

TOWN OF MILFORD

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



Administrative Review

Date: November 11, 2022
To: Jason Plourde, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2022-26: Stephen Stepanek and SPJ Real Estate Associates, LLC for the property located at Map 25, Lot 119, 1 Hampshire Drive – Special Exception Application (Continued from 11/3/22)**

The applicants are before the Board of Adjustment seeking a seeking a Milford Zoning Ordinance, Article V, Section 5.05.2 to allow a change of use of the existing commercial/industrial building from a manufacturing use to a distribution facility on a property located in the Commercial 'C' Zoning District. In reviewing the files for this property, I offer the following comments:

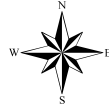
1. Existing Conditions:
 - a. The subject property consists of approximately 3.25 acres with approximately 28.75 linear feet of frontage on Elm Street. The property and building are former location of the 61,342 s.f. (gross s.f) Hampshire Paper Corporation industrial manufacturing/warehousing building. The building is located in the rear portion of the property and is mainly vacant.
 - b. Access/egress from the property is by way of the existing driveway curb cut on Elm Street. The approved 1991 manufacturing/warehousing site plan shows 75 total parking spacing associated with the former Hampshire Paper Corporation (56 manufacturing and 34 warehouse spaces).
 - c. The property is serviced by municipal water and waste water.
 - d. The subject property is situated in an established mixed used area consisting of commercial office space and services, single- and multi-family residences, municipal facilities, and a railway network. See attached Neighborhood Use Map.
2. The applicant is seeking a change of use for the building from the existing manufacturing and warehouse use to a multi-tenant distribution facility. The applicants intends to lease the building for up to 3 tenants each functioning as separate distribution centers. The applicant has stated that the distribution facilities will result in a less intense historical use of the property use due to a reduction in overall vehicle/truck traffic and the number of total employees on site/within the building require to manage/operate the proposed uses.
3. A distribution facility falls under the category of a distribution and mailing facility. In accordance with the Zoning Ordinance, Article IV Definitions, distribution facilities are defined as uses which constitute the temporary storage and/or shipping of goods, including mail order processing, package distribution and mailing. Pursuant to Section 5.05.2.A.7, a distribution facility is permitted in the Commercial 'C' Zoning District through the issuance of a Special Exception by Board of Adjustment.
4. The applicant will be required to submit the required building permits for each of the proposed tenants to comply with State building, health, safety codes/regulations.

5. The applicant should be prepared to discuss the following:
 - a. Discuss the operations of the anticipated distribution facilities individually and collectively. As part of the response, please identify (1) the total anticipated maximum number of vehicles, delivery trucks, and employees on the site/within the building, (2) hours of operation, (3) the potential impact to the neighborhood and transportation roadway network.
 - b. Provide a brief narrative comparing the former Hampshire Paper Corporation Use to the proposed distribution facility uses.
 - c. Please discuss the management and storage of products/materials and waste/trash. The 1991 approved site plan states that all rubbish shall be stored with the building.

Aerial Photos of Subject Property:



**Town Hall – 1 Union Square – Milford, NH 03055-4240 – (603) 249-0620 – FAX (603) 673-2273
website: www.milford.nh.gov**



Neighborhood Use Map

Milford, NH



November 14, 2022

1 inch = 100 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



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

PROPERTY INFORMATION

Street Address: 1 HAMPSHIRE DR
 Tax Map / Parcel #: 025-119-000-000 Lot Size:

PROPERTY CURRENTLY USED AS

MANUFACTURING / WAREHOUSE / DISTRIBUTION

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

PROPERTY OWNER

Name: SPJ REAL ESTATE ASSOCIATES LLC
 Address: P.O. BOX 1015
 City/State/Zip: MILFORD, NH 03055
 Phone: (603) 801-9496
 Email: SBS2093@GMAIL.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: STEPHEN STEPANEK
 Address: 156 LEE BROOK RD
 City/State/Zip: THORNTON, NH 03285
 Email: SBS2093@GMAIL.COM
 Phone: () Cell: (603) 801-9496

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

10/5/22
 Date:

Date Received: _____
 Case Number: TOWN OF MILFORD RECEIVED
 Application Number: _____
 Hearing Date: OCT 07 2022
 Decision Date: _____
 Decision: PB ZBA Office _____
2022 1126

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: <u>\$</u>	\$75.00
Abutters Fee: <u>\$4 x 19</u>	<u>76.00</u>
Amount received:	<u>165.00</u>
Date Received:	<u>10/7/22</u>

Check Cash _____
#3858

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

Date Received: _____
 Case Number: _____
 Application #: _____
 Date Complete: _____
 Hearing Date: _____
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: _____

Tax Map / Parcel #: _____

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 5.05.2

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

DISTRIBUTION

**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: CURRENT TENANT HAMPSHIRE PAPER CORP. HAS MOVED OUT. NEW TENANTS WILL BE USING SPACE FOR DISTRIBUTION OF THEIR PRODUCTS.

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: IT IS ALLOWED UNDER A SPECIAL EXCEPTION.

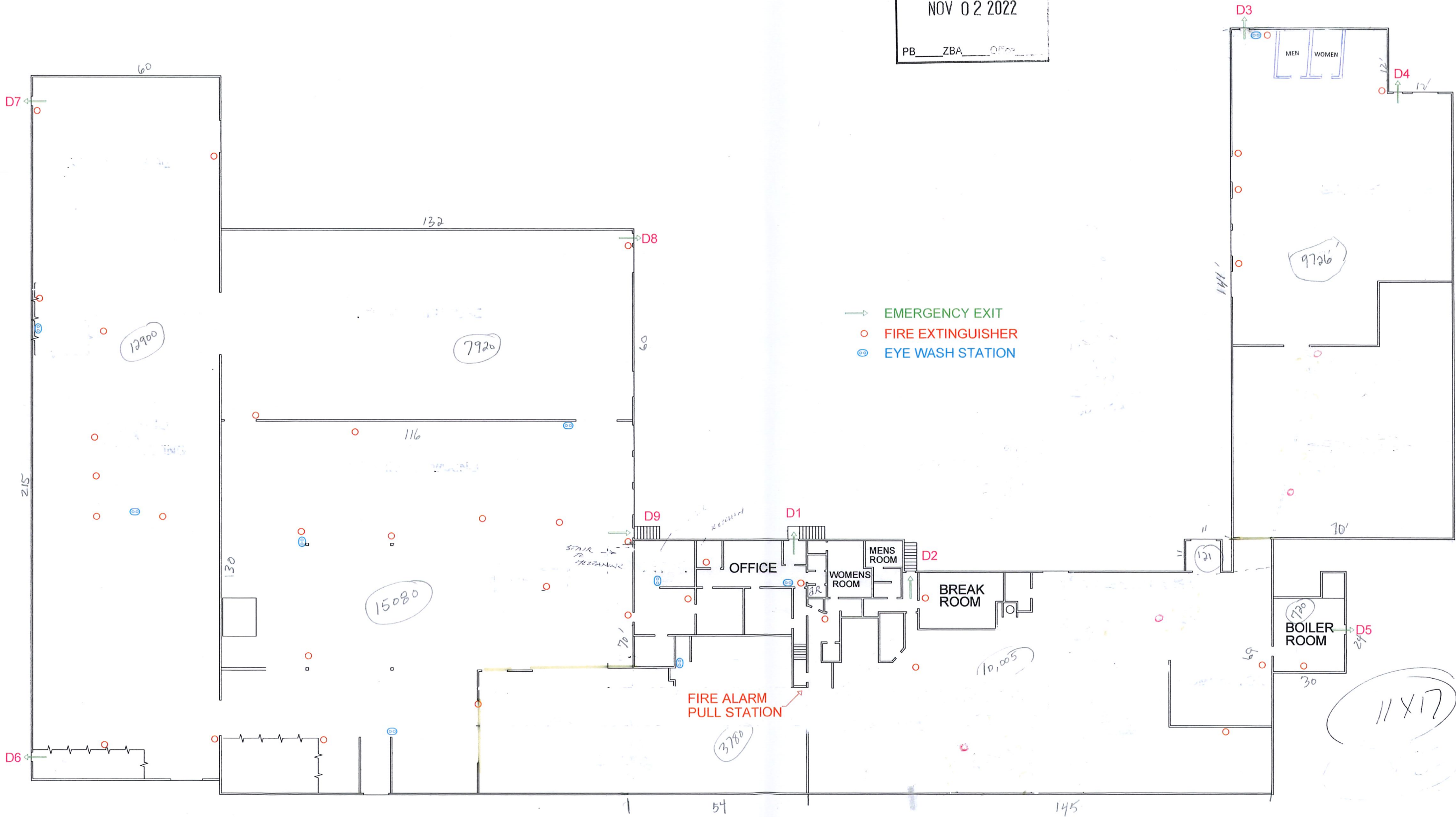
B. The specific site is an appropriate location for the proposed use because: IT WAS USED AS A MANUFACTURING AND DISTRIBUTION FACILITY BY HAMPSHIRE PAPER CORP SINCE 1987

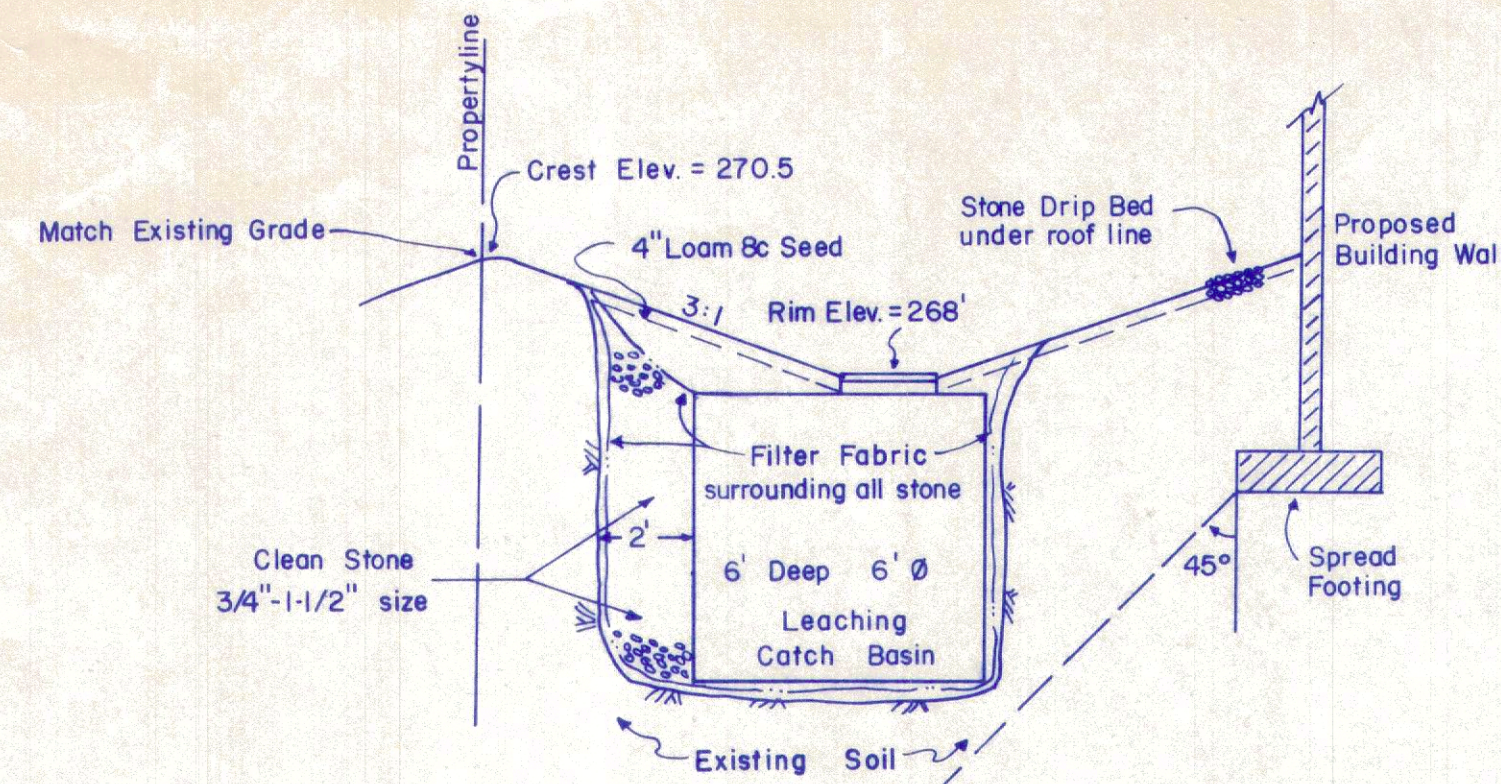
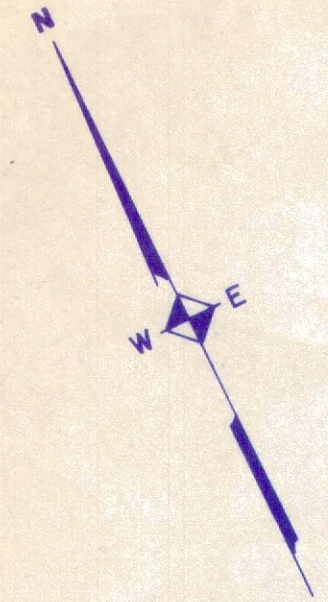
C. The use as developed will not adversely affect the adjacent area because: SINCE IT WILL BE DISTRIBUTION ONLY THERE WILL BE FAR FEWER EMPLOYEES THEREFORE FAR LESS VEHICLE TRAFFIC.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because: THERE WILL BE LESS VEHICLE TRAFFIC AT THE SITE THEN WHEN HAMPSHIRE PAPER OCCUPIED THE SITE.

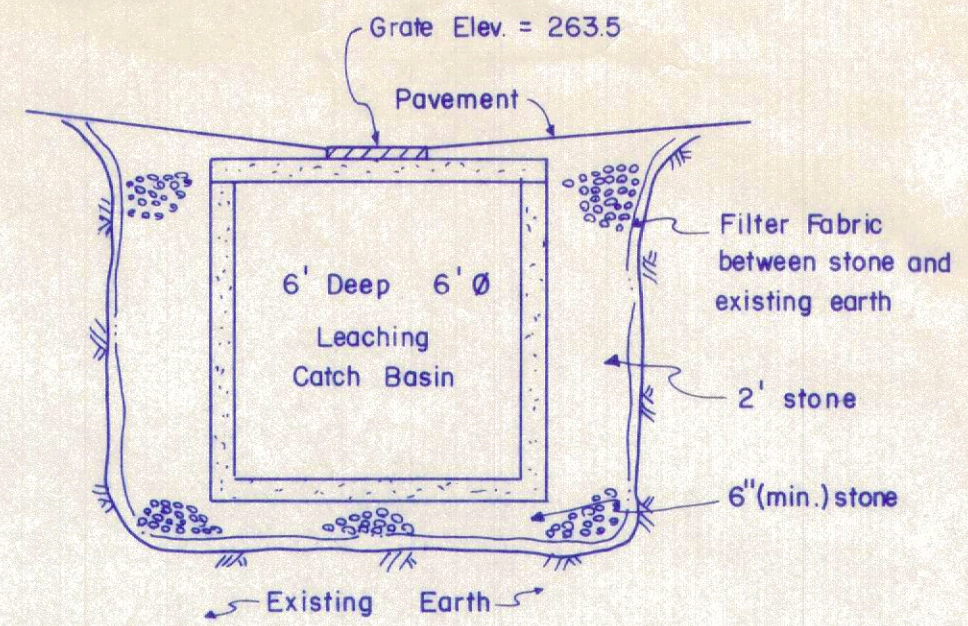
E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because: THEY ALREADY EXIST.

TOWN OF MILFORD
RECEIVED
NOV 02 2022
PB ZBA

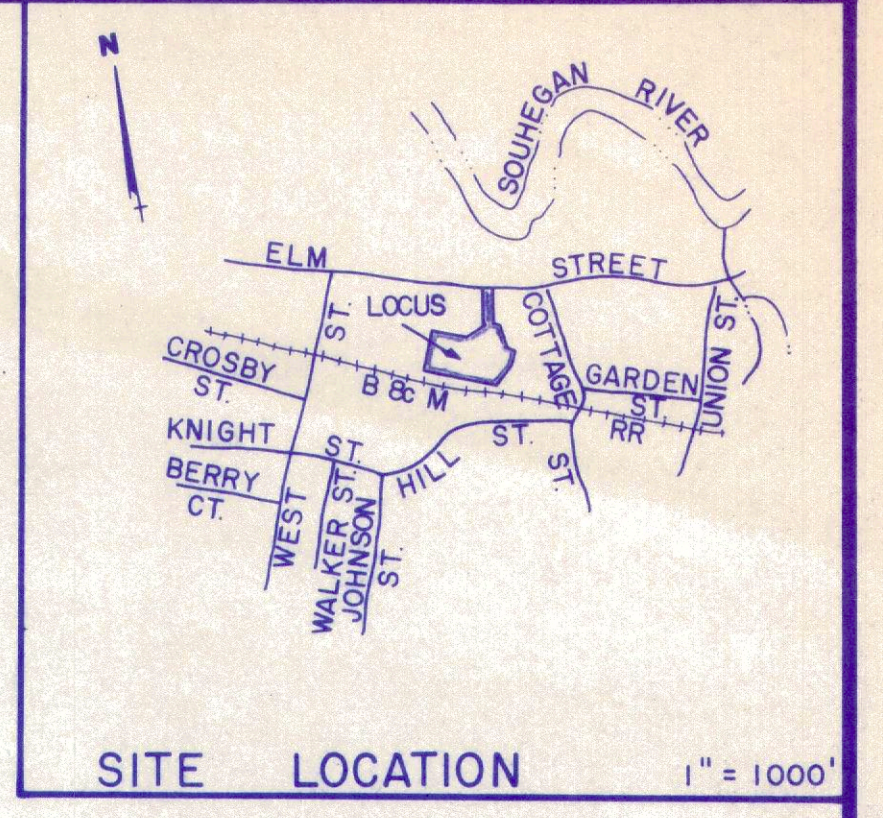




LEACHING CATCH BASIN
west of addition
TYPICAL CROSS-SECTION VIEW
1" = 4'



LEACHING CATCH BASIN
within proposed paved area
1" = 4'



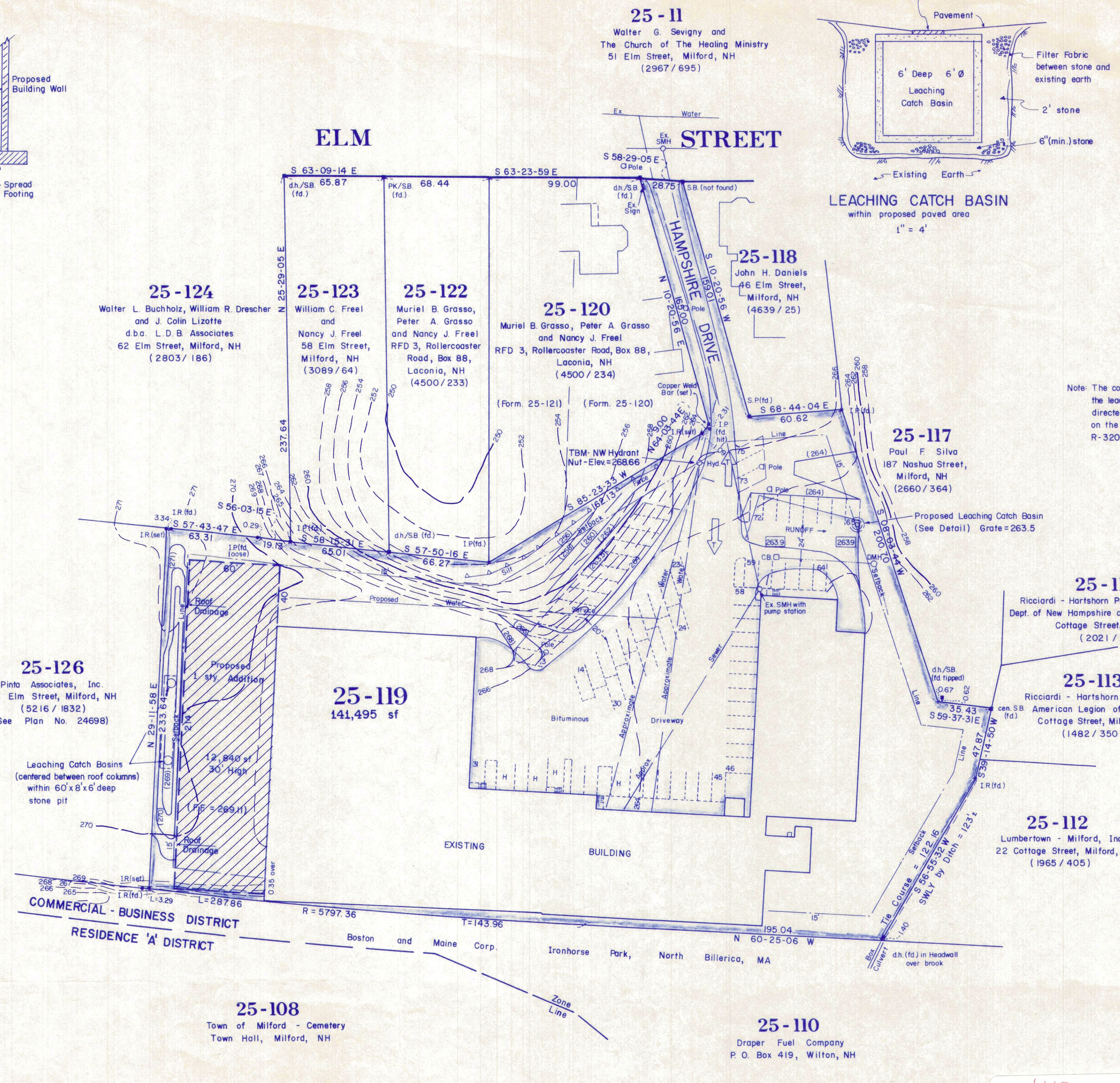
OWNER
Steph B. Spina
SPJ Real Estate Associates
1 Hampshire Drive, Milford, NH

Note: The contractor shall grade the proposed paved area toward the leaching catch basin. Existing site grading, which is directed toward the existing CB, shall not change. The grate on the existing CB shall be replaced with a Neenah type R-3203 grate (or equiv).

- Notes:
1. Zoning - Commercial - 20,000 sf x 150' frontage
 2. Water and Sewer locations taken from a Site Plan by Monadnock Survey, Inc dated May 1, 1988 and revised May 26, 1988.
 3. Topographic information shown is the result of an on-site survey by this office.
 4. Lighting - None proposed for the addition.
 5. Disturbed areas around the addition to be loamed and seeded.
 6. Soil type for the parcel is HsB-Hinckley loamy sand 3-8% slopes. Soils information was obtained from Soil Survey of Hillsborough County, NH, Eastern part by U.S.D.A. S.C.S. dated October 1981, Sheet 18.
 7. Boundary information shown is the result of a survey made on the ground by this office.
 8. All utilities at the proposed addition site are to be verified on the ground by the contractor prior to construction.
 9. The parcel is not located within the FIA Flood Hazard Boundary Area. (See Map No. 330096 0002 B dated May 1, 1980.)
 10. The sign is 12.6 sf (1.8 x 7' x 4' high)
 11. All rubbish is to be stored inside.
 12. The parcel is within the aquifer protection district.
 13. Total Lot Area = 141,495 sf
Existing Building = 48,579 sf
Proposed Addition = 12,840 sf
Total = 61,419 sf
Parking - Drives = 37,531 sf
Total Developed Area = 98,950 sf (69.93 % of site)
 14. Parking Spaces - 9 x 18'
A.) Per Site Plan Regs., Art. VII, Sect. 6.080
Warehouse = 33,820 sf x 1/1000 sf = 34 spaces
Manufacturing = 27,599 sf x 2/1000 sf = 56 spaces
Total Spaces Required = 90 x 80% = 72
Total Spaces Provided = 75
 15. See Variance granted May 23, 1991 for building setback for proposed addition.
 16. I certify that an actual survey was made on the ground of an accuracy greater than 1 in 10,000 and that this plan complies with the Town of Milford Site Plan Regulations.

Date: 6.4.91 *Chas. T. Adams*

APPROVED BY THE MILFORD PLANNING BOARD
ON _____ CERTIFIED BY _____
AND _____ CHAIRMAN
SECRETARY



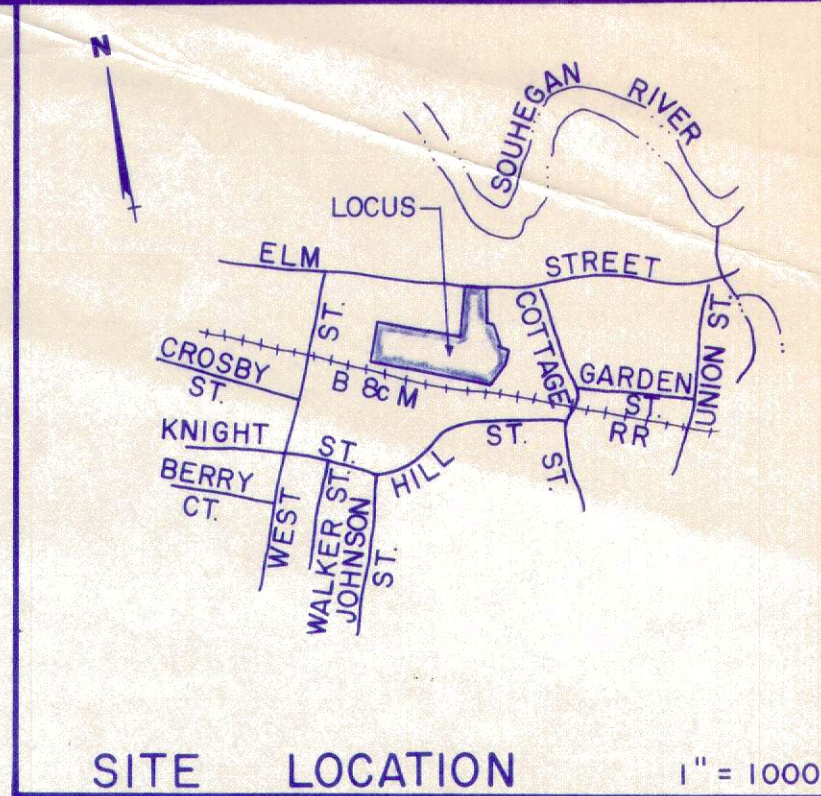
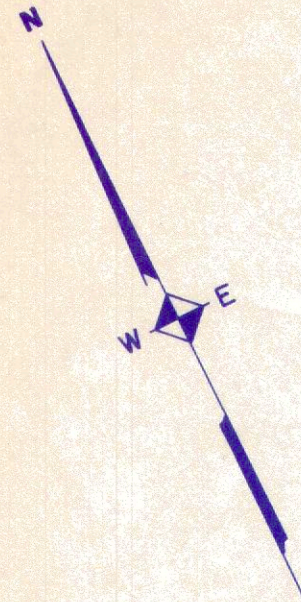
PLANNING BOARD
TOWN OF MILFORD, NH
SITE PLAN #: 0-412-19
DATE APPROVED: 6/18/91
SIGNED: *Thomas Barry*
Seaman M. Key

SITE PLAN
MILFORD, NH
Owned By: SPJ Real Estate Associates
1 Hampshire Drive, Milford, NH
May 22, 1991
Scale: 40 feet to an inch
AMHERST SURVEY ASSOCIATES, INC.
Land Planners and Surveyors
17 Old Nashua Road, Amherst, NH



25/119
Hampshire Dr

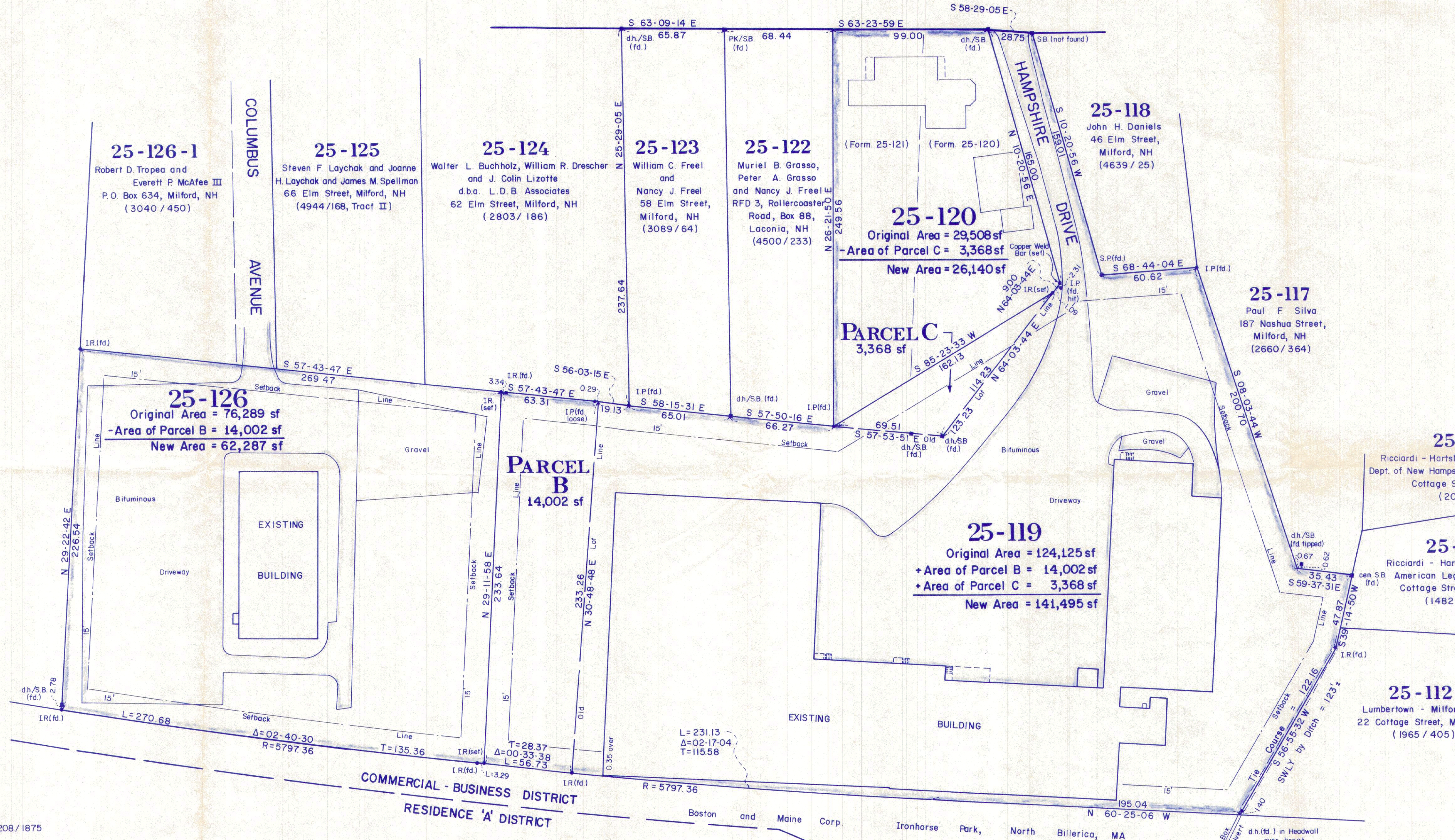
25/119



25-11

Walter G. Sevigny and
The Church of The Healing Ministry
51 Elm Street, Milford, NH
(2967 / 695)

ELM STREET



- OWNERS:
- Lot 25-119: *Stephen B. Stank*
SPJ Real Estate Associates
1 Hampshire Drive, Milford, NH
 - Lot 25-120: *Muriel B. Grasso*
Muriel B. Grasso, Peter A. Grasso and Nancy J. Freel
RFD 3, Rollercoaster Road, Box 88, Laconia, NH
 - Lot 25-126: *Richard D. D'Amato, Inc.*
Pinto Associates, Inc.
42 Elm Street, Milford, NH

25-127
Duane F. Brown
76 Elm Street, Milford, NH
(2847 / 304)

25-126-1
Robert D. Tropea and
Everett P. McAfee III
P.O. Box 634, Milford, NH
(3040 / 450)

25-125
Steven F. Laychak and Joanne
H. Laychak and James M. Spellman
66 Elm Street, Milford, NH
(4944 / 168, Tract II)

25-124
Walter L. Buchholz, William R. Drescher
and J. Colin Lizotte
d.b.a. L.D.B. Associates
62 Elm Street, Milford, NH
(2803 / 186)

25-123
William C. Freel
and
Nancy J. Freel
58 Elm Street,
Milford, NH
(3089 / 64)

25-122
Muriel B. Grasso,
Peter A. Grasso
and Nancy J. Freel
RFD 3, Rollercoaster
Road, Box 88,
Laconia, NH
(4500 / 233)

25-120
Original Area = 29,508 sf
- Area of Parcel C = 3,368 sf
New Area = 26,140 sf

25-118
John H. Daniels
46 Elm Street,
Milford, NH
(4639 / 25)

25-117
Paul F. Silva
187 Nashua Street,
Milford, NH
(2660 / 364)

25-114
Ricciardi - Hartshorn Post No. 23, Inc.,
Dept. of New Hampshire of the American Legion
Cottage Street, Milford, NH
(2021 / 351)

25-113
Ricciardi - Hartshorn Post No. 23
American Legion of Milford
Cottage Street, Milford, NH
(1482 / 350)

25-112
Lumbertown - Milford, Inc.
22 Cottage Street, Milford, NH
(1965 / 405)

25-119
Original Area = 124,125 sf
+ Area of Parcel B = 14,002 sf
+ Area of Parcel C = 3,368 sf
New Area = 141,495 sf

PARCEL B
14,002 sf

PARCEL C
3,368 sf

25-126
Original Area = 76,289 sf
- Area of Parcel B = 14,002 sf
New Area = 62,287 sf

25-108
Town of Milford - Cemetery
Town Hall, Milford, NH

25-110
Draper Fuel Company
P.O. Box 419, Wilton, NH

- Notes: 1. See Deeds:
Lot 25-119 - 3318/389, 3583/104, 5208/1875
Lot 25-120 - 4500/234
Lot 25-126 - 5216/1832
- Zoning - Commercial - 20,000 sf x 150' frontage
 - Parcel A, previously approved by the Planning Board and recorded on Plan No. 24698, is to be deeded back to Pinto Associates, Inc.
 - Parcel B is not to be considered a building lot and is to be deeded to and become a part of Lot 25-119.
 - Parcel C is not to be considered a building lot and is to be deeded to and become a part of Lot 25-119.
 - I certify that an actual survey was made on the ground of an accuracy greater than 1 in 10,000 and that this plan complies with the Town of Milford Subdivision Regulations.

Date 6.4.91 *Charles B. ...*

APPROVED BY THE MILFORD PLANNING BOARD

ON _____ CERTIFIED BY _____

AND _____ CHAIRMAN

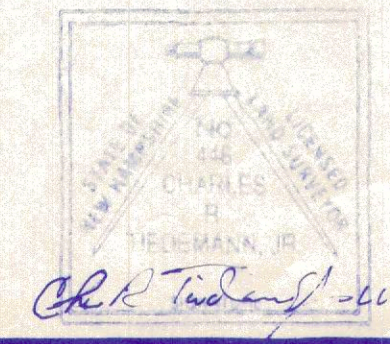
AND _____ SECRETARY

APPROVED
MILFORD, NH PLANNING BOARD
SUB DIVISION #: 400-17
DATE APPROVED: 6/18/91
SIGNED: *John Daniels*
Muriel B. Grasso
Paul F. Silva

PLAN OF LOT LINE CHANGE MILFORD, NH

Owned By As Noted
May 21, 1991 Revised: 6-7-91

Scale: 40 feet to an inch
40 20 0 40 80
AMHERST SURVEY ASSOCIATES, INC.
Land Planners and Surveyors
17 Old Nashua Road, Amherst



25/119