



TOWN OF MILFORD, NH  
OFFICE OF COMMUNITY DEVELOPMENT

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**STAFF MEMORANDUM**

**Date:** March 14, 2024  
**To:** Town of Milford Planning Board  
**From:** Terrence S. Dolan, Town Planner  
**Subject:** **Case SP#2024-02, Milford Rashid Gas Mart, M43 Lot20-2, Northeast Corner of South Street & Nathaniel Drive-Major Site Plan Review**

**BACKGROUND:**

The applicant, **689 North Street, LLC**, has proposed the *Milford Rashid Gas Station*, (with convenience market and drive-through lane), as provided to the Planning Board for Major Site Plan Approval.

Two Milford Zoning Board of Adjustment (ZBA) Case Applications were approved in 2023, one for a *Special Exception* (Case 2023-01, Wetland and Buffer Impacts, approved 6/15/23), and another for a needed *Variance* (Case 2023-02, for approval to sell petroleum products in the *Groundwater Resource Area One*, approved 11/17/23). Please see the attached copies of the two ZBA Decisions.

The property site, **Map 43 Lot 20-2**, is presently a **2.00-acre site** (87,165 sq. ft.) located at the northeast corner of South Street and Nathaniel Drive.

Pending the approval of the requested *Lot Line Adjustment (Case SD #2024-03)*, scheduled to be heard at the 3/19/24 Planning Board Mtg. (prior to the Board's review Major Site Plan Application), the proposed gas station/convenience mart site shall be increased by an additional .69-acre of land contributed from the northerly Map 43 Lot 20, with property added along its current eastern boundary line.

This Lot Line Adjustment shall appropriately contribute additionally needed acreage to the proposed development footprint for accommodating required infrastructure for the gas station site, including expanded dedicated areas for stormwater bio-retention (filtration) cells, facilitating safer vehicular & parking circulation, along with other site factors. Both properties are presently owned by Salt Creek Properties, LLC.

**APPLICATION COMPLETENESS**

The Major Site Plan Application materials (received timely by the office on February 20, 2024) do satisfy the requirement to accept the application; however, the **IDR (Inter Department Review)** of the submitted materials yielded multiple staff comments by the various department reviewers in regards to omissions of necessary information & site plan design for the gas station site. (A list of comments from the various department reviewers is provided below).

Several key pieces of information required for our Town Engineer's (DPW) and Utility Dept.'s review, based on the conditional requirements set forth in the ZBA Variance Approval (Case 2023-02) were not included in the original application submission.

## DEPARTMENT COMMENTS

### Town Engineer (DPW Comments-Nicole Crawford)

1. **NOTE:** NHDES Correspondences received to acknowledge: Department receipt of the required *Alteration of Terrain (AoT) Permit application*, dated 2/26/24.

Separate receipt of the 3/6/24 NHDES Correspondence for the *Wetlands Bureau Standard Dredge and Fill Permit Application* (see attached).

No permit issuance, to date.

2. All conditions listed in the ZBA's *Notice of Decision* should be included in Note 21 under the General Notes on Sheet 1.
  - a. It should be noted that the well at *Little Arrows Day Care* will need to be properly decommissioned by a licensed NH water well contractor.
  - b. The Site Containment Plan for the UST's should be submitted for review by the Planning Board. The underground containment needs to be designed by a licensed Professional Geotechnical Engineer.
3. Please provide a copy of the Source Control Plan as would have been required by the NHDES AOT Permit for a high load area.
4. The *Traffic Impact and Access Study (TIAS)* recommended two turn lanes off of South Street:
  - a. A southbound exclusive left-turn lane at South Street and the Site Driveway
  - b. A northbound right-turn lane at South Street and Nathaniel Drive

**These should be shown on the plan with all other proposed markings or marking revisions needed for South Street and Nathaniel Drive.**

5. The TIAS used *Land Use Code 945* for a *Convenience Store/Gas Station* – can additional information be provided as to how this accounts for the proposed drive-through use, as well?
  - a. Are there any projections to show what the queue for the drive-through might look like, and what the expected site traffic flow would be in the event of a long queue?  
Would it affect the site access from Nathaniel Drive?
6. What is the reason for not including the Route 101 ramps in the traffic study? As some traffic for the gas station would be generated from the highway it seems it would be applicable to include them.
  - a. In the *Traffic Impact and Access Study* for the adjacent development, *The Q*, it showed that the intersection of NH Route 13 and NH Route 101 would be affected and that the residential development would reduce the LOS of at least one turning maneuver at the ramps to an LOS E or F for some peak hour timeframes.

In the peer review for that Study, it was recommended to coordinate with NHDOT to determine if the impacts are acceptable or if mitigation would be required. It would seem that any additional traffic generated by the gas station could affect the LOS of this turning maneuver even more.

7. Please provide comments from NHDOT on the Traffic Impact and Access Study.
8. DPW recommends vertical granite curb with a sidewalk along South Street as well as Nathaniel Drive instead of a painted line. A gas station is a destination attracting both pedestrians and vehicles, and there will be two site access points utilized by both. Raised sidewalks help to separate pedestrians from vehicles and maintain safety at points of interaction between the two groups.

9. On the Site Plan and Detail Sheet, it is unclear what the proposed 5' Wide Bituminous Walk looks like and how it would tie into the roadway and/or granite curb.
10. For granite curb within the town R.O.W. please revise the Vertical Granite Curb Detail to match D-19 Granite Curb Detail from DPW *Infrastructure Design, Construction & Administration Standards*.
11. Final retaining wall designs should be submitted to the town prior to construction.
12. In regard to the cross-sections for the bio-retention (filtration) ponds:
  - a. Please change the callout that indicates 12" coarse gravel to 15", if that is what it should be.
  - b. Please clarify what is meant by "*Wrap 12" Around Edges*" for the impermeable liner. Given the shallow depth to groundwater, please confirm that the impermeable liner extends fully up the sides of the bio-retention ponds.
13. The final outlet at the culvert to South Street (Pond 1P in the Post Development Drainage Area Plan) should also have an impermeable liner as well as an outlet control structure that can stop the flow of water off-site in the event of a gasoline spill.
14. Please provide more details on the underground detention system – will the pipe be perforated? Given the shallow depth to groundwater, the detention system should have an impermeable liner to ensure separation of groundwater and stormwater in the event of a gasoline spill.
15. Please review the Town of Milford Stormwater Management Ordinance and submit any items/information that would not already be contained in the NHDES AOT Permit Application including the following:
  - a. Stormwater basin elevations for the 100-yr design storm.
  - b. Identify any locations of deicing chemical/snow storage on the plans.
  - c. Note that the ordinance requires a report to be signed by a qualified professional and submitted to the Planning Board on September 1<sup>st</sup> annually to document that all stormwater management and erosion control measures are functioning per the Operations and Maintenance Plan that is included in the AOT Permit Application.

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**Utilities Department Comments**

(Rec'd via e-mail from Jim Pouliot, Director, dated-3/8/24)

1. Need clarification why they (the applicant) are connecting to the force main on Nathaniel Drive and not doing gravity to South Street?
2. Where is the (Variance-obligated) potable water line to the *Little Arrows Day Care*, and where is the engineering report with the analytical data to support the size line that needs to be ran?
3. Size of water line that will be going into the site and material being used?

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**Transportation Review (DPW and OCD-T. Dolan)**

1. The staff review of the provided (dated-March 15, 2023) *Traffic Impact and Access Study (TIAS)*, provided by the applicant's transportation consultant, Greenman-Pederson, INC (GPI), has warranted a Third-Party Peer Study Review to be performed.
2. The *TIAS Peer Review* work has been difficult due to the chosen transportation consultant's current work load. However, the required *Peer Review* is now expected to be accomplished within the next 2-3 weeks.

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**CONSERVATION COMMISSION COMMENTS**

**NOTE:** Due to the timing of the Conservation Commission's monthly meeting scheduling, they have not had the opportunity to convene and review the Major Site Plan application. This shall be on their scheduled March 14<sup>th</sup> meeting. However, the Commission will not have comments available in time for the *Planning Board's 3/19 Mtg* (please see attached memo from the Conservation Commission).

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## **FIRE DEPARTMENT COMMENTS**

(rec'd from Deputy Chief, Riley Stanchina- in 3/7/24 Memo)

### **FIRE PREVENTION PLAN REVIEW RESPONSE**

**Date:** March 7, 2024

**Parcel #:** 043-020-002-000

**Street Address:** South St. at Nathaniel Dr.

**Project Name:** Rashid Gas Station and Convenience Store

**Review Type:** Preliminary Conceptual Review

**Status:** Reviewed, comments provided

### **Comments:**

The Milford Fire Department has reviewed the provided documents for the planning board major site plan review. The following comments DO NOT constitute plans review for the issuance of a building permit and the limited information provided is not sufficient for a full fire and life safety code review of the proposed project. Upon application for a building permit, a full set of detailed, stamped plans must be submitted to the Fire Department for plans review. Any code requirements mentioned are subject to change upon receipt of new information related to the project.

1. The occupancy classification for the building will be group M under the building code, and Mercantile, Class B under the Fire and Life Safety codes.
2. For purposes of water supply calculations and building height/area considerations the construction of the building will be assumed as type V (000) [NFPA] and type VB [IBC] until shown otherwise by the architect.
  - a. The proposed square footage of the building is approximately 6,675 sq. ft. occupying a single story.
  - b. The maximum allowable height above grade plane for this worst-case construction type is 40 feet for sprinkled buildings.
  - c. The maximum allowable building area shall be proven by a registered design professional.
  - d. Based on the construction type and fire sprinkler assumptions, the required fire flow for the building is 2,250 gallons per minute for 2 hours.
    - i. This will require a minimum of 2 fire hydrants capable of flowing at least 1,125 gallons per-minute each within 250 feet of the building.
    - ii. The total required fire flow can be reduced to 1,000 gallons per-minute if the building is protected throughout by an approved automatic sprinkler system. -OR-
    - iii. The total required fire flow can be reduced to 600 gallons per-minute if the building is protected throughout by an approved automatic sprinkler system utilizing quick-response sprinklers.
  - e. The site plan and building location appear to comply with the fire department access distance requirements.
  - f. The site plan and building location appears to comply with the minimum required width for fire department access roads. The engineer shall provide a fire truck turning plan demonstrating that the fire department ladder truck can successfully navigate through the site. Specifications are available on the Fire Department website.
  - g. An approved automatic fire suppression system shall be installed to protect all pump and dispensing areas in all new unattended self-service stations. Activation of the automatic fire suppression system will automatically transmit an alarm to an alarm receiving point approved by the local fire official. A manual fire alarm station that transmits an alarm to the approved alarm receiving point shall be located in immediate proximity to the emergency electrical disconnect required by NFPA 30A section 6.7.2.

- h. The reporting means for fire alarm signals shall be by direct connection to the Milford Fire Department using the Milford fire alarm system. Connection to the system can be achieved by extending the existing telegraph circuit down South Street to the building location.
- i. Installation of underground fuel dispensing storage tanks requires a permit from the Milford Fire Department in addition to NHDES permitting. Permit applications are available at the fire station or on the fire department website.

This concludes the review comments, please do not hesitate to contact the fire prevention office with any questions.

Sincerely,

Riley J. Stanchina, CFEI  
Deputy Chief  
Milford Fire Department  
rstanchina@milford.nh.gov

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**STAFF RECOMMENDATION:**

Staff has directly discussed a majority of these project site plan comments and remaining issues with the applicant's consultant.

It is acknowledged by the consultant that additional site plan information will be required of the applicant in order to fully declare the project case file sufficient for Planning Board Approval purposes. This needed step shall necessitate an additional future Board Meeting once all requested department information has been provided for review, including the results of the needed Third-Party *Peer Review* Report for the submitted *GPI* Traffic Impact Access Study is concluded. As well, any potential comments forthcoming from the Conservation Commission' 3/14 Mtg. will need to be taken into account, as well as any additional comments by staff and the Planning Board.

Based on the level and significance of the major site plan application's additional material still being requested by the various departments, it is recommended that the initial Major Site Plan Hearing Process commences at the 3/19 Planning Board Mtg., with the understanding the project will be required to come back before the Planning Board at a (near-term) future meeting to conclude the project review process.