



TOWN OF MILFORD, NH  
OFFICE OF COMMUNITY DEVELOPMENT

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**STAFF MEMORANDUM**

**Date:** May 18, 2018  
**To:** Town of Milford Planning Board  
**From:** Lincoln Daley, Community Development Director  
**Project:** Jessica Hudson for the properties located at Tax Map 43, Lots 24 and 25, Tonella Road. Public Hearing for a major site plan application for the properties located at Tax Map 43, Lots 24 and 25, Tonella Road to construct sixteen (16) townhouse style, multi-family units, extend and upgrade Tonella Road, and complete associated grading and stormwater management improvements within the Residential B District. The proposal also calls for the relocation of an existing residence on Map 43 Lot 25 to Map 43 Lot 24. *(Continued from April 24, 2018)*

**PROPOSAL/BACKGROUND:**

The applicant, Jessica Hudson, is before the Planning Board to continue the major site plan application to construct a total of sixteen (16) townhouse style, multi-family units on Map 43, Lots 25 and the proposed lot 25-1, the associated grading, landscaping, and stormwater management improvements within the Residential B District. The multi-family units will be serviced by municipal water and sewer.

Said application was filed concurrently with a major subdivision application to subdivide Map 43, Lots 24 and 25 and create Map 43, Lot 25-1. In order to complete the project as presented and provide sufficient frontage for all existing and proposed lots and facilitate the construction of the 16 multi-family units, Tonella Road would be extended by 335 linear feet. The applicant filed two waiver requests with the subdivision application to extend the exiting 40' right of way for relief to locate a driveway at the end of the turnaround. Both waivers were granted at the April 24<sup>th</sup> meeting.

The purpose of this agenda item is for the applicant to continue the formal application before the Board.

**LOT AREA:**

**Proposed Acreage**

Map 43, Lot 24	12.71 acres (553,691 sq.ft.)
Map 43, Lot 25	2.47 acres (107,657 sq.ft.)
Map 43, Lot 25-1	.915 acres (36,860 sq.ft.)

*Note: Dependent upon the approval of the subdivision application for Map 43, Lots 24 and 25.*

**NOTICES:**

Notices were originally sent to property abutters on March 16, 2018 and then resent on April 13, 2018.

**APPLICATION STATUS:**

The application was accepted as complete on March 27, 2017. At that same meeting, the Board determined that the project did not have a regional impact.

**EXISTING USE:**

Tax Map 43, Lot 24 consists of approximately 14 acres with no legal frontage on public or private way. The parcel contains two, single-family residences serviced by private well and septic and several accessory structures. Access to the property is from a private driveway. The lot is mostly wooded with the quarry centrally located

within the property. Wetlands have been delineated in the northwestern portions of the property primarily north of the existing private driveway.

Tax Map 43, Lot 25 consists of approximately 2.23 acres with 40 feet of legal frontage on Tonella Road. The parcel contains a single-family house. The house is accessed via the shared private driveway off of public portion of Tonella Road serving both subject properties. A stone foundation for an abandoned structure can be found on the northern side of the existing driveway. The property slopes from south to north with substantial grade changes located to the south. Located along the northern portion of the property is a delineated wetland resource area connected to the larger system on the abutting properties.

**ZONING:**

The parcels lie within the Residential “B” zoning district. The intent of the Residence "B" District is to provide areas for increased residential density and other uses which are compatible with these residential densities. With the inclusion of the proposed Tonella Road extension, all three proposed properties meet the minimum lot size of twenty thousand (20,000) square feet in area with one hundred fifty (150) feet of frontage on a Class V or better road and serviced by both municipal sewerage and water systems. Lastly, the properties fall within the Groundwater Protection District 1.

**SUBDIVISION DENSITY:**

The proposal calls for the construction of twelve (12) townhouse style, multi-family units on Map 43 Lot 25 and four (4) townhouse style, multi-family units on newly created Map 43 Lot 25-1. Density for a multi-family development is determined by Section 5.03.4 of the Zoning Ordinance which states that Multi-family dwellings in the Residential B District shall be served by both municipal sewerage and water systems and may have a maximum of five (5) units per acre. The maximum density may be reduced by the Planning Board based on recommendations of other qualified consultants.

On sheet 5 of 19, the Applicant provided the following density calculation:

Map 43, Lot 25-1:	0.915 acres * 5 dwelling units/acre = 4.6 dwelling units.
Map 43, Lot 25:	2.471 acres * 5 dwelling units/acre = 12.4 dwelling units.
	Total Permitted = 16

Board Action: The Board will need to determine/confirm the density for the project.

**DRAINAGE**

A second review of the stormwater and drainage design has been performed by the Environmental Coordinator as part of the Site Plan application. Staff comments have been addressed. No additional comments have been presented.

**TRAFFIC GENERATION AND ACCESS MANAGEMENT:**

- a. The applicant submitted a trip generation analysis for the proposed development (please refer to 4/20/2018 memorandum submitted by Steve G. Pernaw and Company for more detailed information). The trip generation analysis indicates that the proposed residences will generate approximately 8 (AM) and 12 (PM) vehicle-trips during the peak hour periods when fully occupied. During the worst-case PM peak hour period this translates into approximately one additional vehicle every five minutes, on average. The proposed 16-unit development is not a major traffic generator. Further, the study concluded that the traffic increases of this order of magnitude will not significantly impact operations at the Nashua Street/Tonella Road intersection. The impacts of site traffic would diminish further a drivers disperse at nearby intersections along the Nashua Street corridor. The Board concurred with the analysis/conclusions presented and determined no additional studies were required.
- b. The applicant provided a sight distance plan demonstrating that a car turning left from Ledgewood Drive onto Tonella Road has a sight distance exceeding 200 linear feet (see Sight Distance Plan Dated 5/15/18). In addition, the applicant included an engineered plan shown the turning movements of a 45 foot fire truck

within the proposed Tonella Road turnaround.

- c. Section 7.03 Sidewalks of the Development Regulations states that the Planning Board may require sidewalks for pedestrian traffic to provide a connection between the main entrances of business, housing or industrial establishments, parking areas and along public roadways. The applicant has revised the site plan based on the comments and recommendations from the previous meeting. The driveways have been moved away from the right-of-way to accommodate for the sidewalk and will not be located within the proposed Tonella Road roadway extension. The parking space design for the 4-unit building allows for vehicles to be completely parked on the property without encroaching the right-of-way.
- d. Nashua Street Improvements Fund. The Board request additional information pertaining to contributions paid to the fund associated with the Ledgewood Development. According to the Department records, the Ledgewood development contributed \$8,100. This amount was based on \$45 costs for each unit. The total amount remaining in said fund is approximately \$15,000. Using a similar methodology, the total contributions would be \$720. The Board will need to determine if the project would be required to contribute to the Nashua Street Improvement Fund. With the inclusion of the sidewalk and roadway improvements, staff finds that the proposed improvements equate to a far greater amount and that no additional contributions should be required.

**PARKING:**

Proposed parking on site meets the minimum requirements set forth in Section 6.05.4 Table of off Street Parking which requires 2 spaces/per dwelling unit. The applicant has provided 8 perpendicular parking spaces for the 4 unit building and 24 parking spaces for two, 6 unit buildings for a total of 32 parking spaces. The applicant should explain if it is anticipated that additional off-street parking will be constructed for visitors.

**OPEN SPACE/LANDSCAPING:**

The subject properties exceed the minimum 30% open space requirements (Map 43, Lot 25 86.3% open space and Map 43, Lot 25-1 83.3% open space).

The proposal calls for the installation of various shrubberies, trees, and grass along the Tonella Road extension, perimeter of the buildings, and detention basins that meet the intent of the landscape regulations and foster an attractive site and neighborhood design. All plantings, vegetation, and raingardens fall under the responsibility of the property owner.

**HISTORICAL RESOURCES:**

At the April 24<sup>th</sup> meeting, a primary topic of discussion involved the potential efforts to preserve and/or repurpose the stone structure. The Heritage Commission in their memorandum to the Board of Selectmen dated April 15<sup>th</sup> and comments at the meeting, supported the preservation of the entire structure. The applicant stated that they are considering repurposing the material on their property, but would continue to work with the Town and consider other opportunities. The Planning Board should continue the discussion and explore options and opportunities with the applicant.

**ENVIRONMENTAL CONCERNS:**

The topic or concern involving potential environmental contamination in proximity to the stone structure was raised at the previous meeting. Upon review the available information within the Town's land use files, NHDES office (One Stop Data and Information and after further consultation with the Fire Department, no contamination was found.

**INTERDEPARTMENTAL REVIEWS:**

**Ambulance Department:** *No concerns with the proposed subdivision.*

**Assessing Department:** *All comments have been addressed.*

**Conservation Commission:** Please refer to the attached 4/19/18 updated Conservation Commission Memorandum

1. The Commission is concerned about potential erosion of the steep bank into the wetlands delineated on the east side of Tonella Road. We ask that non-disturbance of the vegetation along the top of the bank be a condition of development permission.

**Addressed.** *A note has been added to the Grading and utility plan (sheet 6) stating no disturbance of the vegetation north of the pond as requested by the Commission.*

2. The Commission would like the applicant to design and install a physical barrier along the perimeter of the snow storage area to prevent inadvertent snow creep into the wetland as the winter progresses.

**Addressed.** *This was discussed at the Planning Board meeting and explained that the barrier was not necessary as the snow would drain to the rain garden and not toward the slope.*

**Environmental Programs/Stormwater:** A detailed stormwater management design was submitted a part of the Major Site Plan application for the multi-family units. Please refer to staff memorandum for the Site Plan application and 4/10/18 and 5/15/18 Response Letters from the Applicant for comments.

**Fire Department:** Proposed Tomahawk turnaround. Pursuant to NFPA 1 2009 Ed. Ch. 18 figure 18.6., the turnaround length needs to be 50 feet from the start of the turnaround. The measurement needs to begin at the start of the bump out on both portions. **Addressed.**

**Heritage Commission.** Please refer to the attached 4/15/18 Heritage Commission Memorandum. No further comments presented.

**Police Department:** Captain Frye commented that he hopes there is an impact fee for a future light at the intersection of Nashua Street and Tonella Road. No further comments submitted.

**Public Works:**

1. The Director spoke with the owner and has asked for a snow storage area at the southwest corner of the hammer head (private drive).

**Addressed.** *Snow storage area was added.*

2. The owner will be required to install handicap ramps at each side of Ledgewood Drive with the detectable warning mats. In addition, the applicant will be required to stripe the crosswalk across Ledgewood.

**Addressed.** *The ramps and sidewalk striping has been added to the plans.*

3. Easement will be required for the drainage line at end of hammer head (on private property)

**Partially Addressed.** *Maintenance of this culvert will be the responsibility of the landowner and not the town. Note 23 on the site layout plan (sheet 5) clarifies this intent. A utility drainage easement will be required in order for the property owner to access and maintain the drainage structure and connection under the Tonella Road Extension (to become a public road) from the rain garden to the outlet. Staff recommends that that the applicant submit said easement for review and approval by the Community Development Office and Public Works Department.*

4. A drainage culvert will be needed at beginning of road from West side to East side.

**Addressed.** *There is an existing pair of culverts which drains under Ledgewood Drive and discharges runoff to the north. This runoff is eventually directed easterly under Tonella Road to the existing wetlands. The applicant's drainage analysis demonstrates that the project will not increase the runoff to these existing culverts. Due to the existing culverts and no increase in runoff to this area, the applicant states that an additional culvert would not be necessary.*

5. Easement will be necessary for access and maintenance for Infiltration pond and gravel road access to discharge point.

**Partially Addressed.** Maintenance will be the responsibility of the landowner and not the town. Note 23 on the site layout plan (sheet 5) clarifies this intent. A utility drainage easement will be required in order for the property owner to access and maintain the drainage structure and connection under the Tonella Road Extension (to become a public road) from the rain garden to the infiltration pond. Staff recommends that the applicant submit said easement for review and approval by the Community Development Office and Public Works Department.

**Water/Sewer Utilities:** All comments addressed.

**Zoning Administrator:** All comments addressed.

**Community Development/Planning Department:**

1. The relocation of the single-family house currently located on Map 43 Lot 25 to Map 43 Lot 24 will require a Variance as the location of multiple single-family homes on a single property is not a permitted use in the Residential B Zoning District. **Addressed.**
2. Sheet 2 of 15. Please revise plans to include the certification/licensing stamp for wetland scientist responsible for performing the wetland delineation from B.A.G. Consultants on 3/30/17 and 4/7/17. **Addressed.**
3. Sheet 4 of 15. Portions of the proposed driveways are located in the proposed Tonella Road roadway extension. In addition, please explain if the parking space design for the 4 unit building provides safe access/egress for residents backing onto the Tonella Road extension.

**Addressed.** The driveways have been moved away from the right-of-way to accommodate for the sidewalk, and are not located within the proposed Tonella Road roadway extension. The parking space design for the 4-unit building allows for vehicles to be completely parked on the property without encroaching the right-of-way.

4. Sheet 4 of 15. Section 7.03 Sidewalks of the Development Regulations states that The Planning Board may require sidewalks for pedestrian traffic to provide a connection between the main entrances of business, housing or industrial establishments, parking areas and along public roadways. Please explain why the adjacent sidewalk network was not extended into the proposed development.

**Addressed.** The sidewalk has been extended from Tonella Road to the end of the Tonella Road extension to provide a connection along the public roadway.

5. Sheet 5 of 15. The plan displays a snow storage area at the terminus of the turn-around. Given the length of the proposed roadway extension and type of development, it is questionable whether there is sufficient designated snow storage areas shown on the plan. Please explain.

**Addressed.** Much of the roadway snow will be deposited along the sides of the road as a typical roadway is plowed. Areas at the ends and along the sides of the tomahawk should be sufficient for the snow associated with the turnaround. DPW was satisfied with the areas proposed.

6. Sheet 5 of 15. Please consider incorporating measures to pretreat snow within the snow storage area prior to entering the wetland resource area.

**Addressed.** The Site Plan has been revised to show a construction of a rain garden and grading in proximity to the snow storage area.

7. Sheets 4 & 5 of 15. Please provide information regarding the site distance measurement at the intersection of Ledgewood Drive and the proposed Tonella Road intersection. More specifically, is there sufficient site distance for vehicles turning westbound (left) from Ledgewood Drive on to Tonella Road.

**Addressed.** *The applicant provided an exhibit which shows clear line of sight from the Ledgewood Drive intersection to the proposed end of the Tonella Road extension. The stopping sight distance was based on the AASHTO Design Manual.*

8. Sheets 6 and 13 of 15, Rain Gardens. Please revise the plan set to include the proposed plantings to be used in the rain gardens and associated maintenance standards as detailed in the NH Stormwater Manual Volume 2, Post Construction BMPs Selection and Design, 12/2008.

**Addressed.** *Plans have been revised accordingly.*

9. Sheet 8 of 15. Pursuant to Development Regulations, Section 6.08.4 Mulching, please revise all references/notes citing a proposed depth of mulch from 4" to 3".

**Addressed.** *Plans have been revised accordingly.*

10. Sheets 7 and 8 of 15. Pursuant to Development Regulations, Section 6.08.8 Planting Specifications, please revised all references/notes citing an evergreen height from 3' and 4' to 6'.

**Addressed.** *Plans have been revised accordingly.*

11. Sheets 7 and 8 of 15. The landscape plans should be revised to include the location and details for the proposed stormwater/drainage rain gardens.

**Addressed.** *Locations have been added to the plans.*

12. General Comment, Drainage Structures & Associated Easements. Please confirm if the intent is for the Town to maintain the drainage and stormwater management structures and facilities shown in the site plan (including the rain gardens)? If yes, the site plan will need to be revised to include the bounds and description of the drainage/access/maintenance easements. In addition, the applicant will be required to submit the associated legal descriptions of said easements for review by Office of Community Development and Town Counsel.

**Addressed.** *As stated above, maintenance will be the responsibility of the landowner and not the town. Note 23 on the site layout plan (sheet 5) clarifies this intent.*

13. General Comment, Turn-around Design and Lot Layout. Please explain what alternatives were considered regarding the roadway layout / turnaround design and location of the 4 unit multi-family townhouse. More specifically, could the tomahawk design be reversed to provide additional usable outdoor living space/passive recreation areas for the 4 unit multi-family townhouses and/or relocation of the proposed building away from the sloped areas to the east?

**Addressed.** *The applicant stated that reversal of the tomahawk would require further encroachment into the Quarry property and does not work well with the existing site grade. The proposed tomahawk location is a significant improvement over the current available gravel turnaround and meets all applicable requirements. The applicant discussed the available green space in the current design and, through discussion, the Board seemed satisfied with the current layout. The Board should follow up with any additional questions regarding the orientation and location of the proposed residential units and proximity to the embankment.*

**Additional comments received will be presented/distributed at the meeting.**

#### **STAFF RECOMMENDATIONS:**

1. The applicant should be prepared to address all of the comments raised by the Planning Board, Conservation Commission, Staff, and public pertaining to the subdivision plan and revise/resubmit the plans/information accordingly.
2. At this time, Staff recommends conditional approval of the site plan application based on completion of the following conditions:



- a. The Applicants shall submit any/all revised plans, reports, and associated information to the Community Development Office for review and approval by the Town and its agents.
- b. The Applicant shall submit all drainage and utility easement documents to the Office of Community Development for review by all appropriate departments and Town Counsel.
- c. Shall be subject to the issuance of the Milford Stormwater Permit. A note shall added to the plan stating the date of the issuance of the stormwater permit.
- d. Subject to the approval of the subdivision plan by the Planning Board for the referenced properties.

**Aerial Photograph of the Map 43, Lots 24 and 25**





**The Dubai Group, Inc.**

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Windham, NH 03087  
(603) 458-6462

May 15, 2018

Lincoln Daley  
Director of Community Development  
1 Union Square  
Milford, NH 03055

RE: Response to Town Comments  
Tonella Hill Townhomes  
Tonella Road  
Milford, NH 03055

Dear Mr. Daley:

We have reviewed the staff memorandum from the Town dated April 19, 2018 for the above referenced project. Based on that review, we offer the following responses.

**Conservation commission:**

1. The Commission is concerned about potential erosion of the steep bank into the wetlands delineated on the east side of Tonella Road. We ask that non-disturbance of the vegetation along the top of the bank be a condition of development permission.

***TDG Response:*** A note has been added to the Grading and utility plan (sheet 6) stating no disturbance of the vegetation north of the pond as requested by the Commission.

2. The Commission would like the applicant to design and install a physical barrier along the perimeter of the snow storage area to prevent inadvertent snow creep into the wetland as the winter progresses.

***TDG Response:*** This was discussed at the Planning Board meeting and explained that the barrier was not necessary as the snow would drain to the rain garden and not toward the slope.

**Public Works:**

1. The Director spoke with the owner and has asked for a snow storage area at the southwest corner of the hammer head (private drive). He stated that the applicant was agreeable.

***TDG Response:*** Snow storage area was added.

2. The owner will be required to install handicap ramps at each side of Ledgewood Drive with the detectable waning mats. In addition, the applicant will be required to stripe the crosswalk across Ledgewood.

***TDG Response:*** The ramps and sidewalk striping has been added to the plans.





3. Easement will be required for the drainage line at the end of hammer head (on private property).

**TDG Response:** *Maintenance of this culvert will be the responsibility of the landowner and not the town. Note 23 on the site layout plan (sheet 5) clarifies this intent. If an easement is still desired, we are happy to provide one.*

4. A drainage culvert will be needed at beginning of road from West side to East side.

**TDG Response:** *There is an existing pair of culverts which drains under Ledgewood Drive and discharges runoff to the north. This runoff is eventually directed easterly under Tonella Road to the existing wetlands. Our drainage analysis shows that we are not increasing the runoff to these existing culverts. Due to the existing culverts and no increase in runoff to this area, it seems an additional culvert would not be necessary.*

5. Easement will be necessary for access and maintenance for Infiltration pond and gravel road access to discharge point.

**TDG Response:** *Maintenance will be the responsibility of the landowner and not the town. Note 23 on the site layout plan (sheet 5) clarifies this intent. If an easement is still desired, we are happy to provide one.*

#### **Community Development/Planning Department:**

1. Sheet 5 of 9. The applicant should explain how snow will be managed. Given the length of the proposed roadway extension and type of development, it is questionable whether there is sufficient designated snow storage areas shown on the plan. Please explain.

**TDG Response:** *This was discussed extensively at the last Board meeting. Based on discussions it appears the Board was content with the feedback provided by the DPW Director and the discussion of how the snow will be managed. Additionally, the snow removal note (Note 10) was clarified on the site plan.*

2. Sheet 5 of 9. Notes 17 and 22 are the same. Please delete one and renumber accordingly.

**TDG Response:** *The extra note has been removed.*

3. General comment, Turn-around design and lot layout. Please explain what alternatives were considered regarding the roadway layout and turnaround design and location of the 4 unit multi-family townhouse. More specifically, could the tomahawk design be reversed to provide additional usable outdoor living space/passive recreation areas for the 4 multi-family townhouses and/or relocation of the proposed building away from the sloped areas?

**TDG Response:** *This was also discussed at the last Board meeting. Reversal of the tomahawk would require further encroachment into the Quarry property and does not work well with the existing site grade. The proposed tomahawk location is a significant improvement over the current available gravel turnaround and meets all applicable requirements. We discussed the available green space in the current design and, through discussion, the Board seemed satisfied with the current layout.*



4. General comment, drainage structures. Please confirm if the intent is for the Town to maintain the drainage and stormwater management structure and facilities shown in the site plan? If yes, the subdivision plan will need to be revised to include the bounds and description of the drainage/access/maintenance easements. In addition, the applicant will be required to submit the associated legal descriptions of said easements for review by Office of community Development and Town Counsel.

***TDG Response:*** Maintenance will be the responsibility of the landowner and not the town. Note 23 on the site layout plan (sheet 5) clarifies this intent.

5. General Comment, Utilities. Pursuant to Section 6.014.1 of the Development Regulations, all applications which include the creation of a new or upgraded road or a subdivision shall have underground utilities. This would include relocating the overhead lines underground.

***TDG Response:*** The plans have been revised to show the proposed utility lines to be located underground. Existing utility lines will remain above ground as they are currently. This was discussed with the Board and they seemed satisfied with this approach.

6. General comment, monumentation. A note be added to the plan stating that prior to the signing of the plan, all monumentation shall be set and noted on the plan or a security be provided to the Town to cover the cost of said monumentation.

***TDG Response:*** Note 14 has been added to the subdivision overview plan (sheet 2).

7. Sheet 5 of 15. The plan displays a snow storage area at the terminus of the turn-around. Given the length of the proposed roadway extension and type of development, it is questionable whether there is sufficient designated snow storage areas shown on the plan. Please explain.

***TDG Response:*** Much of the roadway snow will be deposited along the sides of the road as a typical roadway is plowed. Areas at the ends and along the sides of the tomahawk should be sufficient for the snow associated with the turnaround. DPW was satisfied with the areas proposed.

8. Sheet 4 & 5 of 15. Please provide information regarding the site distance measurements at the intersection of Ledgewood Drive and the proposed Tonella Road intersection. More specifically, is there sufficient site distance for vehicles turning westbound (left) from Ledgewood Drive onto Tonella Road.

***TDG Response:*** We have attached an exhibit which shows clear line of sight from the Ledgewood Drive intersection to the proposed end of the Tonella Road extension. We meet recommended stopping sight distance per the AASHTO Design Manual.

9. Sheets 6 & 13 of 15, Rain gardens. Please revise the plan set to include the proposed plantings to be used in the rain gardens and associated maintenance standards as detailed in the NH Stormwater Manual Volume 2, Post Construction BMP's Selection and Design, 12/2008.

***TDG Response:*** We have added the planting design specifications and maintenance requirements to the rain garden detail per the NH Stormwater Manual, Volume 2.



10. Sheet 8 of 15. Pursuant to Development Regulations, section 6.08.4 Mulching, please revise all references/notes citing a proposed depth of mulch from 4" to 3".

***TDG Response:*** *References have been updated.*

11. Sheets 7 & 8 of 15. Pursuant to development Regulations, Section 6.08.8 Planting Specifications, please revise all references/notes citing an evergreen height from 3' and 4' to 6'.

***TDG Response:*** *References have been updated.*

12. Sheets 7 & 8 of 15. The landscape plans should be revised to include the location and details for the proposed stormwater/drainage rain gardens.

***TDG Response:*** *Locations have been added to the plans.*

13. General comment, drainage structures & associated easements. Please confirm if the intent is for the Town to maintain the drainage and stormwater management structures and facilities shown in the site plan (including rain gardens)? If yes, the site plan will need to be revised to include the bounds and description of the drainage/access/maintenance easements. In addition, the applicant will be required to submit the associated legal descriptions of said easements for review by Office of Community development and Town Counsel.

***TDG Response:*** *As stated above, maintenance will be the responsibility of the landowner and not the town. Note 23 on the site layout plan (sheet 5) clarifies this intent.*

Please let me know if there are any further questions or comments.

Sincerely,  
The Dubay Group, Inc.

Douglas MacGuire, P.E.  
Vice President



**The Dubai Group, Inc.**

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April 10, 2018

Lincoln Daley  
Director of Community Development  
1 Union Square  
Milford, NH 03055

RE: Response to Town Comments  
Tonella Hill Townhomes  
Tonella Road  
Milford, NH 03055

Dear Mr. Daley:

We have reviewed the staff memorandum from the Town dated March 23, 2018 for the above referenced project. Based on that review, we offer the following revised plans and responses to the comments:

**Interdepartmental Reviews:**

**Assessing Department:**

1. For clarification, is the proposal for multi-family apartments or condominiums?

**Dubay Group Response:** *The proposal is for apartments.*

2. Is the road intended to be a public road? If two lots are created, that would be my assumption.

**Dubay Group Response:** *The proposed road is a public road.*

3. Does Sheet 5/15 indicate yard and or parking area extending into the road? That does not seem appropriate for a public road.

**Dubay Group Response:** *The parking area ends at the town right-of-way and does not extend into the roadway. Spaces are fully contained on the site. Per discussion with the Planning Board, we have revised the plans to include a 5 foot paved shoulder to allow for a pedestrian walk area.*

4. Map 43-24 already has 2 houses (and two outbuildings) located on this parcel. Does this proposal move a 3<sup>rd</sup> home onto the same single parcel? If this is a subdivision proposal, wouldn't we want to see a separate parcel for the "relocated house"?

**Dubay Group Response:** *The relocated house is no longer present in this proposed project.*



**Zoning Administrator:**

1. The relocation of the single-family house currently located on map 43 lot 25 to map 43 lot 24 will require a variance as the location of multiple single-family homes on a single property is not a permitted use in the Residential B Zoning District.

**Dubay Group Response:** *The relocated house is no longer present in this proposed project.*

2. A portion of the proposed right of way containing the tomahawk turnaround is located within the 25 foot wetland buffer. Please revise the plan to relocate the referenced portion of the right of way outside of the wetland buffer or submit Special Exception request to the Board of Adjustment.

**Dubay Group Response:** *There is a small portion of the right-of-way which encroaches the buffer but there is no proposed grading required to construct the new roadway in this encroachment. Upon reviewing the ordinance buffer requirements, it did not seem that this would require a special exception.*

**Fire Department:**

1. After review, we have no issues or concerns as the Townhomes are required to be sprinkler per the international residential code section 313.

**Dubay Group Response:** *A note has been added to the site plan to reflect this requirement.*

2. Sheet 5 of 15, proposed tomahawk turnaround. Pursuant to NFPA 1 2009 Ed. Ch. 18 figure 18.6, the turnaround length needs to be 50 feet from the start of the turnaround. The measurement needs to start at the start of the bump out on both portions.

**Dubay Group Response:** *We are not opposed to revising the turnaround as required but need additional information. The current layout appears to meet the requirements, as there is 50 feet in the straight direction and 51 feet in the turnaround stub. The measurement shows 62 feet but this accounts for the 11 foot roadway. We have included a fire truck turning template of the currently proposed configuration.*

**Environmental Programs/Stormwater:**

1. Can the infiltration pond and Area Drains 1 & 2 be converted to bioretention? This may be little more than specifying the appropriate soil types and vegetation/landscaping.

**Dubay Group Response:** *The area drains have been converted to rain gardens. Additionally, there has been a third rain garden proposed to the north of the tomahawk turn around.*

2. What is the plan for drainage crossing the driveways?

**Dubay Group Response:** *Driveways have been graded to create a paved swale between the edge of roadway and proposed walkway area. Drainage will flow down this area to the proposed collection areas.*



3. Will there be foundation drains. Where and how will they be discharged?

**Dubay Group Response:** *Foundation drains have been added to the three buildings and are shown on the grading and drainage plan.*

4. Consider extending the drainage swale grading behind all of the westerly units. This would positively address the hillside drainage and protect the rear of the units.

**Dubay Group Response:** *The proposed drainage swale allows for all the flow from the rear of the units to be directed to the swale.*

5. Use of silt fence is generally discouraged. We prefer reliance on silt socks and mulch berms (native materials only).

**Dubay Group Response:** *The silt fence has been replaced by silt socks.*

6. Please include a stage discharge curve for Pond 1.

**Dubay Group Response:** *A stage discharge curve for Pond 1 has been included in the Stormwater Management Report.*

7. Please provide an analysis of pre and post development discharges at a focal point where sub-catchments A&B drain offsite.

**Dubay Group Response:** *Another Link has been included to represent this focal point for sub-catchments A&B draining off-site in the westerly direction.*

8. We require an analysis of the 1-year event to demonstrate infiltration of that storm event.

**Dubay Group Response:** *The 1-year event has been included in the stormwater analysis. All modeling points show a reduction in this storm.*

9. Our stormwater permit is based upon the drainage plan, stormwater management plan, AoT plan if applicable, and the SWPPP prepared for the federal NPDES permit. The NOI requires specific items including the determination of responsible and qualified persons. Inspections reports prepared for the EPA to be kept onsite shall also be provided electronically to town. Inspections shall be by a qualified individual; generally, a certified specialist or PE. Please correct plan notes to reflect these points.

**Dubay Group Response:** *These notes have been added to the Erosion Control Plan, Sheet 9 of 15.*

10. Please note that, while an AoT approval may not be required, current regulation may require any site with disturbances exceeding 1 acre in an MS4 area to comply with the AoT requirements. This is an anti-degradation matter that is enforced by DES.





**Dubay Group Response:** *No Alteration of Terrain (AoT) permit is required but the proposed treatment practices are designed in accordance with AoT regulations.*

**Water/Sewer Utilities:**

1. Sheet 6 of 15. Water services to be 1-inch copper or CTS 200PSA is acceptable. 6-inch main line required (already shown on plan).

**Dubay Group Response:** *The water line is labeled on sheet 6.*

2. Sheet 6 of 15. Although the plan notes that the well located on Map 43 Lot 24 will be removed, the well could be utilized for onsite irrigation.

**Dubay Group Response:** *Due to the location of the existing well, it is unable to be used for irrigation (located directly in front of units and under the driveway), so the well will not be able to be utilized.*

3. Sheet 6 of 15. Please consult with the Fire Department regarding fire services to the units.

**Dubay Group Response:** *Comment noted. The fire department has reviewed the layout and did not have any comments regarding the services.*

4. Sheet 6 of 15. Please revise plans to include elevations/profiles for the water and sewer layout and design.

**Dubay Group Response:** *This can be found in the subdivision plan set as it contains the roadway design as part of the subdivision.*

5. Sheet 6 of 15. Please revise plans by relocating the existing 2" flushing hydrant and relocate as shown. See attachment.

**Dubay Group Response:** *The plans have been revised to show the relocated hydrant: this has been shown in the Preparation Plan and the Grading, Drainage, and Utilities Plan.*

6. Sheet 6 of 15. Recommend amending the plans by replacing the proposed 2" force main service for the relocated house to 1 ½" force main. Further we seek clarification on the 4" gravity service.

**Dubay Group Response:** *This is no longer applicable, because the relocated house has been removed.*

**Community Development/Planning Department:**

1. The relocation of the single-family house currently located on Map 43 Lot 25 to Map 43 Lot 24 will require a Variance as the location of multiple single-family homes on a single property is not a permitted use in the Residential B Zoning District.

**Dubay Group Response:** *The relocated house is no longer present in this proposed project.*



2. Site Plan, Sheet 2 of 15. Please revise plans to include the certification/licensing stamp for wetland scientist responsible for performing the wetland delineation from B.A.G. Consultants on 3/30/17 and 4/7/17.

**Dubay Group Response:** *The certification/licensing stamp has been added to the Existing Conditions Plan for the wetland scientist who performed the wetland delineation.*

3. Site Plan, Sheet 4 of 15. Portions of the proposed driveways are located in the proposed Tonella Road roadway extension. In addition, please explain if the parking space design for the 4-unit building provides safe access/egress for residents backing onto the Tonella Road extension.

**Dubay Group Response:** *The driveways have been moved away from the right-of-way to accommodate for the sidewalk, therefore ensuring that they are also not located within the proposed Tonella Road roadway extension. The parking space design for the 4-unit building allows for vehicles to be completely parked on the property without encroaching the right-of-way.*

4. Sheet 4 of 15. Section 7.03 Sidewalks of the Development Regulations states that The Planning Board may require sidewalks for pedestrian traffic to provide a connection between the main entrances of business, housing or industrial establishments, parking areas and along public roadways. Please explain why the adjacent sidewalk network was not extended into the proposed development.

**Dubay Group Response:** *The sidewalk has been extended from Tonella Road to the end of the Tonella Road extension to provide a connection along the public roadway.*

5. Sheet 5 of 15/Sheet 5 of 9. The plan displays a snow storage area at the terminus of the turn-around. Given the length of the proposed roadway extension and type of development, it is questionable whether there are sufficient designated snow storage areas shown on the plan. Please explain.

**Dubay Group Response:** *Minimal snow storage is required because the roadway will be plowed as a typical public road winging the snow to the limits of the right-of-way. The unit occupants will be responsible for the snow removal in the driveways and where the driveways outlet to the public road. In the event that onsite storage capacity for the driveways is exceeded, the property owner will be responsible for removing the offsite snow to a legal dumping site. There is a note on the site plan stating this requirement.*

6. Sheet 5 of 15/5 of 9. Please consider incorporating measures to pretreat snow within the snow storage area prior to entering the wetland resource area.

**Dubay Group Response:** *A rain garden has been proposed directly downhill from the snow storage area, which will interrupt the runoff and provide treatment prior to the flow entering the wetland resource area.*

7. Sheet 2 of 9. Said sheet shall be revised to include a Note detailing that the project is subject to Library and Police Impact Fees.



**Dubay Group Response:** *The note has been added as requested.*

**Conservation Commission:**

1. The MCC would like to make a site visit to this location after the site has been flagged. We would be glad to coordinate this visit with members of the Planning Board.

**Dubay Group Response:** *A site visit is proposed.*

2. The Commission is concerned about potential erosion of the steep bank into the wetlands delineated on the east side of Tonella Road. We ask that non-disturbance of the vegetation along the top of the bank be a condition of development permission.

**Dubay Group Response:** *The tree line delineated shows no disturbance of the bank for the development and extension of Tonella Road. The pond was designed to work with the existing grade and not disturb the bank.*

3. The Commission recommends making some changes to the plants chosen in the landscaping plan. There are alternative plants which provide better climate resiliency both for the wildlife dependent upon the plants and the sustainability of the plants themselves. The list of suggested plants is appended to this document.

**Dubay Group Response:** *The landscaping plan has been updated to reflect the suggested list of plants.*

4. The method for erosion control is undetermined. The Commission asks that something more stabilizing than silt fencing be used. The slope on the western side of Tonella Road on ML43-25 behind the proposed townhomes is very steep and will require a more intensive treatment. Terraced gabions with appropriate plantings would provide stabilization, an aesthetically pleasing living wall and perhaps, an opportunity for residents to have small gardens.

**Dubay Group Response:** *The proposed slope has an existing intercept swale above the slope which will collect runoff before it reaches the slope. Additionally, we are proposing a swale at the bottom of the slope. The back yards are graded away from the buildings towards the swale. With swales at the top and bottom of the slope, the 2:1 grade should be able to be stabilized with the jute matting as proposed.*

5. There are two inlets to level spreaders shown on the plan to manage the water runoff from the buildings. The commission suggests that the applicant use these opportunities to create an aesthetic as well as functional collection spot. A rain garden with the appropriate plantings would accomplish both goals.

**Dubay Group Response:** *The area drains have been altered to be rain gardens as suggested.*

6. Why is the ledge being cut on Map Lot 43-24?



**Dubay Group Response:** *The ledge cut is an existing condition and is shown on the Existing Condition Plan. This is not a proposed change to Map Lot 43-24.*

7. The Commission would like the applicant to design and install a physical barrier along the perimeter of the snow storage area to prevent inadvertent snow creep into the wetland as the inter progresses.

**Dubay Group Response:** *A rain garden is proposed downhill from the top of the tomahawk turnaround, which will provide a collection area for any runoff that occurs.*

8. Where will the trash dumpster (Note #19 on sheet 5 of 15) be located? Could this location be isolated with tall (e.g. 6') fencing to keep incidental trash from traveling into the adjacent wetlands?

**Dubay Group Response:** *Trash will be stored by the individual unit occupants in their units and picked up by a private contracted company.*

Please let me know if there are any further questions or comments.

Sincerely,  
The Dubay Group, Inc.

Douglas MacGuire, P.E.  
Vice President

