



## Milford Zoning Board of Adjustment

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### **Administrative Review**

**Date:** March 27, 2024

**To:** Zoning Board of Adjustment

**From:** Terrence S. Dolan, Town Planner

**Subject: Case #2024-03: Marmon Utilities, LLC for the property located at 53 Old Wilton Road, Tax Map 14, Lots 8 & 9. Variance Application from the Milford Zoning Ordinance, Article V, Section 5.06.6. (Open Space) to allow the utilization of adjacent Marmon/Hendrix-owned properties (Map 38-6 & Map 7, Lot 16-1) for providing required Open Space for the proposed site facilities expansion to their existing physical manufacturing plant on Map 14, Lots 8 & 9**

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### **Background:**

The applicant is before the Board seeking a Variance from the Milford Zoning Ordinance, Article V, Section 5.06.6. (Site-required Open Space). The applicant, Marmon Utilities, LLC (formerly known as Hendrix Wire & Cable) are the owners of all of the property lots under consideration with this Variance Request.

In reviewing the files for these properties, I offer the following comments:

1. Marmon Utilities have an existing, long-operating cable manufacturing plant facility along the north side of Old Wilton Road (Map 14 Lots 8 & 9), with a total combined acreage of 15.72 acres. A planned expansion to the existing plant building is proposed for 74,430 additional square feet (along three different portions of the plant building, located within the **Industrial ("I") Zoning District** (pursuant to Section 5.06.0 -Milford Zoning Regulations). The proposed expansion areas are a) 12,570 square feet along the western side of the plant facility, b) a 10,360 sq. foot expansion along the center area of the building, and c) a 51,500 sq. foot expansion along the eastern end of the plant building.
2. The planned manufacturing plant expansion areas are not intended, nor designed to be stand-alone facilities, and must be incorporated into strategic portions of the existing manufacturing facility on these two lots along the north side of Old Wilton Road for logistical reasons.

3. Adjacent to the two above-listed “*north lots*”, to the immediate south side of Old Wilton Road, Marmon Utilities, LLC also owns two more adjoining lots, Map 38, Lot 6 & Map 7 Lot 16-1. These two lots are currently vacant, undeveloped properties. Both lots, (zoned **Integrated Commercial -Industrial “ICI2”**), have a total combined acreage = 41.97 acres. One of the town’s more significant water tributary features is Tucker Brook that flows across each lot, ultimately out falling into the Souhegan River, to north of Elm Street.
4. The proposed combined 74,430 sq. foot plant expansion shall cause the further reduction of the existing, approved 27% Open Space for the manufacturing plant lots (pursuant to **Variance ZBA Case #2020-10, approved on June 8, 2020**). Therefore, the existing (2) northern lots are already below the minimum required 30 % Open Space for the Industrial Zoning District. If the Major Site Plan is ultimately approved by the Planning Board for the proposed 74,430 square foot plant expansion, the northern two developed plant lots shall then result in less than 5% of retained open space directly on the two lots.
5. Recognizing the further loss of (required) Open Space, a new Variance is now being requested by the applicant to seek approval for the utilization of their above-referenced, two southern (vacant) lots, along the immediate south side of Old Wilton Road. The proposal is to provide a dedicated set-aside of a five (5) acre permanent preserve along, and buffering the Tucker Brook open water course and associated floodplain.

The proposed preservation offering shall be dedicated to raise the northern plant site-required open space acreage (back up) to the required 30%. As stated, this set-aside of the proposed 5-acre portion of Marmon’s (two adjoining southern) lots shall be dedicated to serve as required Open Space solely for the existing manufacturing lots along the northern side of Old Wilton Road, and shall not be considered as providing for any of the required 30% Open Space for any potential (future) development activities directly within the two-referenced south lots.

6. As well, the applicant has proposed a 15-foot-wide pedestrian trail along the proposed five (5) acre preserve lands, for general public usage. As may be seen within the attached graphic (“**Open Space Exhibit Plan**”), the trail as currently proposed shall ultimately connect to town-owned lands located to the southwest of the proposed buffer site.
7. Attached, the Milford Conservation Commission met on March 14, 2024 to discuss this Open Space Allocation proposal, and has now provided an Opinion Memo dated March 26, 2024, advocating in favor of this proposal by Marmon Utilities, LLC.