

STAFF MEMORANDUM

Date: October 12, 2021
To: Planning Board
From: Jason Cleghorn, Town Planner
Subject: **John Lumbard (owner/applicant)** – In accordance with NH RSA 231:158, The Milford Planning Board will hold a Public Hearing for a proposed secondary driveway location, potential removal of a portion of a stone wall, and limited vegetative cutting at 380 Federal Hill Rd. Tax Map 56, Lot 52-2.

BACKGROUND:

The applicant is before the Planning Board seeking to construct a secondary driveway for a 3.27 acre lot currently under construction with a single family residence at Map 56, Lot 52-2. The lot is located at 380 Federal Hill Road, a designated Scenic Road, and the applicant desires a secondary driveway to access their farm field. The lot is irregularly shaped and this portion of the parcel is adjacent to an open field. The existing driveway on the other part of the parcel provides access to the single family residence being constructed. In accordance with NH RSA 231:158, the request for a twelve (12) foot stone wall disturbance and limited vegetative removal (see photos in packet and map for location) along the Scenic Road requires the applicant to receive written consent of the planning board following a public hearing. Federal Hill Road was designated a Scenic Road on March 5, 1974.

STAFF COMMENTS:

No comments from Staff. The Heritage Commission discussed this application at their October 14, 2021 meeting.

STAFF RECOMMENDATIONS:

The applicants should be prepared to address all of the comments raised by the Planning Board, Staff, and public pertaining to the removal/disturbance of the stone wall and vegetation. If the Planning Board finds that the proposed construction of the driveways would not significantly impact the scenic quality and character of Federal Hill Road, the Board should grant approval of the (potential) removal of the stone walls and impacted vegetation. One condition of approval should be that the applicant obtains a Driveway Permit from the Department of Public Works.

Milford Planning Board
Town Hall
One Union Square
Milford, NH 03055

September 22, 2021

Dear Sirs,

Please accept my application for modification to a stone wall on Federal Hill Road. It is a Scenic Road.

The purpose of the modification is access to my newly-purchased agricultural field. I intend to grow hay (novel fescue), after I eradicate a bad infestation of Black Swallow Wort. To date I've been climbing over the wall, which is difficult because the rocks are round and unstable.

The gap will be at the southernmost corner of my property, in the short stretch of frontage on Federal Hill Road. A map is attached. I'd like a 12 foot gap. I will have my excavator place large stones at each side of the opening.

If you have questions my cell number is 603-732-2591.

Thank You,

John Lumbard

66-86
JOHN K. PHILBRICK & CATHERINE A. PHILBRICK REVOCABLE TRUST
 114 FOSTER ROAD
 MILFORD, NH 03055
 VOL. 6512, PG. 530 4/1/2011

66-88
STEVE G. & JULIA A. WANNER
 428 FEDERAL HIGHWAY
 VOL. 6225, PG. 412 7/2/97

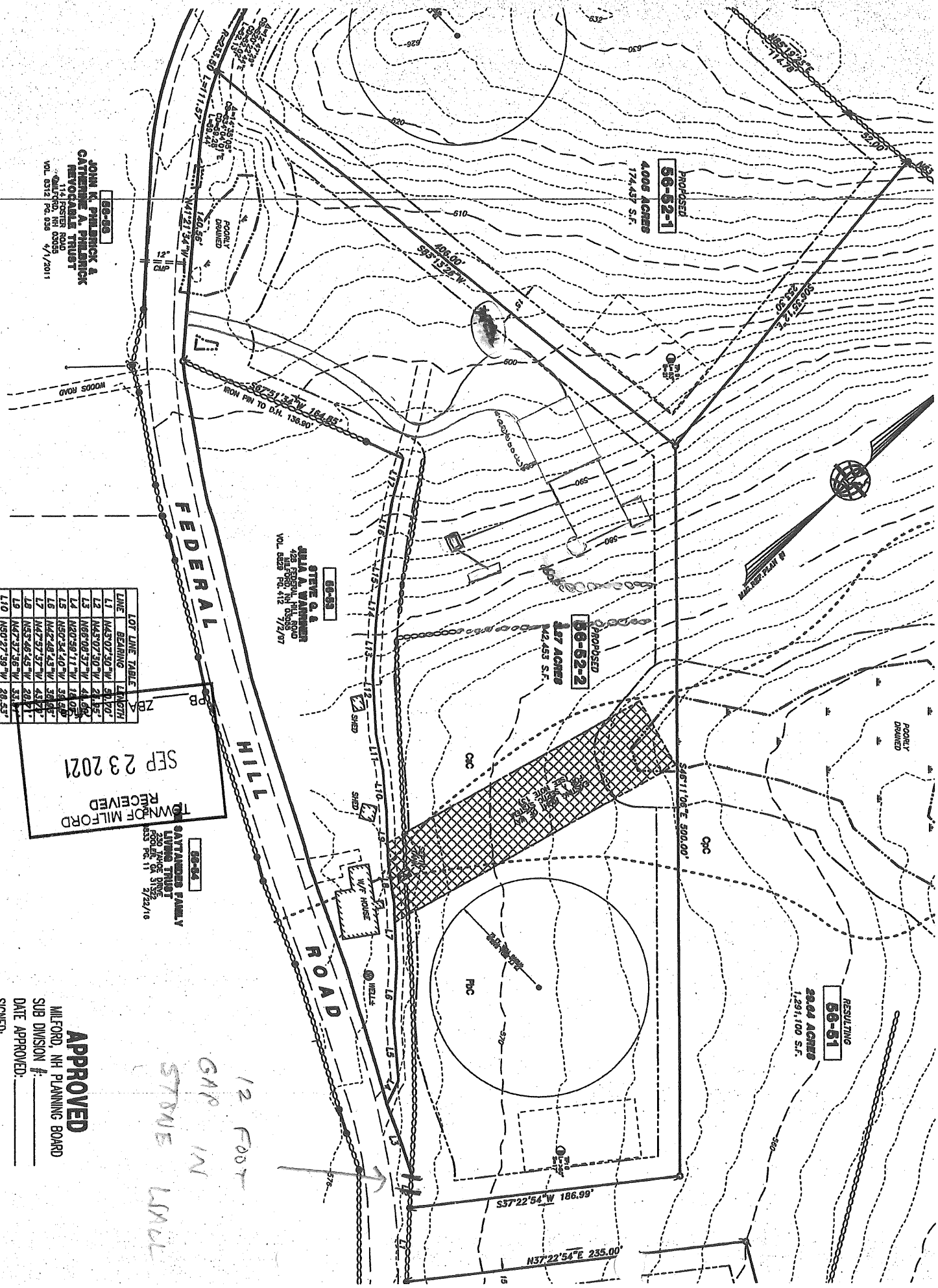
LINE	BEARING	LENGTH
L1	N45°07'30"W	51.70
L2	N45°07'30"W	21.45
L3	N68°00'37"W	41.58
L4	N20°58'11"W	14.08
L5	N50°34'40"W	38.80
L6	N45°48'43"W	38.80
L7	N47°57'57"W	43.71
L8	N57°46'45"W	28.11
L9	N47°37'36"W	53.81
L10	N50°27'39"W	28.53
L11	N57°08'30"W	24.83
L12	N44°07'25"W	20.81

SEP 23 2021
 RECEIVED
 TOWN OF MILFORD
 PLANNING BOARD
 2/22/16

66-84
CANTARANO FAMILY LIVING TRUST
 250 ALF. ST. #2
 VOL. 6533, PG. 11 2/22/16

APPROVED
 MILFORD, NH PLANNING BOARD
 SUB DIVISION # _____
 DATE APPROVED: _____
 SIGNED: _____

12 FOOT GAP IN STRIVE WALL

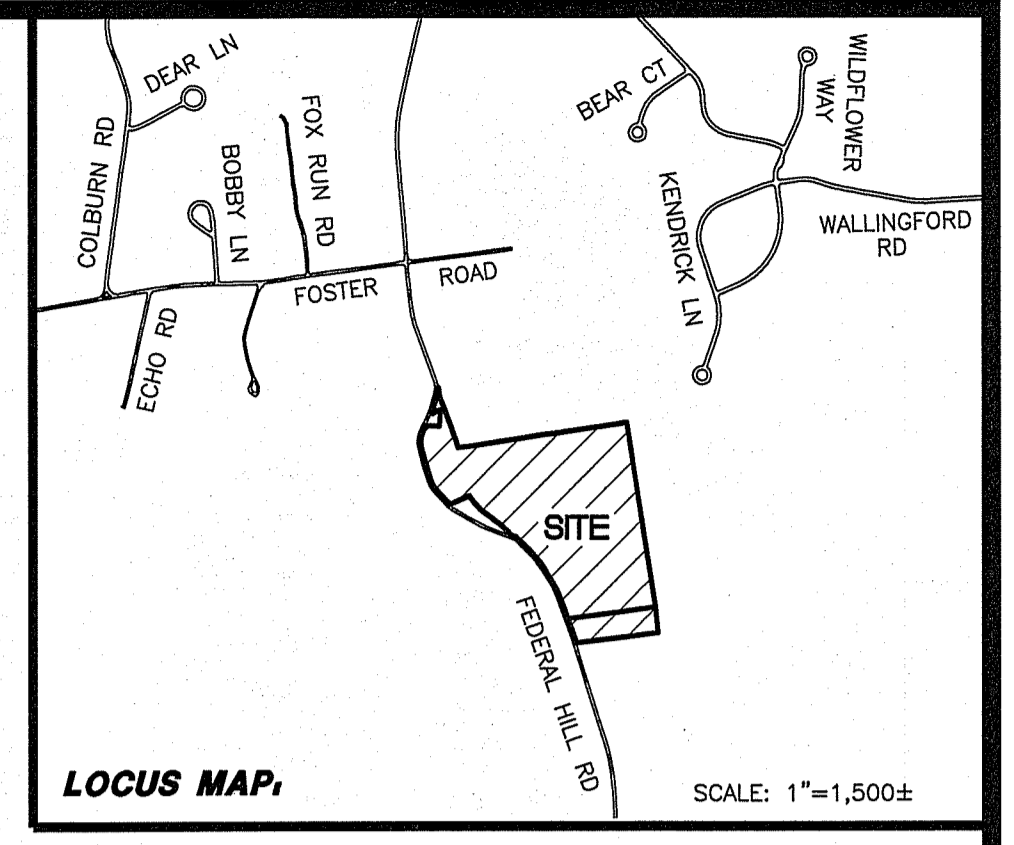


66-52-1
 PROPOSED
 4.006 ACRES
 174,437 S.F.

66-52-2
 PROPOSED
 427 ACRES
 18,433 S.F.

66-51
 RESULTING
 29.04 ACRES
 1,291,100 S.F.

S37°22'54"W 186.99'
 N37°22'54"E 235.00'



LOCUS MAP, SCALE: 1"=1,500'

56-46
SOCIETY FOR PROTECTION OF NH FORESTS
 54 PORTSMOUTH STREET
 CONCORD, NH 03031
 VOL. 5928 PG. 1 4/15/98
 "MONSON VILLAGE"

56-47
SOCIETY FOR PROTECTION OF NH FORESTS
 54 PORTSMOUTH STREET
 CONCORD, NH 03031
 VOL. 5916 PG. 221 3/18/98

56-50
EDWARD A. CIOTO & FELICIA A. MORWAY
 482 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 8860 PG. 2739 10/19/15

SEE SHEET 5
56-51
29.64 ACRES
 1,291,100 S.F.
 (INCLUDING PARCEL "A")

PARCEL-A
26.608 ACRES
 1,159,066 S.F.

56-52-3
 SEE SHEET 4

56-52
 SEE SHEET 4

56-55
THE O'CONNELL FAMILY TRUST
 483 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 7821 PG. 216 6/21/07

56-54-1
CARLOS RAMON DISLA, JR. & SHANNON JEAN
 461 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 8835 PG. 1167 3/4/16

56-54
THE SAYTANIDES FAMILY LIVING TRUST
 230 TAHOE DRIVE
 POOLER, GA 31322
 VOL. 8833 PG. 11 2/22/16

56-53
STEVE G. & JULIA A. WARRINER
 428 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 5829 PG. 412 7/2/97

56-56
JOHN K. PHILBRICK & CATHERINE A. PHILBRICK REVOCABLE TRUST
 114 FOSTER ROAD
 MILFORD, NH 03055
 VOL. 8312 PG. 936 4/1/2011

56-72
DIANE MARIE CLIFFORD & JIM SHERMAN GREGOIRE
 358 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 9179 PG. 174 6/18/19

56-44-6
DIANE MARIE CLIFFORD & JIM SHERMAN GREGOIRE
 358 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 9077 PG. 1412 5/31/18

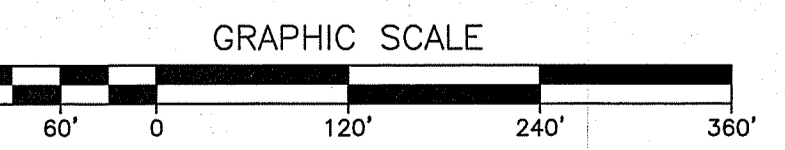
56-44-5
ALAN J. WOOLFSON REVOCABLE TRUST
 360 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 9131 PG. 855 11/29/18

56-44-4
JESSICA L. & JESSE H. MILLS
 362 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 8896 PG. 977 9/13/18

- LEGEND:**
- RIGHT-OF-WAY SIDELINE
 - PROPERTY LINE
 - ABUTTING LOT LINE
 - - - LOT LINE TO BE ABANDONED
 - - - EDGE OF PAVEMENT
 - - - EXISTING GRAVEL ROAD
 - STONE WALL
 - 56-51 EXISTING TAX MAP & LOT NUMBER
 - ◻ EXIST. GRANITE BOUND FOUND/SET
 - ◉ EXIST. DRILL HOLE FOUND/SET
 - EXIST. IRON PIPE FOUND
 - EXIST. IRON PIN FOUND/SET

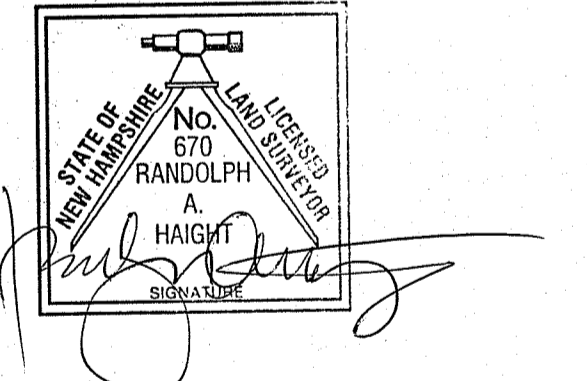
LOT SYNOPSIS

LOT NO.	EXISTING	PROPOSED	-	+
56-51	132,034 S.F. 3.031 ACRES	1,291,100 S.F. 29.64 ACRES	PARCELS NONE	PARCELS A
56-52	1,659,777 S.F. 38.103 ACRES	92,604 S.F. 2.126 ACRES	PARCEL A & NEW LOTS	PARCELS NONE

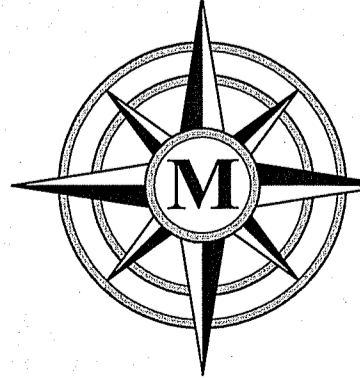


- NOTES:**
- THE OWNER OF RECORD OF TAX MAP 56 LOTS 51 & 52 IS JAMES E. & JEAN E. SAYTANIDES, 472 FEDERAL HILL ROAD, MILFORD, NH 03055. SEE H.C.R.D. VOL. 8833 PAGE 3 DATED 2/22/2016 & VOL. 6219 PG. 677 DATED 3/6/2000.
 - THE PURPOSE OF THIS PLAN IS TO DEPICT A LOT LINE ADJUSTMENT ALONG THE COMMON LOT LINES OF LOTS 56-51 & 56-52 AND THEN SUBDIVIDE LOT 56-52 CREATING THREE NEW BUILDING LOTS, AS SHOWN.
 - PARCEL "A" IS NOT TO BE CONSIDERED A SEPARATE BUILDING LOT AND WILL BECOME A CONTIGUOUS PART OF LOT 56-51 RESPECTIVELY.
 - ZONING FOR THE PROPERTY IS RESIDENCE "R" DISTRICT. MINIMUM LOT SIZE IS 2 ACRES WITH 200 FEET OF FRONTAGE ON A CLASS 5 OR BETTER ROAD. SETBACKS INCLUDE 30' FEET FRONT AND 15' FEET FROM SIDE AND REAR LINES WITH A 25' BUFFER FROM WETLANDS.
 - FEDERAL HILL ROAD IS A SCENIC ROAD.
 - NHDES SUBSURFACE SYSTEMS BUREAU SUBDIVISION APPROVAL NUMBER IS SA2020031001 DATED 3/10/2020.
 - CONTOURS DEPICTED WERE DEVELOPED USING FEMA LIDAR TERRAIN MAPPING OF THE MERRIMACK RIVER WATERSHED, DATA PUBLISHED 9/15/2012, LIDAR DATA WAS ACQUIRED FROM NH GRANIT GIS CLEARINGHOUSE. VERTICAL DATUM IS REPORTED TO BE NAVD83 GEOD 09.
 - PROPOSED LOTS 56-52-1, 56-52-2 & 56-52-3 ARE SUBJECT TO POLICE AND LIBRARY IMPACT FEES.
 - TAX MAP 56 LOTS 51 & 52 LIE OUTSIDE OF THE FLOOD HAZARD AREA PER THE HILLSBOROUGH COUNTY F.I.R.M. COMMUNITY PANEL NUMBER 33011C04700, EFFECTIVE DATE SEPTEMBER 25, 2009.
 - TAX MAP 56 LOTS 51 & 52 LIE OUTSIDE OF THE GROUNDWATER PROTECTION DISTRICT.
 - WETLANDS WERE DELINEATED IN ACCORDANCE WITH THE ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 ALONG WITH THE NORTHEASTERN REGIONAL SUPPLEMENT BY JASON C. BOLDUC, APPRENTICE WETLAND SCIENTIST OF THIS OFFICE AND VERIFIED BY THOMAS E. CARR, C.W.S. OF THIS OFFICE IN MARCH OF 2019.
 - EXISTING LOT 56-52 AND PROPOSED LOT 56-52-2 ARE SUBJECT TO A RIGHT OF WAY FOR A SEPTIC SYSTEM BENEFITTING LOT 56-53 AS SHOWN HEREON. SEE AGREEMENT OF FOREST ADAMS AND ETHELYN DICKERMAN IN SEPTEMBER 1949.
 - NO STONEWALLS OR TREES OF 15" CIRCUMFERENCE OR LARGER ARE TO BE REMOVED WITHIN THE FEDERAL HILL ROAD RIGHT-OF-WAY WITHOUT A PLANNING BOARD SCENIC ROAD PUBLIC HEARING. WHERE POSSIBLE, ALL EXISTING STONEWALLS SHOULD BE RETAINED.
 - A STORMWATER MANAGEMENT & EROSION CONTROL PLAN WILL BE REQUIRED FOR ANY LAND DISTURBANCE GREATER THAN 5,000 SF.
 - CURB CUT APPROVALS SHALL BE OBTAINED FROM THE TOWN FOR LOTS 56-52-1, 56-52-2 AND 56-52-3 ON FEDERAL HILL ROAD PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

CERTIFICATION:
 "I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ON-SITE INSTRUMENT SURVEY PERFORMED BY THIS OFFICE WHICH MEETS THE URBAN CLASSIFICATION PRECISION REQUIREMENT OF ONE PART IN TEN THOUSAND (1:10,000)".
 DATE: 4-1-20



LOT LINE ADJUSTMENT & SUBDIVISION PLAN
LANDS OF:
JAMES E. & JEAN E. SAYTANIDES
FEDERAL HILL ROAD
TAX MAP 56 LOTS 51 & 52
MILFORD, NEW HAMPSHIRE
 SCALE: 1" = 120' DECEMBER 23, 2019



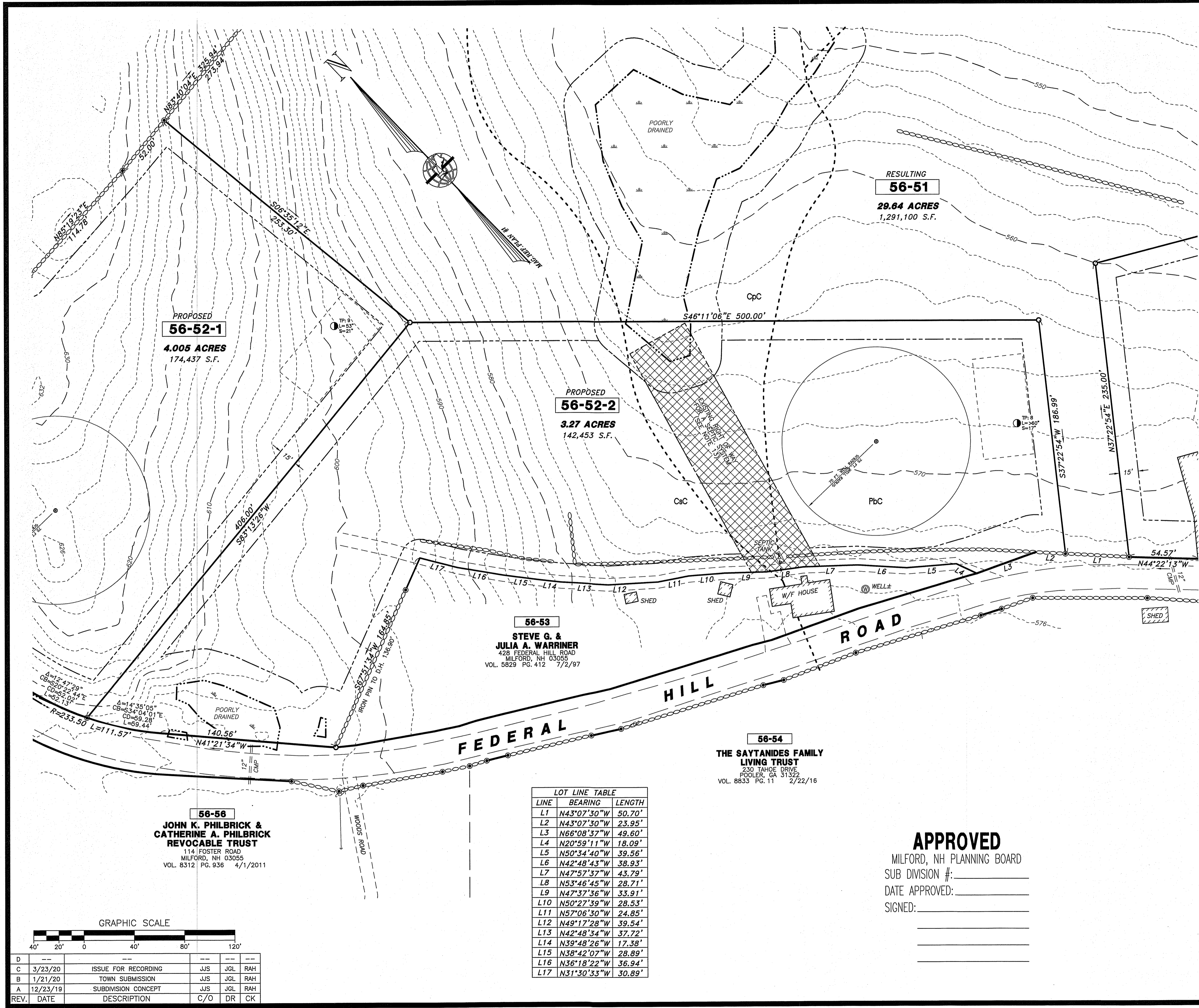
MERIDIAN
LAND SERVICES, INC.
 ENGINEERING | SURVEYING | PERMITTING
 SOIL & WETLAND MAPPING | SEPTIC DESIGN
 31 OLD NASHUA ROAD, AMHERST, NH 03031 TEL. 603-673-1441
 MERIDIANLANDSERVICES.COM FAX 603-673-1584

APPROVED
 MILFORD, NH PLANNING BOARD
 SUB DIVISION #:
 DATE APPROVED:
 SIGNED:

James E. Saytanides April 6, 2020
 OWNER SIGNATURES DATE
Jean E. Saytanides April 6, 2020
 OWNER SIGNATURES DATE

REV.	DATE	DESCRIPTION	C/O	DR	CK
D	---	---	---	---	---
C	3/23/20	ISSUE FOR RECORDING	JJS	JGL	RAH
B	1/21/20	TOWN SUBMISSION	JJS	JGL	RAH
A	12/23/19	SUBDIVISION CONCEPT	JJS	JGL	RAH

Plot Date: 4/1/2020 11:13 AM By: JGL
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SOILS INFORMATION

CpB - CHATFIELD-HOLLIS CANTON COMPLEX - 8-15% SLOPES - WELL DRAINED
 CsC - CHATFIELD-HOLLIS COMPLEX - 8-15% SLOPES - WELL DRAINED
 CmC - CANTON STONY FINE SANDY LOAM - 8-15% SLOPES - WELL DRAINED
 PbC - PAXTON FINE SANDY LOAM - 8-15% SLOPES - WELL DRAINED
 Pbd - PAXTON FINE SANDY LOAM - 15-25% SLOPES - WELL DRAINED

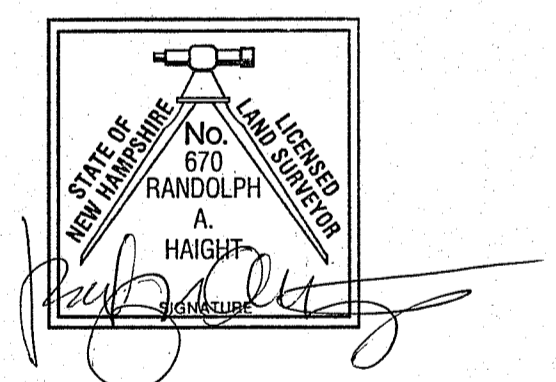
THE SOILS INFORMATION FOR THIS SITE WAS DEVELOPED FROM SHEET 22 OF THE U.S.D.A. SOCS SOIL SURVEY OF HILLSBOROUGH COUNTY, EASTERN PART, ISSUED OCT., 1980.

- LEGEND:**
- RIGHT-OF-WAY SIDELINE
 - PROPERTY LINE
 - ABUTTING LOT LINE
 - - - FORMER TRACT LINE
 - - - EASEMENT LINE
 - - - BUILDING SETBACK LINE
 - - - EDGE OF PAVEMENT
 - - - EXISTING GRAVEL ROAD
 - - - EDGE OF WETLANDS
 - - - CpC U.S.D.A. SOILS BOUNDARY
 - STONE WALL
 - - - 10' CONTOUR INTERVAL
 - - - 2' CONTOUR INTERVAL
 - 56-51 EXISTING TAX MAP AND LOT NUMBER
 - EXISTING BUILDING
 - TEST PIT WITH DATA TEST PIT NUMBER DEPTH-EDGE FOUND DEPTH-SEASONAL HIGH WATER FOUND
 - 4000 SQ.FT. SEPTIC AREA
 - EXISTING TREE LINE
 - EXIST. GRANITE BOUND FOUND
 - EXIST. DRILL HOLE FOUND/SET
 - EXIST. IRON PIPE FOUND
 - EXIST. IRON PIN FOUND/SET

CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ON-SITE INSTRUMENT SURVEY PERFORMED BY THIS OFFICE WHICH MEETS THE URBAN CLASSIFICATION PRECISION REQUIREMENT OF ONE PART IN TEN THOUSAND (1:10,000).

DATE: 4-1-20



LOT LINE ADJUSTMENT & SUBDIVISION PLAN
LANDS OF:
JAMES E. & JEAN E. SAYTANIDES
FEDERAL HILL ROAD
TAX MAP 56 LOTS 51 & 52
MILFORD, NEW HAMPSHIRE
 SCALE: 1" = 40' DECEMBER 23, 2019

APPROVED
 MILFORD, NH PLANNING BOARD
 SUB DIVISION #:
 DATE APPROVED:
 SIGNED:

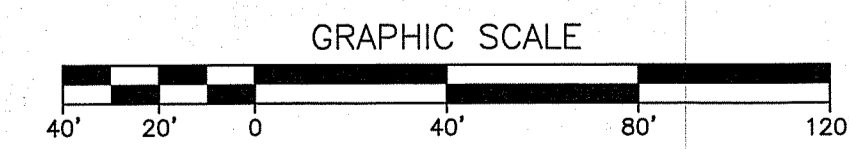
LOT LINE TABLE

LINE	BEARING	LENGTH
L1	N43°07'30"W	50.70'
L2	N43°07'30"W	23.95'
L3	N66°08'37"W	49.60'
L4	N20°59'11"W	18.09'
L5	N50°34'40"W	39.56'
L6	N42°48'43"W	38.93'
L7	N47°57'37"W	43.79'
L8	N53°46'45"W	28.71'
L9	N47°37'36"W	33.91'
L10	N50°27'39"W	28.53'
L11	N57°06'30"W	24.85'
L12	N49°17'28"W	39.54'
L13	N42°48'34"W	37.72'
L14	N39°48'26"W	17.38'
L15	N38°42'07"W	28.89'
L16	N36°18'22"W	36.94'
L17	N31°30'33"W	30.89'

56-56
JOHN K. PHILBRICK & CATHERINE A. PHILBRICK REVOCABLE TRUST
 114 FOSTER ROAD
 MILFORD, NH 03055
 VOL. 8312 PG. 936 4/1/2011

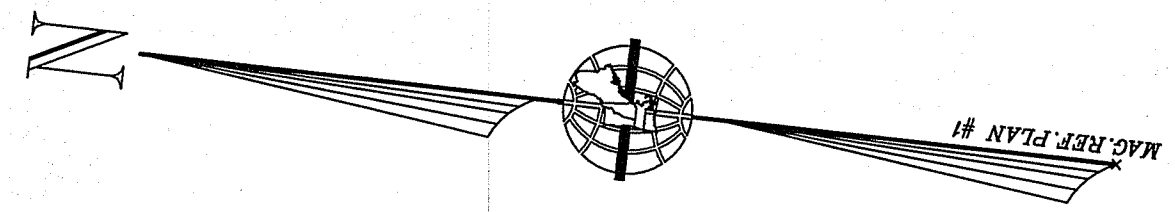
56-53
STEVE G. & JULIA A. WARRINER
 428 FEDERAL HILL ROAD
 MILFORD, NH 03055
 VOL. 5829 PG. 412 7/2/97

56-54
THE SAYTANIDES FAMILY LIVING TRUST
 230 TAHOE DRIVE
 FOLEY, GA 31322
 VOL. 8833 PG. 11 2/22/16



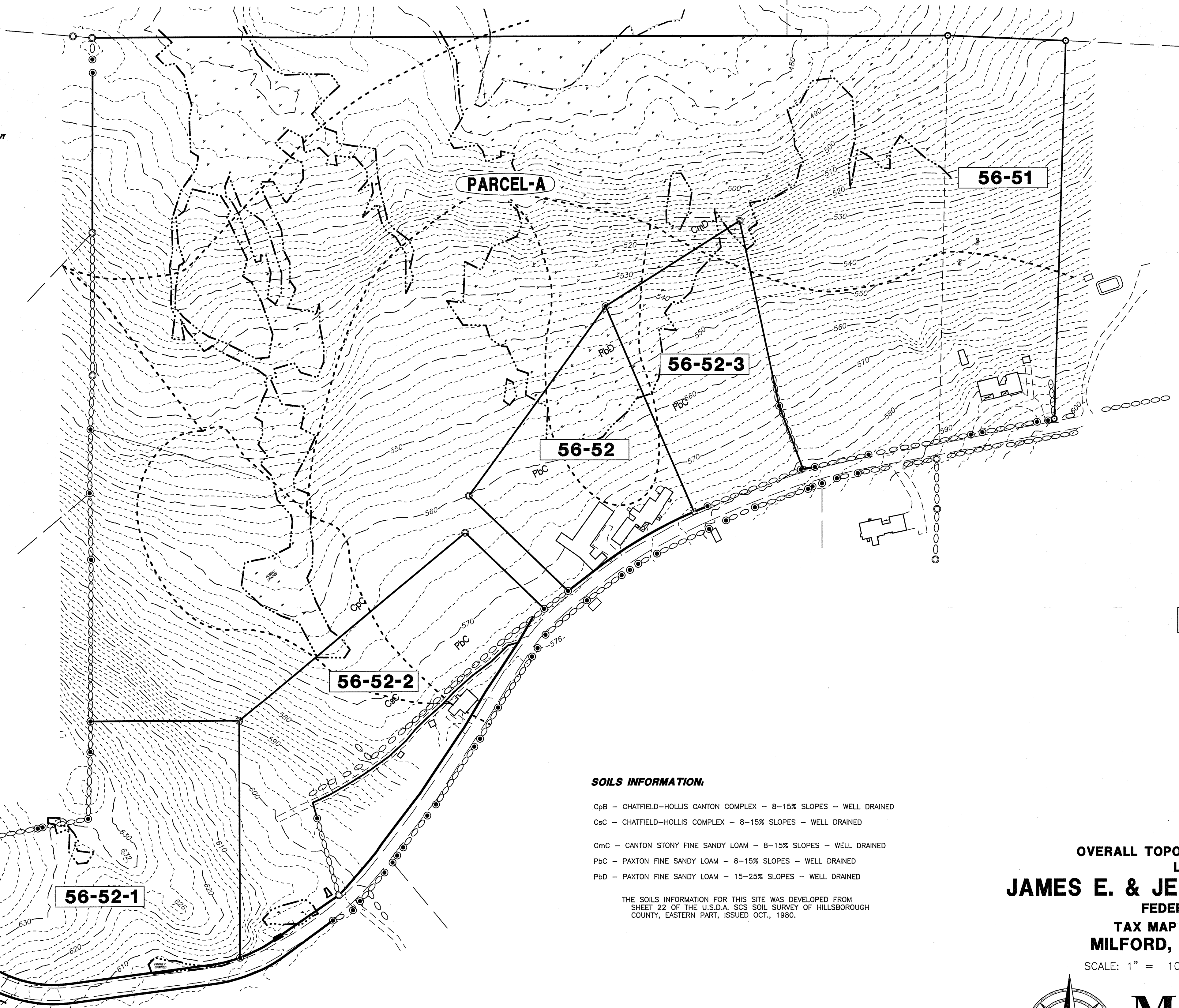
REV.	DATE	DESCRIPTION	C/O	DR	CK
D					
C	3/23/20	ISSUE FOR RECORDING	JJS	JGL	RAH
B	1/21/20	TOWN SUBMISSION	JJS	JGL	RAH
A	12/23/19	SUBDIVISION CONCEPT	JJS	JGL	RAH
REV.	DATE	DESCRIPTION	C/O	DR	CK

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LEGEND:

- RIGHT-OF-WAY SIDELINE
- PROPERTY LINE
- ABUTTING LOT LINE
- - - FORMER TRACT LINE
- - - EASEMENT LINE
- - - BUILDING SETBACK LINE
- - - EDGE OF PAVEMENT
- - - EXISTING GRAVEL ROAD
- - - EDGE OF WETLANDS
- - - CpC U.S.D.A. SOILS BOUNDARY
- STONE WALL
- - - 10' CONTOUR INTERVAL
- - - 2' CONTOUR INTERVAL
- 56-51 EXISTING TAX MAP AND LOT NUMBER
- EXISTING BUILDING
- EXIST. GRANITE BOUND FOUND
- EXIST. DRILL HOLE FOUND/SET
- EXIST. IRON PIPE FOUND



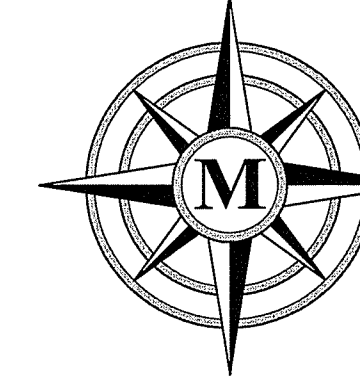
SOILS INFORMATION:

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- CsC - CHATFIELD-HOLLIS COMPLEX - 8-15% SLOPES - WELL DRAINED
- CmC - CANTON STONY FINE SANDY LOAM - 8-15% SLOPES - WELL DRAINED
- PbC - PAXTON FINE SANDY LOAM - 8-15% SLOPES - WELL DRAINED
- PbD - PAXTON FINE SANDY LOAM - 15-25% SLOPES - WELL DRAINED

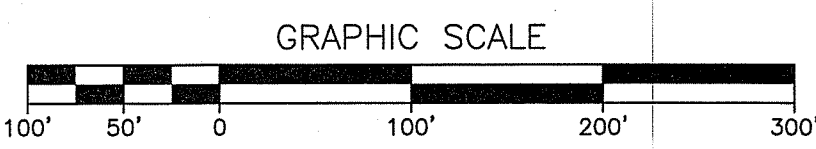
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OVERALL TOPOGRAPHIC & SOILS PLAN
LANDS OF:
JAMES E. & JEAN E. SAYTANIDES
FEDERAL HILL ROAD
TAX MAP 56 LOTS 51 & 52
MILFORD, NEW HAMPSHIRE

SCALE: 1" = 100' DECEMBER 23, 2019



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REV.	DATE	DESCRIPTION	C/O	DR	CK
D					
C					
B					
A					

Plotfile: 4/6/2020 8:35 AM Plt: JCL
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56-52-1

406.0'

500.0'

56-52-2

52.13'

59.44'

140.56'

164.85'

56-53

99.78'

103.80'

FEDERAL HILL RD

186.99'

235.00'

91.2'

54.57'

73.06'

242.96'

30.89'

96.94'

28.89'

37.72'

24.85'

33.91'

25.71'

45.70'

38.45'

39.66'

8.08'

23.95'

50.7'





