



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: May 18, 2022
To: Board of Selectmen
From: Lincoln Daley, Community Development Director
Project: Brookstone Manor, LLC, Tax Map 19, Lot 25-9, 135 Elm Street. Donation of 7.1 acres of the subject property to the Town Pursuant to RSA 41:14-a Acquisition or Sale of Land, Buildings, or Both.

PURPOSE:

The purpose of this public hearing is for the Board to discuss the donation of the undeveloped 7.1 acre portion of the 11.9 acre property owned by Brookstone Manor, LLC. The property is located at Tax Map 19, Lot 25-9, 135 Elm Street. The donated area is represented in the attached Lot Line Adjustment Plan and labeled as "Parcel A". In order to accept the donation of the property, the Board of Selectmen is required to hold two public hearings in accordance with NH RSA 41:14-a Acquisition or Sale of Land, Buildings, or Both. This will be the first of two public hearings on the proposal. The Selectmen's final vote would take place at the June 27th meeting after the two public hearings occur.

BACKGROUND:

Brookstone Manor LLC, Town of Milford, Boards/Commission/Committees, and the Milford Dog Park Association have partnered to construct a proposed a municipal dog park and passive recreation area on the rear portion of the 135 Elm Street property. The project represents the culmination of many years of collaboration, planning, and vested stakeholders. The Brookstone Manor LLC property was identified as the preferred location by an established selection committee in 2017-2018 after a comprehensive analysis that and included 10 identified properties. The Board of Selectmen formally supported the location of dog park at the Brookstone Manor LLC property in mid-2018.

Since that time, the parties have been working together to develop a mutually beneficial project and pathway to effectuate the proposal. The final determination was for Brookstone Manor LLC to donate the 7.1 acre portion of their property to the Town and said property would then be incorporated into the abutting Town owned property located at Tax Map 19, Lot, 127 Elm Street. The donation is conditional upon the creation of the dog park, a dedicated/private path for the Brookstone Manor tenants, and potential future allowances for park related amenities (e.g. benches, tables). Lastly, the donation is conditional upon placing a permanent conservation and recreation deed restriction on the 7.1-acre area. The deed restriction would define the desired uses and ensure that the property to be donated will be permanently limited to conservation and recreation purposes/uses. The property would become an extension of the municipal park system (e.g. Keyes Memorial Park) for the benefit of the general public and tenants of Brookstone Manor.

This process required multiple steps that included receipt of a Variance before the Board of Adjustment and approval of a Lot Line Adjustment before the Planning Board. With both approvals recently received, the next step is for the Board of Selectmen to consider accepting the donation of the 7.1 acres and codify terms of the deed restriction with the Brookstone Manor, LLC.

With regards to the dog park, the layout and design are currently being vetted by the Town Staff and the Dog Park Association. The final design and layout will be presented to the Planning Board for input and

administrative approval. The proposed park will be centrally located and consist of an area totaling one acre. The development and construction of the dog park and related pedestrian/vehicle access will be funding by the Milford Dog Park Association. Maintenance of the dog park and donated area would become the Town's responsibility and primarily consist of trash pickup. Parking and access to the 7.1 acres and dog park will be from 127 Elm Street property. Please refer to the attached Milford Dog Park Association project summary for more details. Members of the Association will be present to respond to any questions.

REVIEW/RECOMMENDATIONS:

The donation of property is the result of a mutually beneficial and collaborative process involving the property owner, Town, and Milford Dog Park Association. The donation of the property represents a unique opportunity to acquire 7.1 acres abutting the Souhegan River that will become an extension of the municipal park system and essential connection to other Town owned properties and established/future trails systems (See 2014 Pedestrian Connectivity Plan). In addition, the donation of the property will allow the construction of the dog park, an identified need and asset within the community. Staff supports the donation of 7.1 acres and recommends that the Board accept the donation as described.

The Conservation Commission met on May 12, 2022 and upon review and consideration voted unanimously in support of the Board granting the easement. See attached letter of recommendation. The Planning Board will be meeting to discuss this item at their June 7, 2022 scheduled meeting. It is anticipated that a letter of support will be provided by the Planning Board prior to the next Selectmen's meeting.

Staff recommends that the Board review the request, receive public comments, and then continue the public hearing to June 13th.

Enclosed, please find the following:

Attachment 1: Approved Lot Line Adjustment Plan showing the Brookstone Manor LLC property and 7.1 acres to be donated to the Town.

Attachment 2: Draft Conservation & Recreation Deed Restriction (to be provided prior to meeting)

Attachment 3: Milford Dog Park Association Project Presentation

Attachment 4: 2014 Milford Pedestrian Connectivity Plan

Attachment 5: Letters of Support

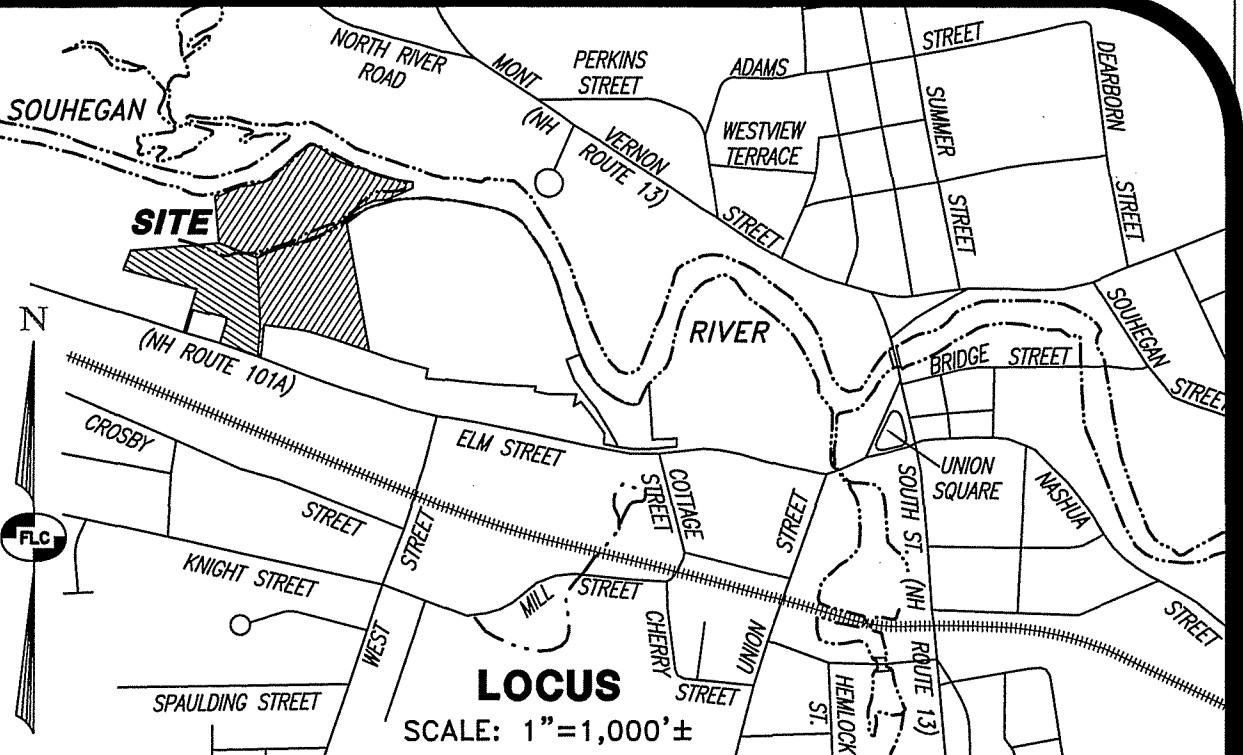
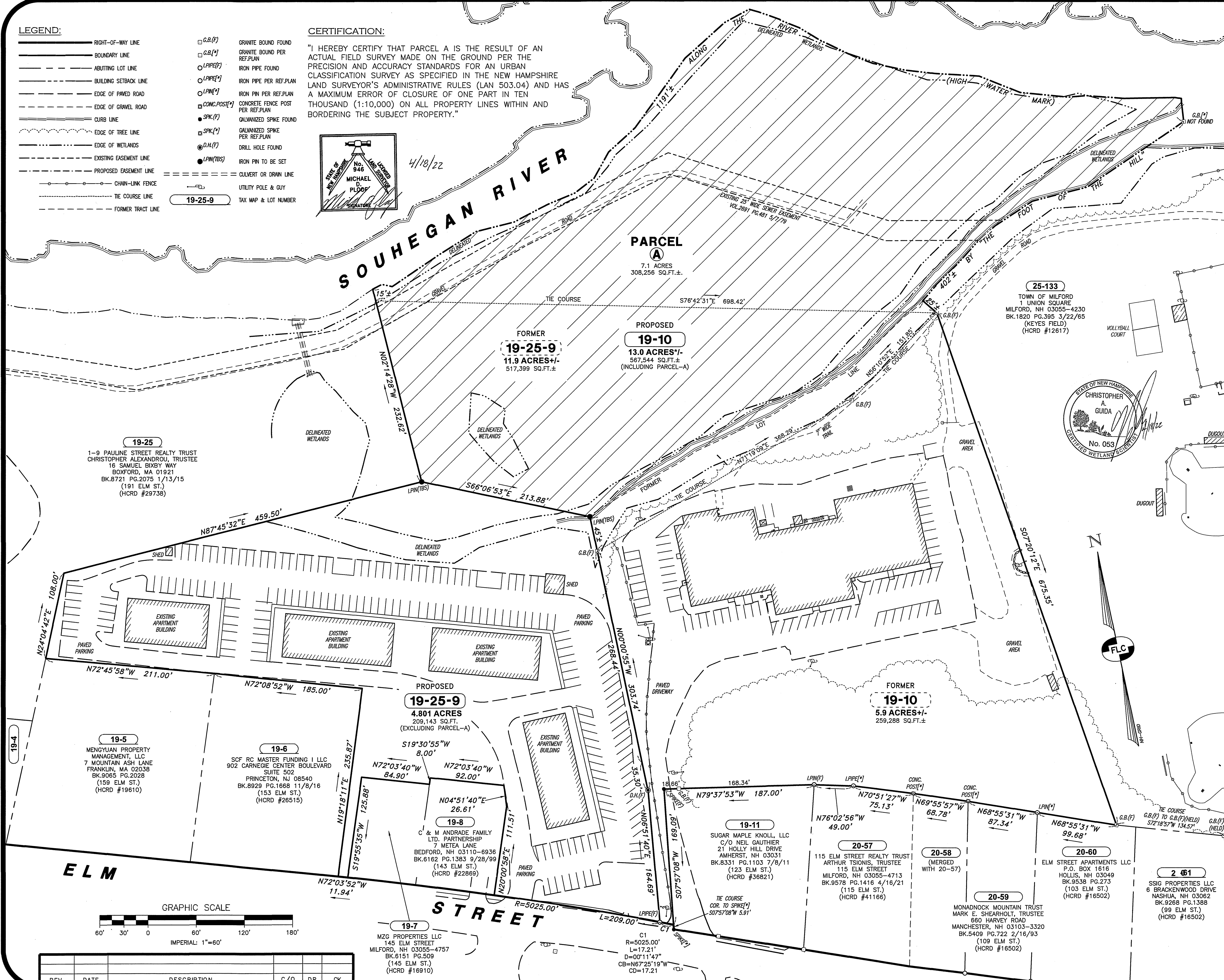
- LEGEND:**
- RIGHT-OF-WAY LINE
 - BOUNDARY LINE
 - - - ABUTTING LOT LINE
 - - - BUILDING SETBACK LINE
 - - - EDGE OF PAVED ROAD
 - - - EDGE OF GRAVEL ROAD
 - - - CURB LINE
 - - - EDGE OF TREE LINE
 - - - EDGE OF WETLANDS
 - - - EXISTING EASEMENT LINE
 - - - PROPOSED EASEMENT LINE
 - - - CHAIN-LINK FENCE
 - - - THE COURSE LINE
 - - - FORMER TRACT LINE

- G.B.(F) GRANITE BOUND FOUND
- G.B.(*) GRANITE BOUND PER REF.PLAN
- LPIPE(F) IRON PIPE FOUND
- LPIPE(*) IRON PIPE PER REF.PLAN
- LPIN(*) IRON PIN PER REF.PLAN
- CONC.POST(*) CONCRETE FENCE POST PER REF.PLAN
- SPK.(F) GALVANIZED SPIKE FOUND
- SPK.(*) GALVANIZED SPIKE PER REF.PLAN
- D.H.(F) DRILL HOLE FOUND
- D.H.(*) DRILL HOLE TO BE SET
- CULVERT OR DRAIN LINE
- UTILITY POLE & GUY
- TAX MAP & LOT NUMBER

CERTIFICATION:

"I HEREBY CERTIFY THAT PARCEL A IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND PER THE PRECISION AND ACCURACY STANDARDS FOR AN URBAN CLASSIFICATION SURVEY AS SPECIFIED IN THE NEW HAMPSHIRE LAND SURVEYOR'S ADMINISTRATIVE RULES (LAN 503.04) AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY."

4/18/22
 MICHAEL P. DODD
 STATE OF NEW HAMPSHIRE
 LAND SURVEYOR
 No. 946



- NOTES:**
- THE OWNER OF RECORD FOR TAX MAP 19 LOT 10 IS THE TOWN OF MILFORD, 1 UNION SQUARE, MILFORD, NH 03055. THE REFERENCE DEED IS BK.8816 PG.476 DATED DECEMBER 14, 2015.
 - THE OWNER OF RECORD FOR TAX MAP 19 LOTS 25-9 IS BROOKSTONE MANOR LLC, 1 MONARCH PLACE, SUITE 1300, SPRINGFIELD, MA 01144. THE REFERENCE DEED IS BK.9211 PG.2499 DATED SEPTEMBER 19, 2019.
 - THE PURPOSE OF THIS PLAN IS TO REVISE THE COMMON LOT LINES BETWEEN EXISTING TAX MAP LOTS 19-10 AND 19-25-9 BY SUBTRACTING PARCEL "A" FROM TAX MAP LOT 19-25-9 AND ADDING IT TO TAX MAP LOT 19-10.
 - THE TOTAL AREA OF EXISTING TAX MAP LOT 19-25-9 IS 11.9± ACRES, RESULTING FROM THE 1988 LOT LINE ADJUSTMENT (HCRD PLAN# 22869). THE TOTAL AREA OF EXISTING TAX MAP LOT 19-10 IS 5.9± ACRES BASED ON THIS PLAN. THE PROPOSED AREA OF LOT 19-25-9 IS 4.801 ACRES OR 209,143 SQ.FT. THE PROPOSED AREA OF LOT 19-10 IS 13.0± ACRES. THE AREA OF PARCEL "A" IS 7.1± ACRES.
 - THE LOTS ARE LOCATED WITHIN THE COMMERCIAL ZONING DISTRICT (C). MINIMUM LOT SIZE REQUIRED IS 20,000 SQ.FT. MINIMUM FRONTAGE IS 150 FT. FRONT SETBACK DISTANCE IS 30 FT. SIDE AND REAR SETBACK DISTANCE IS 15 FT.
 - HORIZONTAL ORIENTATION AND DATUM ARE BASED ON NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM OF 1983 (REFERENCE PLANS 1 THRU 3).
 - THE SURFACE FEATURES SHOWN HEREON ARE THE RESULT OF ON-SITE FIELD SURVEYS PERFORMED BY THIS OFFICE DURING THE MONTHS OF JULY 2017, SEPTEMBER 2018 AND AUGUST 2020.
 - JURISDICTIONAL WETLANDS WERE MAPPED AND LOCATED BY THIS OFFICE DURING THE MONTH OF SEPTEMBER 2018.
 - A PORTION OF THE LOT LIES WITHIN THE AE ZONE OF THE FLOOD HAZARD AREA PER FEMA F.I.R.M. PANELS 33011C0458D AND 33011C0459D DATED SEPTEMBER 25, 2009. THE CALCULATED BASE FLOOD ELEVATION LIES APPROXIMATELY BETWEEN THE 244 AND 246 CONTOURS.
 - THE SUBJECT PARCEL LIES WITHIN THE GROUNDWATER PROTECTION DISTRICT 1.

- REFERENCE PLANS:**
- "BOUNDARY PLAN OF LAND - EILEEN M. RYDER & - ESTATE OF STEPHEN RYDER - MILFORD, N.H.", SCALE 1"=100', DATED 1/9/1981 AND LAST REVISED 2/2/1981, BY THOMAS F. MORAN, INC. RECORDED IN THE H.C.R.D. AS PLAN #13826.
 - "SUBDIVISION - CONSOLIDATION PLAN - PREPARED FOR - BIRCHTREE ASSOCIATES - MILFORD, N.H.", SCALE 1"=100', DATED 5/18/1984 AND LAST REVISED 7/25/1984, BY THOMAS F. MORAN, INC. RECORDED IN THE H.C.R.D. AS PLAN #16910.
 - "LOT LINE ADJUSTMENT PLAN - LOT 19-8 - PREPARED FOR - JIM STARK - MILFORD, N.H.", SCALE 1"=20', DATED 9/30/1988, BY THOMAS F. MORAN, INC. RECORDED IN THE H.C.R.D. AS PLAN #22869.
 - "BOUNDARY PLAN OF LAND - ROGER P. & NANCY J. BARRACLOUGH - MILFORD, N.H.", SCALE 1"=40', DATED 9/5/1983 & REVISED 3/20/1984, BY MONADNOCK SURVEY, RECORDED IN THE H.C.R.D. AS PLAN #18502.
 - "BOUNDARY PLAN - LAND OF - 123 ELM STREET PROPERTIES, LLC - MAP 19 LOT 11 - ELM STREET - N.H. ROUTE 101A - MILFORD - HILLSBOROUGH COUNTY - N.H.", SCALE 1"=20', DATED 7/2/2006 AND LAST REVISED 7/2/2010, BY TODD LAND USE CONSULTANTS. RECORDED IN THE H.C.R.D. AS PLAN #13826.
 - "MINOR SITE PLAN - LAND OF - 115 ELM STREET REALTY TRUST - MAP 20 LOTS 57 & 58 - ELM STREET - N.H. ROUTE 101A - MILFORD - HILLSBOROUGH COUNTY - N.H.", SCALE 1"=20', DATED 12/7/2006 AND LAST REVISED 5/31/2007, BY TODD LAND USE CONSULTANTS. RECORDED IN THE H.C.R.D. AS PLAN #41166.

LOT LINE ADJUSTMENT PLAN
TAX MAP 19 LOTS 10 & 25-9
(127 & 135 ELM STREET)
MILFORD, NEW HAMPSHIRE
PREPARED FOR AND LAND OF (LOT 19-10),
TOWN OF MILFORD
1 UNION SQUARE, MILFORD, NH 03055
AND LAND OF (LOT 19-25-9),
BROOKSTONE MANOR LLC
1 MONARCH PLACE, SUITE 1300, SPRINGFIELD, MA 01144

SCALE: 1"=60' APRIL 5, 2022

Surveying • Engineering • Land Planning • Permitting • Septic Designs

FIELDSTONE
LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055
 Phone: (603) 672-5456 Fax: (603) 413-5456
 www.FieldstoneLandConsultants.com

FILE: 493LR04.DWG PROJ. NO. 493.04 SHEET NO. LR-1 PAGE NO. 1 OF 1

REV.	DATE	DESCRIPTION	C/O	DR	CK



Milford Dog Park Project

PRESENTED BY:

THE MILFORD NH DOG PARK ASSOCIATION INC.

TOWN OF MILFORD

APRIL, 2022

Purpose & Intent

- Provide brief overview of the Dog Park Project.
- Summarize the proposed acquisition by the Town of 7.1 acres of undeveloped property abutting 127 Elm Street and Keyes Memorial Park (via a donation).
- Receive Board of Selectmen guidance and to support the acquisition of the property and construction of the dog park project.

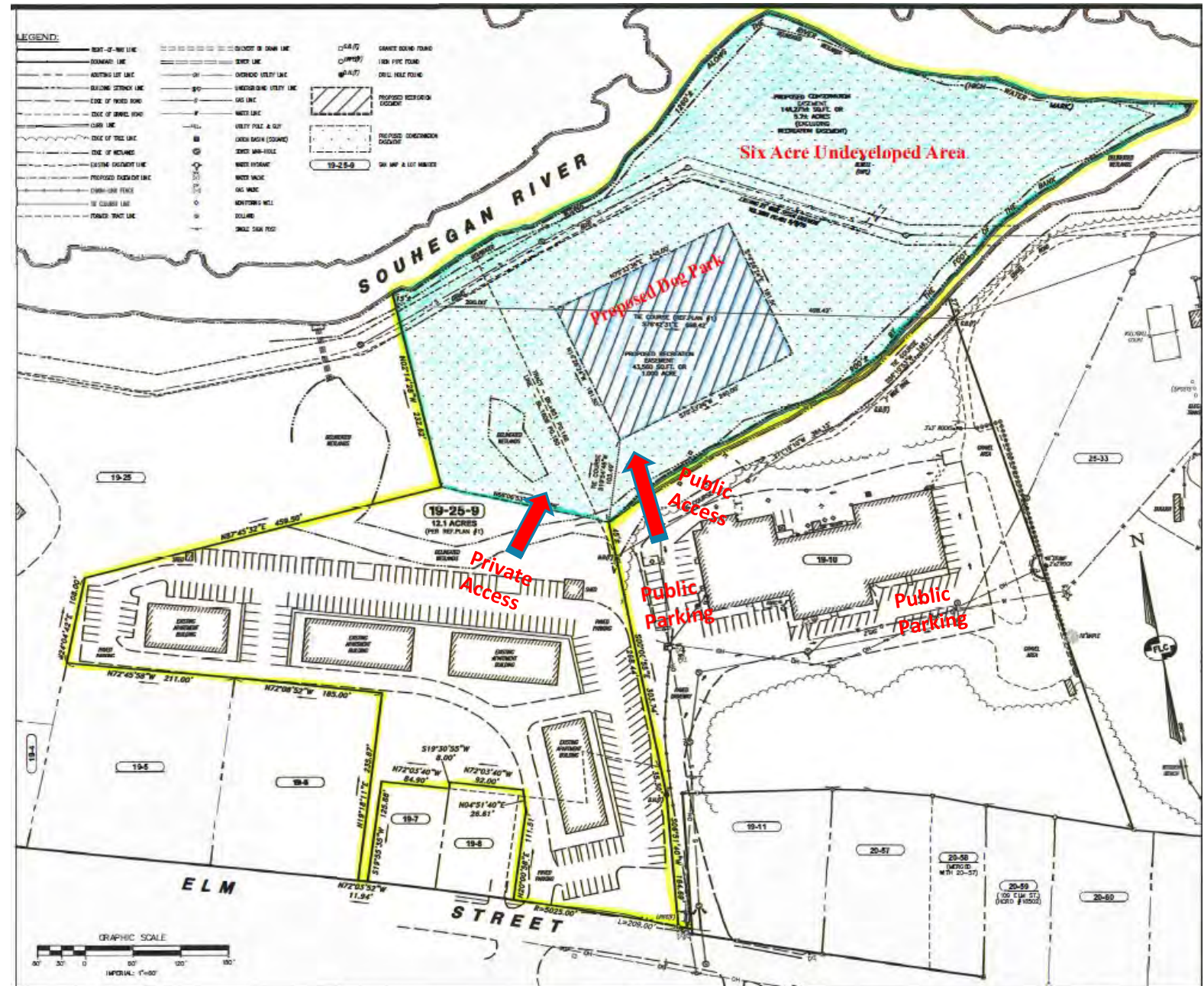
Project Overview

- Represents more than four years of work/collaboration.
- Subject property: 135 Elm Street, Tax Map 19, Lot 25-9
- Satisfies an identified need within the community.
- Expands recreation opportunities and future connectivity.
- Directly abuts Town owned property and Souhegan River.



Project Overview

- Brookstone Manor LLC. proposes to donate the 7.1 acre area to the Town (via RSA 41:14a).
- Process requires local land-use board approvals.
- Town would place a conservation /recreation deed restriction on the newly created lot.
- Dog Park centrally located.
- Public parking and access via 127 Elm Street / Keyes Memorial Park properties.



Initial Costs

Crow Fencing (Amherst, NH)

- Galvanized Chain Link w/ Gates - \$29,000
- Vinyl Coated Chain Link Fence w/ Gates - \$33,000

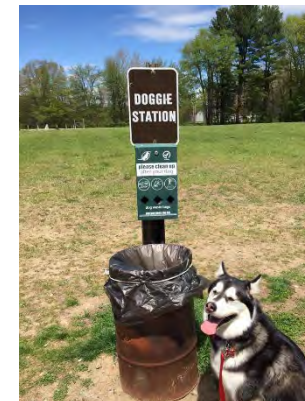
Excavation - Tree Removal and Leveling: \$10,000-\$15,000

Trash Bins - \$100-\$600/Each

Blueberry Plants – \$1,000-\$2,000 Total (\$25-40/Each)

Project Financing:

- Total cost to design and construct dog park and pedestrian access would be funded via donations by the Milford Dog Park Association (503c registered non-profit).
- To date, Association has raised in excess of \$27,000.



Insurance, Expenses & Maintenance

Insurance:

The Dog Park would be covered under the existing town insurance and liability policy (Primex). No additional and/or special coverage is needed. Company suggested that all rules and signage be clear and posted accordingly.

Annual Expenses:

Minimal as the property would be an extension of Keyes Memorial Park.

Fee: No fees.



Town Maintenance:

- Trash Disposal
- General park and access maintenance and possible light mowing

Milford Dog Park Association:

Continued raising for maintenance of fencing, equipment, access, and associated structures.



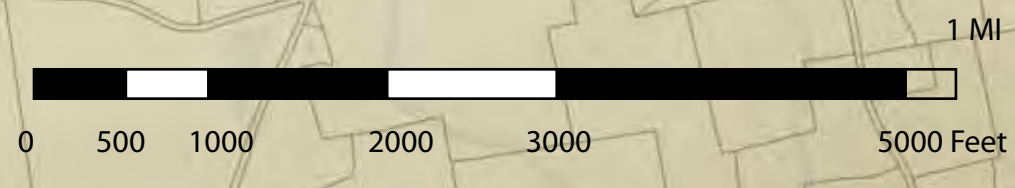
Recommendations

- Upon review of the available alternatives, Staff recommends that the Board support the acquisition of the 6 acre parcel via a donation by Brookstone Manor, LLC.
- Upon receipt of all local land-use board approvals, Staff recommends that the Board of Selectmen schedule the two required public hearing to formally accept donation of land pursuant to RSA 41:14a.
- Town Staff would continue to work with the Dog Park Association to finalize the design/location of dog park and pedestrian access.
- Construction would begin as early as Spring/Summer2022.

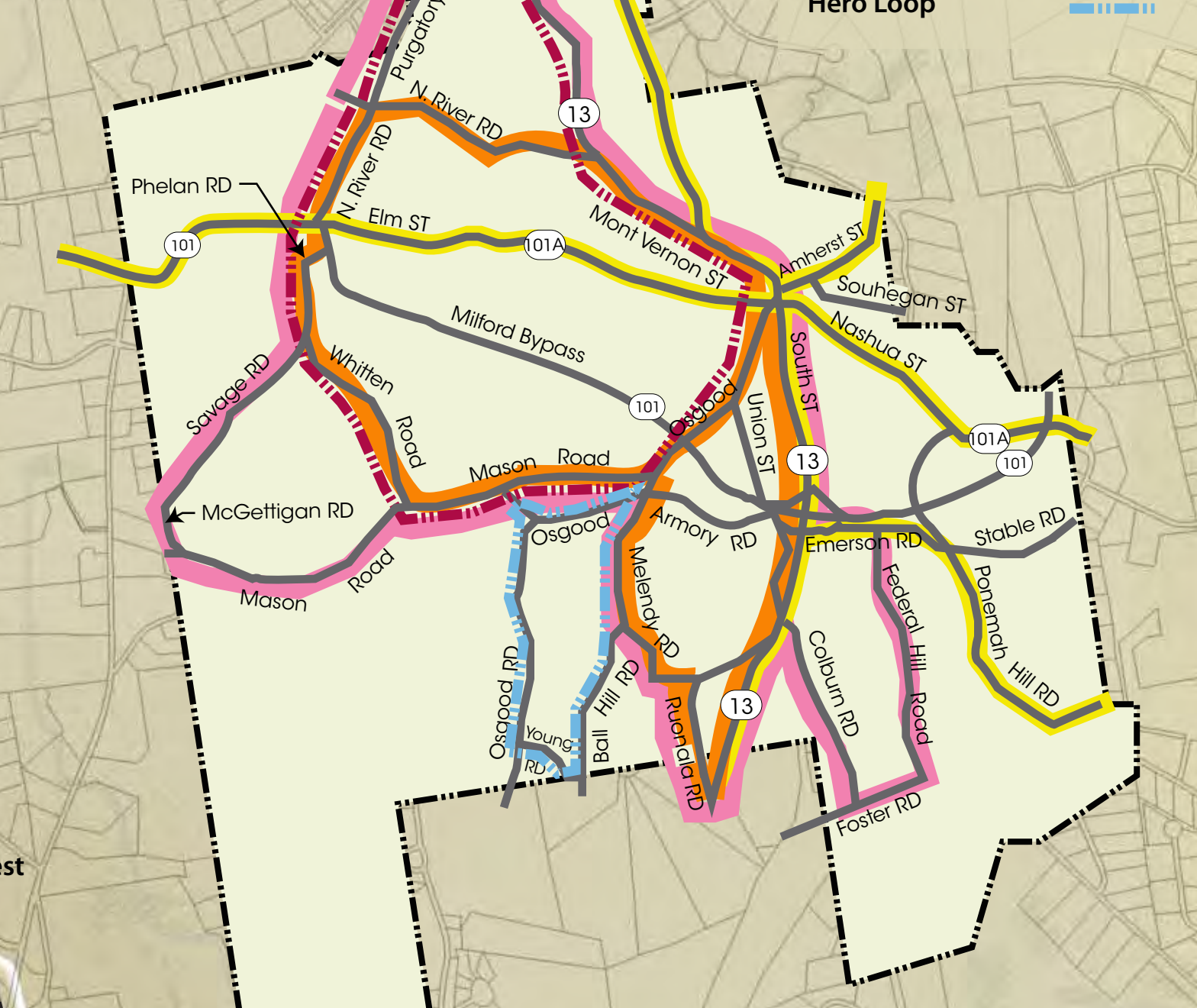
Thoughts or Questions?



Thank You!



Designated Bike Routes Map



- Bike Routes Legend**
- Beginner/Hybrid
 - Intermediate
 - Commuter
 - Expert
 - Hero Loop

- Key Destinations (by key and listed below)**
1. Milford Oval
 2. Town Hall
 3. Wadleigh Memorial Library
 4. Fire Department
 5. Swinging Bridge
 6. Centennial Park
 7. Historical Society
 8. WWII Memorial Park
 9. Community House
 10. Police Department
 11. Elm Street Cemetery
 12. Jacques Memorial Elementary School
 13. Sage School at Bales
 14. Emerson Park
 15. Milford Post Office
 16. Rite Aid Pharmacy
 17. West Street Cemetery
 18. Union Street Cemetery
 19. Ambulance Facility
 20. SH&RE Outranch
 21. Railroad Pond

PEDESTRIAN, BICYCLE, TRAIL & RECREATION CONNECTIVITY PLAN MILFORD, NH - 2014



- Town Wide Pedestrian, Bicycle, Trail and Recreation Goals**
1. Implementation of new sidewalks, trails, marked pavement routes, bike trails, and marked/signalized crosswalks to facilitate:
 - Walking, running, biking, and other opportunities for exercise
 - Safe pedestrian routes of travel to town-wide destinations and within neighborhoods
 - Town-wide connections for those without access to transportation
 2. Ongoing improvement and maintenance of existing sidewalks, trails, and marked routes
 3. Implement new sidewalks in locations where there are gaps in existing sidewalks
 4. Ongoing improvement and maintenance of roadways for the safety of bicyclists
 5. Implementation of pedestrian bridges to facilitate town-wide trail connections
 6. Ongoing improvement of parks and implementation of new parks/pocket parks, active/passive recreation areas, playgrounds and/or facilities that connect to the town-wide plan.
 7. Implementation of new signage to clearly identify access to public trails and parking
 8. Provide connections from new developments to the town-wide plan
 9. Include innovative design in development proposals to enhance neighborhoods and increase safety with elements such as lighted paths and trails, tree coverage over impervious areas, end of bike route facilities, benches, picnic tables, etc.

LEGEND

	Existing Green Space		Existing Trail Parking
	Existing Private Green Space		Proposed Parking/Bike Racks at Trail Heads
	Existing Water Bodies (ponds, river, brooks, etc.)		Major Intersections for Pedestrian Consideration
	Existing Wetlands		Key Destinations (See Town Center Map for a more detailed list of Key Destinations)
	Existing Railroad		Proposed Town Priority Connections
	Existing Managed Trails		Conceptual Town Priority Trail
	Granite Town Rail-Trail		Abstract Trail Connections for future consideration & study
	1 Mi. Radius from Oval		Town Priority Sidewalk
	Municipal Facilities		Project Approved
	Pedestrian Bridge		

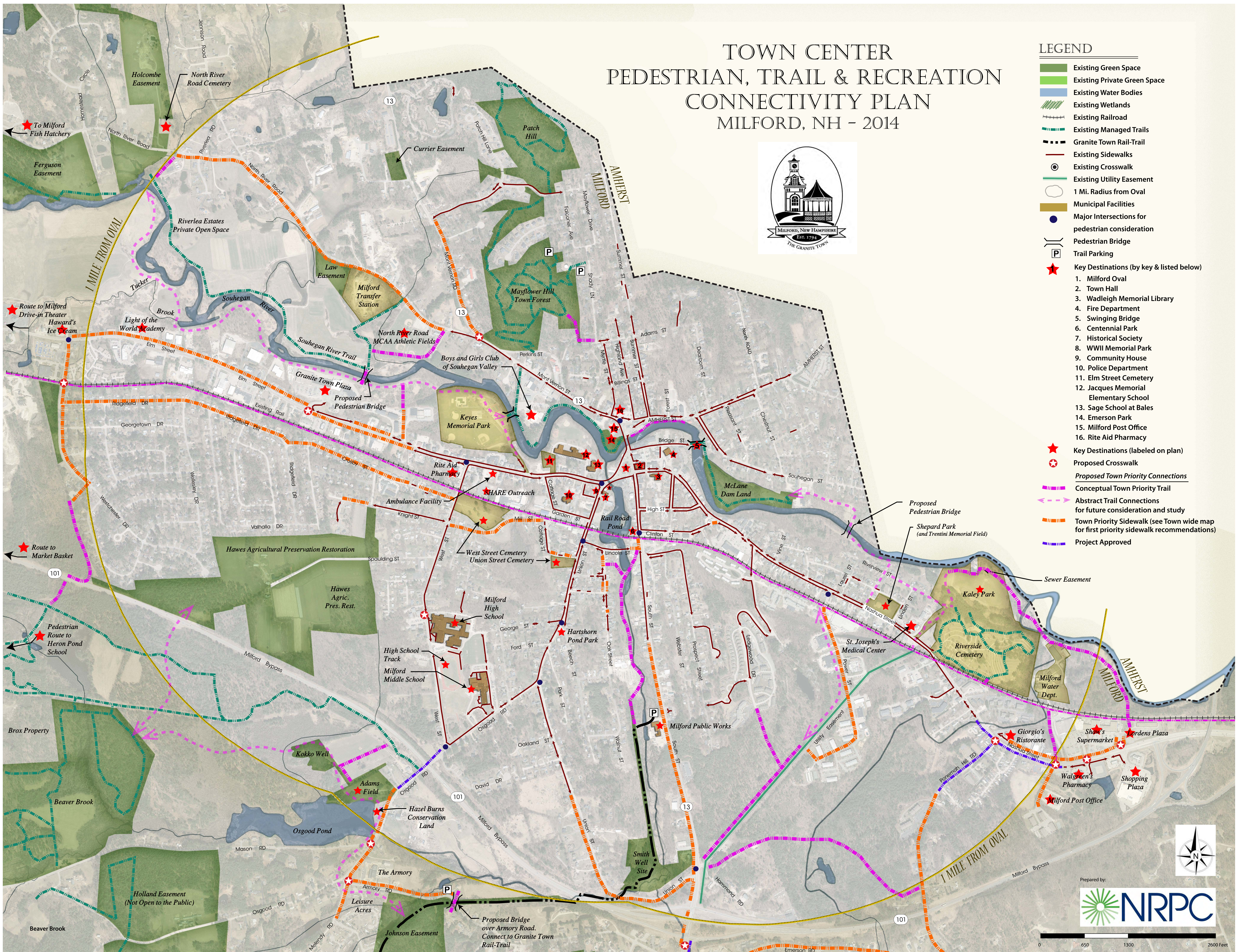
- Pedestrian, Bicycle, Trail and Recreation Action Priorities**
- Existing Sidewalk/Roadway Improvements**
1. Roadway: Mason Road, North River Road, Armory Road, Emerson Road, and South Street
 2. Sidewalks: Nashua ST, Clinton ST, South ST, West ST, Bridge ST, Wilton RD, and McLane Dam
 3. Improve roadways in areas designated as bike routes (see Designated Bike Route Map above)
- Proposed Town Priority Sidewalks/Crosswalks**
1. Complete Nashua Street Sidewalks and Crosswalks (see Town Center Map)
 2. South Street, Nashua Street, and Union Street with access to Rail-Trail
 3. Wilton Road
- Proposed Town Priority Trails**
1. Extend Rail Trail from Milford Public Works to Oak Street and Town Center
 2. Provide connections from existing trails near Milford Elementary School
 3. Provide connections w/in 1-Mile Radius of Town Center to Key Destinations (see map above)
 4. Provide trail connections (see map above) to facilitate a town-wide network of walkable and bikeable routes.

TOWN CENTER PEDESTRIAN, TRAIL & RECREATION CONNECTIVITY PLAN MILFORD, NH - 2014

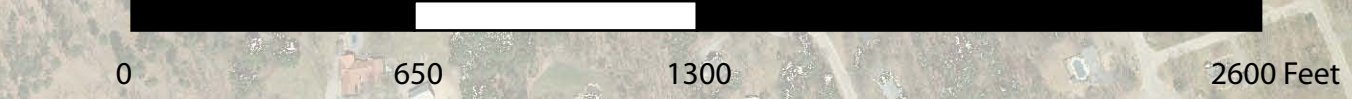


LEGEND

- Existing Green Space
 - Existing Private Green Space
 - Existing Water Bodies
 - Existing Wetlands
 - Existing Railroad
 - Existing Managed Trails
 - Granite Town Rail-Trail
 - Existing Sidewalks
 - Existing Crosswalk
 - Existing Utility Easement
 - 1 Mi. Radius from Oval
 - Municipal Facilities
 - Major Intersections for pedestrian consideration
 - Pedestrian Bridge
 - Trail Parking
 - Key Destinations (by key & listed below)
 - Key Destinations (labeled on plan)
 - Proposed Crosswalk
 - Proposed Town Priority Connections
 - Conceptual Town Priority Trail
 - Abstract Trail Connections for future consideration and study
 - Town Priority Sidewalk (see Town wide map for first priority sidewalk recommendations)
 - Project Approved
1. Milford Oval
 2. Town Hall
 3. Wadleigh Memorial Library
 4. Fire Department
 5. Swinging Bridge
 6. Centennial Park
 7. Historical Society
 8. WWII Memorial Park
 9. Community House
 10. Police Department
 11. Elm Street Cemetery
 12. Jacques Memorial Elementary School
 13. Sage School at Bales
 14. Emerson Park
 15. Milford Post Office
 16. Rite Aid Pharmacy



Prepared by:
 NRPC



Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0628
Fax (603) 673-2273
www.milford.nh.gov
conservation@milford.nh.gov
TDD Access:
Relay NH 1-800-735-2964

Town of Milford
CONSERVATION COMMISSION



May 11, 2022

Board of Selectmen

**RE: Brookstone Manor LLC Land donation
Map19 Lot25-9 to be merged with Map19 Lot10**

To the Board:

The Brookstone Manor LLC owners are donating the open space portion of their property to the Town of Milford. This gift is the result of discussion concerning the location of a proposed Milford Dog Park, which has been an ongoing project for years. In order for this transfer to occur, the Zoning Board of Adjustment approved a variance to subdivide the Brookstone parcel with the condition that the land may only be used for the Milford Dog Park and a trail. This open space will be a good addition to the Keyes Memorial Park with 1) the installation of the dog park, 2) a trail that extends connectivity from Keyes Park to MCAA fields and 3) public access to the wonder of the Souhegan River.

The Conservation Commission members present unanimously agreed to recommend to the BOS, per RSA 41:14-a, that the BOS accept the donation of this property which will enhance passive recreation opportunities, with the Dog Park and trails, to the residents of Milford.

Respectfully,

Chris Costantino
Milford Conservation Commission



Milford NH Dog Park Association Inc.
 20 Riverview St. ● Milford, NH 03055
www.milfordnhdogpark.weebly.com
milfordnhdogpark@gmail.com



February 21st, 2022

Milford Board of Selectmen,

The Milford NH Dog Park Association Inc. ("the Dog Park") mission is to bring a safe off-leash area to the town of Milford, NH where canines and their owners can enjoy the outdoors, socialize and exercise. Our committee was established in 2016 and became a 501©3 shortly after, this gives us the ability to accept tax-exempt donations and privately raise funds to build the park.

Over the past 5 years we have privately raised just over \$27,000 dollars.


We are looking to help the town build approximately a one acre fully fenced dog park on a parcel on land behind the 127 Elm Property that is also adjacent to Keyes Memorial Park. Currently Brookstone Manor owns this property, and they would like to donate it to the town for the use of a dog park and conservation. We are estimating that this particular property will cost about \$10,000 in excavation for the park area.

This location creates no negative impact on the surroundings and provides the community and the Brookstone Manor residents a place for their dogs to exercise. We also intend to plant blueberry plants to filter antioxidants from reaching the river.


The Dog Park's main role is to raise funds and donate them to the town to build a dog park on this property. Our committee will help with facilitating subcontractors, volunteers and planning of this build. Liability insurance and trash pickup will be covered by the Town with minimal impact. We also plan to continue raising funds after the dog park is built to help maintain and improve the park.

We are looking for your support and approval for the town to accept the land donation which will allow us to begin the process with the planning board, zoning board and conservation commission to move forward with this location.


Thank-You in Advance for your Support,



 Kierstyn V. Williamson, Chairman / Treasurer



 Jennifer Lemelin, Vice President / Vice Chairman



 Zachary Williamson, President / Director of Operations