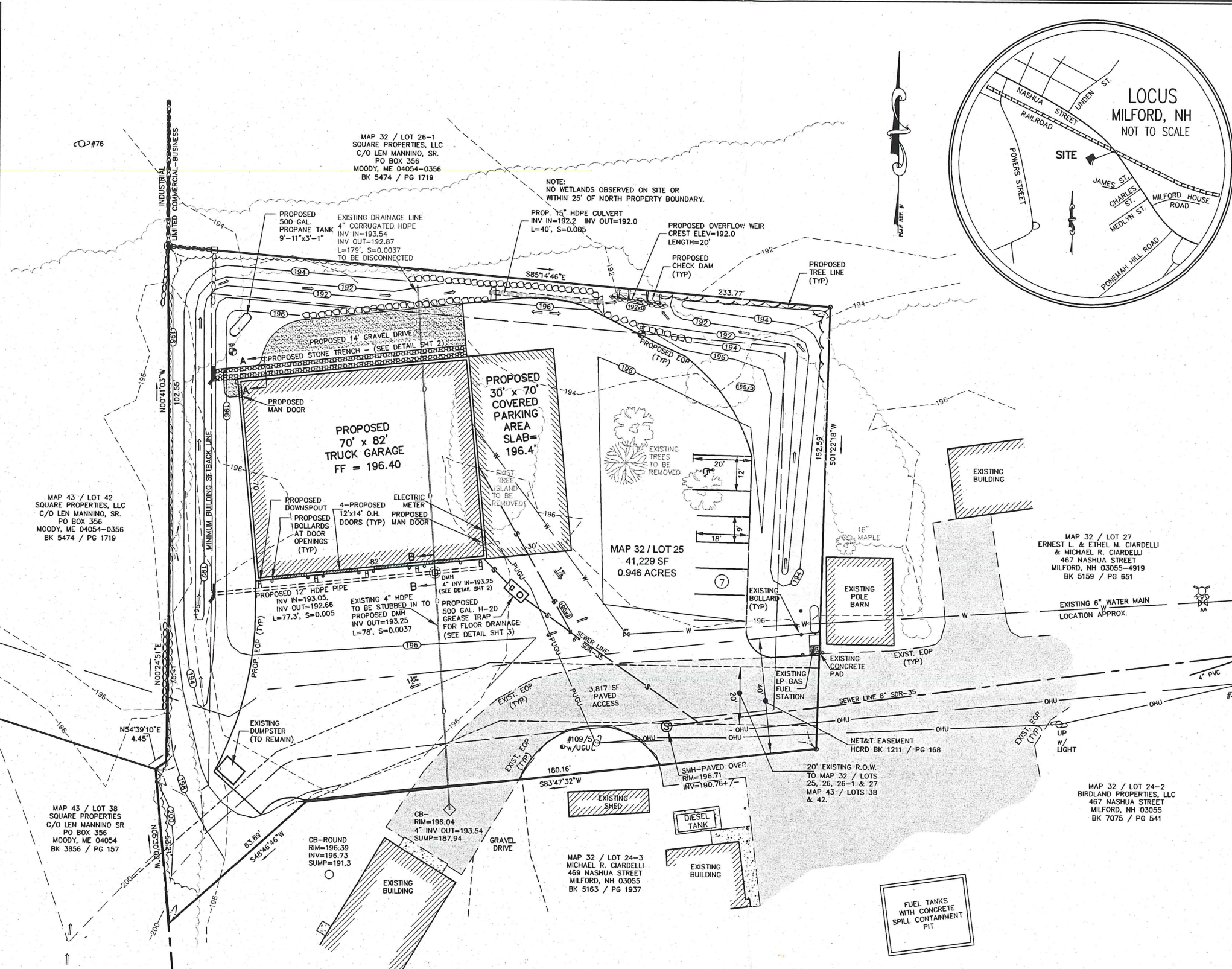
E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

All we will be doing is adding a computer in the building. Nothing else

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LEGEND

	PROPERTY LINE
	CONTOUR LINE
	S.C.S. SOIL BOUNDARY
	DRAINAGE FLOW ARROW
	EXISTING TREE LINE
	PROPOSED TREE LINE
	BUILDING SETBACK LINE
	SEWER LINE
	WATER LINE
	STORM DRAIN
	OVERHEAD UTILITIES
	SILT FENCE
	STONE CHECK DAM
	BOULDERS
	FINISH GRADE CONTOUR
	PROPOSED SPOT ELEVATION
	PROPOSED UNDERGROUND UTILITIES
	PROPOSED # PARKING SPACES

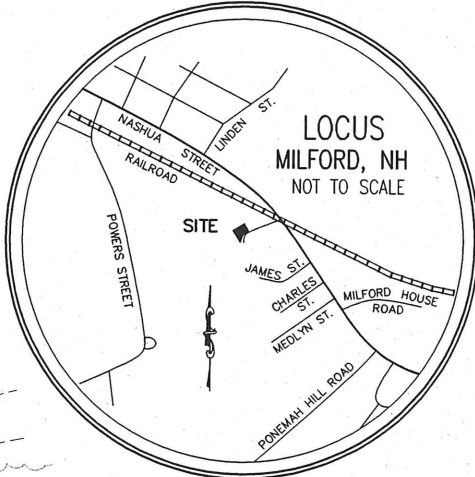


REFERENCE PLAN

1. LOT LINE ADJUSTMENT PLAN; TAX MAP 32 LOTS 25 & 26-1; AND TAX MAP 43 LOT 42; NASHUA STREET; MILFORD, N.H. PREPARED FOR: SQUARE PROPERTIES, LLC. SCALE: 1"=40' DATED: FEBRUARY 7, 2006. BY GRANITE STATE SURVEYING INC. RECORDED H.C.R.D. PLAN NO. 34678

NOTES

1. REFERENCE THIS PARCEL AS MAP 32 / LOT 25
2. OWNER: BIRDLAND PROPERTIES, LLC APPLICANT: CIARDELLI FUEL CO., INC. 467 NASHUA STREET MILFORD, NH 03055-4919
3. AREA OF PARCEL: 41,229 SF OR 0.946 ACRES
4. PARCEL IS ZONED: LIMITED COMMERCIAL- BUSINESS (LCB) ZONE REQUIREMENTS MIN. LOT SIZE- 20,000 SF (WITH MUNICIPAL SEWER AND WATER) FRONTAGE- 150 FEET MAXIMUM BUILDING HEIGHT: 35 FEET BUILDING SETBACKS: FRONT- 30', SIDE & REAR - 15' THIS PARCEL IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON FIRM MAP 330096 0002 B DATED MAY 1, 1980. THE PURPOSE OF THIS PLAN IS TO DEPICT THE CONSTRUCTION OF A NEW 70'x112' TRUCK AND EQUIPMENT STORAGE BUILDING AND ASSOCIATED GRADING AND PARKING AREAS.
7. OPEN SPACE REQUIREMENTS: 41,229 SF x 0.3 = 12,369 SF REQUIRED 13,059 SF PROVIDED
8. PARKING REQUIREMENTS: WAREHOUSE, STORAGE: 1 SPACE/1000 SF X 5740 SF = 6 SPACES (1 HANDICAP SPACE REQUIRED 6 SPACES + 1 HANDICAP SPACE = 7 SPACES PROVIDED
9. THE SITE PLAN REGULATIONS OF THE TOWN OF MILFORD ARE PART OF THIS PLAT AND APPROVAL OF THIS PLAT IS CONTINGENT ON COMPLETION OF ALL REQUIREMENTS OF SAID REGULATIONS, EXCEPTING ONLY ANY VARIANCES OR MODIFICATIONS MADE IN WRITING BY THE BOARD.
10. ENTIRE PARCEL LIES WITHIN MILFORD LEVEL 1 GROUNDWATER PROTECTION AREA (COURTIS WELLS) AND IS SUBJECT TO PERFORMANCE STANDARDS IN THE MILFORD GROUNDWATER PROTECTION DISTRICT.
11. THIS PLAN IS A COMPILATION OF EXISTING PLANS & DEEDS OF RECORD AND A SITE SURVEY DONE IN NOVEMBER 2008.
12. ALL WORK TO CONFORM WITH DEPARTMENT OF PUBLIC WORKS INFRASTRUCTURE DESIGN, CONSTRUCTION & ADMINISTRATION STANDARDS, SEPTEMBER 2007, AND "SPECIFICATIONS FOR: TOWN OF MILFORD, NEW HAMPSHIRE GENERAL CONSTRUCTION STANDARDS, STORM DRAINAGE, WATER DISTRIBUTION SYSTEM, SANITARY SEWERS, AND ROAD CONSTRUCTION," PUBLICATION, REVISED JANUARY 1998.
13. THIS LOT IS TO BE SERVICED BY MUNICIPAL SEWER AND WATER.
14. UNDERGROUND UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. NO GUARANTY OF ACCURACY IS EXPRESSED OR IMPLIED. CONTRACTOR MUST NOTIFY DIG SAFE AND PROCEED AT HIS OWN RISK.
15. TEST PITS AND WETLAND EVALUATION PERFORMED ON NOVEMBER 16, 2008 BY EARL J. SANDFORD, CERTIFIED WETLAND SCIENTIST #209 OF SANDFORD SURVEYING AND ENGINEERING, INC., 597 NEW BOSTON ROAD, BEDFORD, NH 03110.



MAP 43 / LOT 42
SQUARE PROPERTIES, LLC
C/O LEN MANNINO, SR.
PO BOX 356
MOODY, ME 04054-0356
BK 5474 / PG 1719

MAP 43 / LOT 38
SQUARE PROPERTIES
C/O LEN MANNINO SR
PO BOX 356
MOODY, ME 04054
BK 3856 / PG 157

NOTE:
NO WETLANDS OBSERVED ON SITE OR
WITHIN 25' OF NORTH PROPERTY BOUNDARY.

PROPOSED 500 GAL.
PROPANE TANK
9'-11"x3'-1"

PROPOSED
70' x 82'
TRUCK GARAGE
FF = 196.40

PROPOSED
30' x 70'
COVERED
PARKING
AREA
SLAB =
196.4'

MAP 32 / LOT 25
41,229 SF
0.946 ACRES

MAP 32 / LOT 27
ERNEST L. & ETHEL M. CIARDELLI
& MICHAEL R. CIARDELLI
467 NASHUA STREET
MILFORD, NH 03055-4919
BK 5159 / PG 651

MAP 32 / LOT 24-2
BIRDLAND PROPERTIES, LLC
467 NASHUA STREET
MILFORD, NH 03055
BK 7075 / PG 541

MAP 32 / LOT 24-3
MICHAEL R. CIARDELLI
469 NASHUA STREET
MILFORD, NH 03055
BK 5163 / PG 1937

**TOWN OF MILFORD
RECEIVED**

JAN 20 2009

PB ZBA Office

**PLANNING BOARD
TOWN OF MILFORD, NEW HAMPSHIRE**

SITE PLAN REVIEW: # _____

APPROVED: _____ DATE: _____

SIGNED	CHAIRMAN	DATE
SIGNED	MEMBER	DATE
SIGNED	MEMBER	DATE
SIGNED	MEMBER	DATE
SIGNED	MEMBER	DATE
SIGNED	MEMBER	DATE

**SITE PLAN
MAP 32 / LOT 25
CIARDELLI FUEL COMPANY, INC.
467 NASHUA STREET
TOWN OF MILFORD
HILLSBOROUGH COUNTY, NEW HAMPSHIRE**

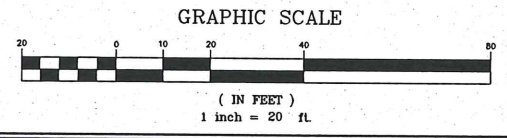
SANDFORD
SURVEYING AND ENGINEERING

TEL (603) 472-2265 FAX (603) 472-6604
597 NEW BOSTON ROAD, BEDFORD, NH 03110
BOUNDARY SURVEYS ~ SUBDIVISIONS ~ SITE PLANS ~ STRUCTURAL ~ SEPTIC DESIGNS

PROJ. MAN.: EJS	CADD: PMS	PROJ: CIA01M08096
CONTACT: M. CIARDELLI	CHK BY: RPS	DWG#: CIA01M08096
SCALE: 1" = 20'	DATE: 1/6/09	SHEET 1 OF 3

REVISIONS

NO.	DATE	DESCRIPTION	BY



DIG SAFE
EXCAVATORS
BEFORE YOU DIG CONTACT DIG SAFE CENTER TO PREVENT DAMAGE TO TELEPHONE, GAS OR ELECTRIC UNDERGROUND FACILITIES OF MEMBER UTILITIES. CALL TOLL FREE 1-888-344-7233. NEW HAMPSHIRE STATE LAW REQUIRES NOTIFICATION AT LEAST THREE BUSINESS DAYS BEFORE YOU START DIGGING OPERATIONS. IN AN EMERGENCY, CALL IMMEDIATELY.

- SHEET INDEX**
1. SITE PLAN
 2. LANDSCAPE & STORM WATER POLLUTION PREVENTION PLAN
 3. DETAIL PLAN

OWNER'S APPROVAL

I, THE UNDERSIGNED, HAVE REVIEWED THIS PLAN AND DO HEREBY AGREE THAT THIS PLAN REPRESENTS MY LAND AS I KNOW IT, AND THAT ALL PROPOSED IMPROVEMENTS SHOWN HEREON MEET MY APPROVAL.

OWNER or AUTHORIZED AGENT _____ DATE _____

CERTIFICATION OF BOUNDARY PRECISION

I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND ON ALL PROPERTY LINES WITHIN AND BOUNDING THE SUBJECT PROPERTY.

PLANTING SCHEDULE

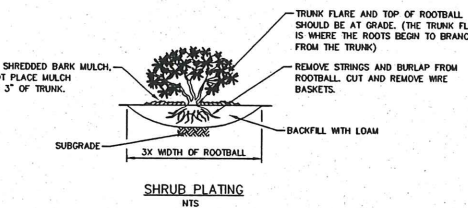
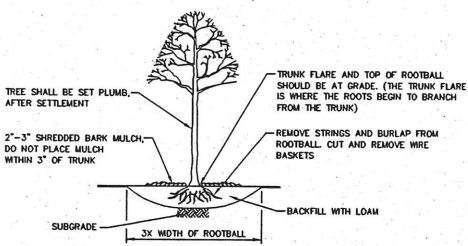
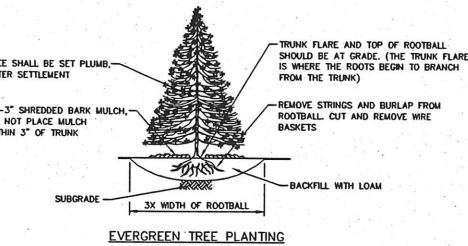
NEW LANDSCAPING SYMBOL	DESCRIPTION	COUNT	SIZE / CONDITION
CP	COLUMNAR PINE	5	12" DB. HEIGHT 5" - 9 1/2" CALIBER #4-P
SP	SCOTCH PINE (OR ITS VARIETIES)	6	12" DB. HEIGHT 2 1/2" - 5" CALIBER #4-P
RC	HYDRANGEA (OR OTHER HARDY SHRUBS)	5	MIN. 4" DB. HEIGHT #4-P
EP	CRAB APPLE TREE (OR OTHER SMALL TREES)	16	MIN. 2 1/2" DB. HEIGHT #4-P
AZ	ROSE HYDRANGEA (OR OTHER SHRUBS)	4	MIN. 4" DB. HEIGHT #4-P

GENERAL NOTES:

EXISTING TREES TO REMAIN:
ALL EXISTING TREES INDICATED TO REMAIN ARE TO BE PRUNED TO REMOVE ALL DEAD OR DAMAGED LIMBS - TREES THAT HAVE DETEIORATED BEYOND SURVIVAL ARE TO BE REMOVED.

LAWN AREA NOTES:
ALL AREAS DISCLOSED BY CONSTRUCTION AND NOT OTHERWISE DEVELOPED SHALL RECEIVE "LAWM" AS NOTED BELOW:
A. RAKE / CLEAR DEBRIS FROM ALL AREAS.
B. LOOSEN SUBGRADE TO MIN. 6" DEPTH.
C. INSTALL MIN. 5" NEW LOAM MIX.
D. HYDROSEED & MAINTAIN DAMP.

MULCH AREA NOTES:
ALL AREAS INDICATED AS "BARK MULCH" SHALL HAVE THE FOLLOWING:
A. RAKE AND CLEAR DEBRIS FROM ALL AREAS.
B. INSTALL FILL MATERIALS AS REQUIRED FOR SUBGRADE ELEVATION.
C. INSTALL WED CONTROL FABRIC.
D. INSTALL 4" PINE / HEMLOCK MIX BARK MULCH.
E. AT PLANT INSTALLATIONS PROVIDE MIN. 8" OF LOAM BELOW PLANTS AND MIX TWICE THE BALL QUANTITY.



REVISIONS

NO.	DATE	DESCRIPTION	BY

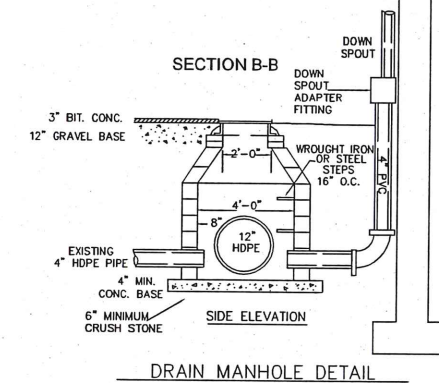
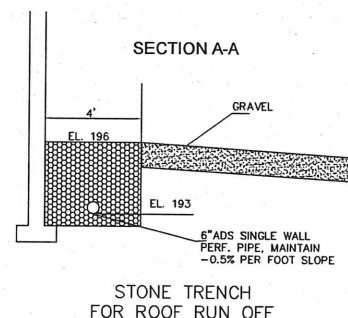
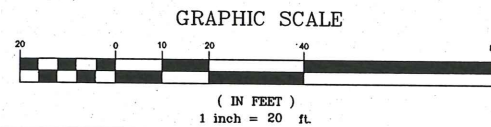


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SCS SOILS KEY

SYMBOL	DESCRIPTION	SLOPE	K FACTOR
HsA	HINCKLEY LOAMY SAND	0-3%	0.20
PIA	PIPESTONE LOAMY SAND	0-3%	0.17
SsA	SCITUATE FINE SANDY LOAM	0-3%	0.24
SsC	SCITUATE STONY FINE SANDY LOAM	8-15%	0.24

THE SOIL INFORMATION IS TAKEN FROM SHEET No. 18 & 22 OF THE SOIL SURVEY, HILLSBOROUGH COUNTY, EASTERN PART, PUBLISHED BY THE USDA-SCS.



NOTES

- MINIMUM 4" LOAM & SEED TO BE APPLIED TO ALL DISTURBED AREAS NOT OTHERWISE TREATED.
- PROPERTY BOUNDARY IS LIMIT OF DRAINAGE AREA CONSIDERED.
- PROPERTY BOUNDARY IS LIMIT OF WORK.

EROSION CONTROL NOTES

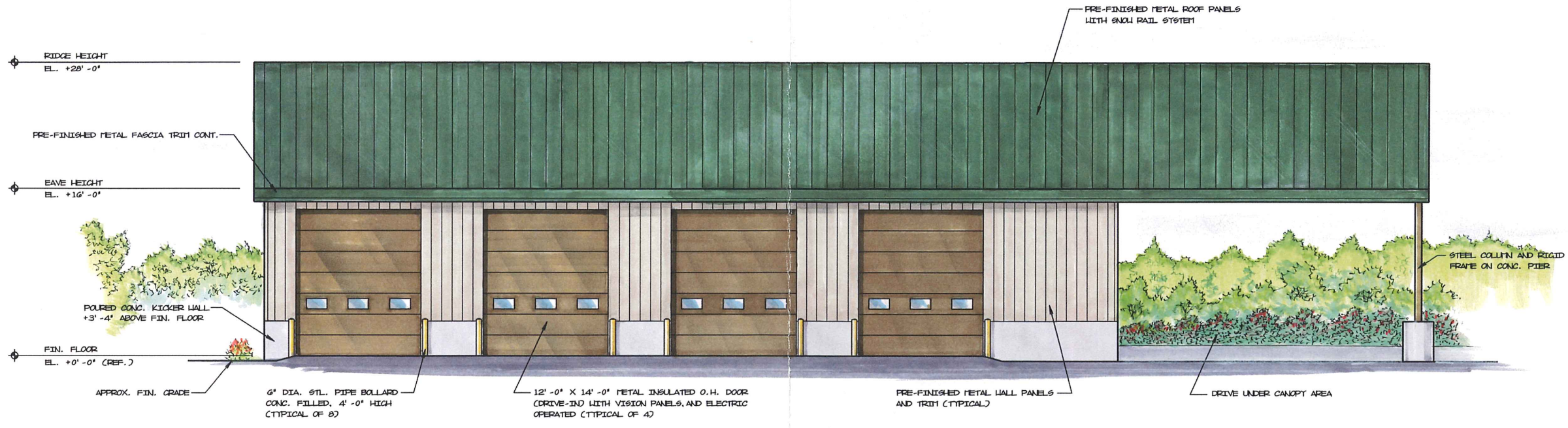
- NO CRITICAL AREA IMPACT.
- STUMPS AND DEBRIS TO BE REMOVED FROM SITE.
- EXCESS TOPSOIL TO BE REMOVED FROM SITE.
- TOPSOIL FOR FINAL GRADING TO BE STORED AT TEMPORARY EARTH STOCKPILE LOCATIONS SHOWN.
- SNOW STORAGE DURING CONSTRUCTION WILL BE AT PERMANENT SNOW STORAGE LOCATION SHOWN.

LEGEND

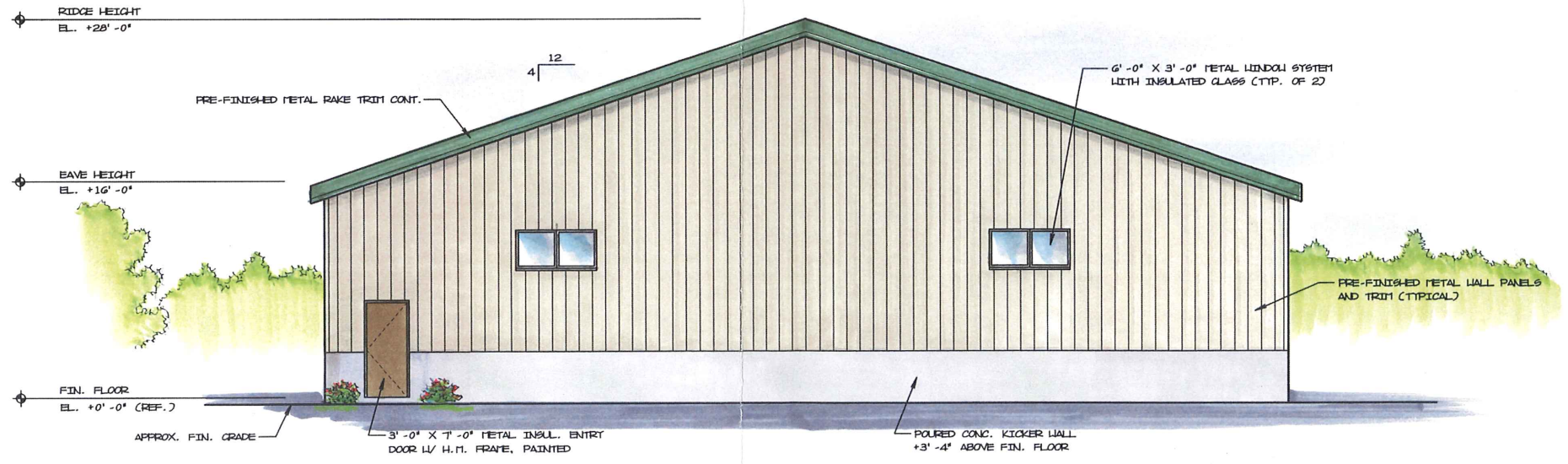
- PROPERTY LINE
- CONTOUR LINE
- S.C.S. SOIL BOUNDARY
- DRAINAGE FLOW ARROW
- EXISTING TREE LINE
- PROPOSED TREE LINE
- BUILDING SETBACK LINE
- SEWER LINE
- WATER LINE
- STORM DRAIN
- OVERHEAD UTILITIES
- SILT FENCE
- STONE CHECK DAM
- BOULDERS
- 192 FINISH GRADE CONTOUR
- PROPOSED SPOT ELEVATION
- UNDERGROUND UTILITIES
- PROPOSED # PARKING SPACES
- DOWNCAST WALL PACKS

LANDSCAPE & STORM WATER POLLUTION PREVENTION PLAN
MAP 32 / LOT 25
CIARDELLI FUEL COMPANY, INC.
NASHUA STREET
TOWN OF MILFORD
HILLSBOROUGH COUNTY, NEW HAMPSHIRE

SANDFORD
SURVEYING AND ENGINEERING
TEL (603) 472-2265 FAX (603) 472-6604
597 NEW BOSTON ROAD, BEDFORD, NH 03110
BOUNDARY SURVEYS ~ SUBDIVISIONS ~ SITE PLANS ~ STRUCTURAL ~ SEPTIC DESIGNS
PROJ. MAN.: EJS CADD: PMS PROJ.: CIA01M08096
CONTACT: M. CIARDELLI CHK BY: RPS DWG#: CIA01M08096
SCALE: 1" = 20' DATE: 1/6/09 SHEET 2 OF 3



FRONT ELEVATION
SCALE 3/16" = 1'-0"



LEFT SIDE ELEVATION
SCALE 3/16" = 1'-0"

FLYNN CONSTRUCTION CORP.
COMMERCIAL * INDUSTRIAL
145 TEMPLE ST., NASHUA, NEW HAMPSHIRE 03060
PHONE (803) 882-8177 FAX (603) 889-0494

NO.	GENERAL REVISIONS	REV. DATE
NO. 1	DESCRIPTION OF REV.	1/19/09

PROJECT: **CIARDELLI FUEL CO., INC.**
NEW HAMPSHIRE
SUBJECT: **FRONT AND LEFT SIDE ELEVATION**

JOB NO. 041266	SCALE: AS NOTED	DATE: 1/16/09	DWN. BY: T.J.L.
		CHECKED:	

SHEET NO. **A-2**