

**5:30 2nd Public Hearing to Update the Current Stormwater Ordinance, Chapter 5.32 -
Community Development Director, Lincoln Daley**



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

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Date: July 6, 2022
To: Board of Selectmen
John Shannon, Town Administrator
From: Lincoln Daley, Community Development Director
Subject: Adoption of Milford Municipal Code, entitled Title 5 Health & Safety, Chapter 5.32 Stormwater Management Ordinance (Second Public Hearing)

This item represents the second public hearing to replace Town's current stormwater ordinance, *Milford Municipal Code, entitled Title 5 Health & Safety, Chapter 5.32 Stormwater Management and Erosion Control*, with a new and updated stormwater ordinance, *Chapter 5.32 Stormwater Management Ordinance*, in compliance with the Town's EPA-issued small Municipal Separate Storm Sewer System (MS4) Permit.

Like 44 other municipalities in New Hampshire, the Town of Milford's stormwater discharges to the environment are regulated by the Environmental Protection Agency under the Clean Water Act through the National Pollutant Discharge Elimination System (NPDES). One key Clean Water Act requirement is that Amherst have an EPA-issued small Municipal Separate Storm Sewer System (MS4) Permit. The Town's current MS4 permit was issued in July 2018 and the Town received an Authorization to Discharge from EPA Region 1 on May 2019.

Among numerous other requirements, the current MS4 permit requires the Town to review its stormwater management regulations to ensure those regulations incorporate appropriate stormwater retention and treatment requirements for new development and redevelopment occurring within the town. The technical requirements for stormwater retention and treatment are detailed in the MS4 permit itself and in state stormwater control handbooks and Best Management Practices.

The Town's current stormwater regulations were adopted in 2007 and do not meet the current technical requirements for stormwater retention and treatment. The 2007 regulations also include outdated references to expected precipitation values and do not require design for severe precipitation events commonly used by the state and other communities (a so-called "50- year storm").

With the assistance of the Town's engineering consultant, the Town's Office of Community Development, Planning Board, and Conservation Commission have cooperatively developed draft stormwater regulations to address the MS4 permit requirements and these other issues. Their efforts started with a model regulation developed by a coalition of towns and cities in the Manchester and Nashua area (the New Hampshire Lower Merrimack Valley Stormwater Coalition) to meet the 2018 MS4 permit requirements. Appropriate stormwater requirements from the current regulations were incorporated into that draft after updating references and design standards. The attached proposed regulations are the result of those efforts.(See attached draft Stormwater Ordinance)

The Stormwater Ordinance would impact/apply to developments that disturb 20,000 square feet or larger. Larger development projects (those disturbing more than 100,000 square feet (just over two acres) are

already subject to extensive stormwater controls under the NHDES's Alteration of Terrain Permit Program Rules. Projects disturbing an acre or more of land are required to comply with the federal EPA NPDES Construction General Permit (CGP). The proposed stormwater regulations rely largely on the same calculations, technical requirements, and stormwater control methods that are already used under the state rules and federal program, which should reduce the need for applicants to perform different or duplicative analyses, or to use different control methods, to comply with the Town's proposed regulations.

At the first public hearing, the Board asked that staff identify the additional requirements contained within draft ordinance for further discussion. See attached draft Ordinance containing the yellow highlighted sections indicating the more substantive changes.

TOWN OF MILFORD
*STORMWATER MANAGEMENT
ORDINANCE*



Prepared for:

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June 2022

Stormwater Management Ordinance (June 1, 2022)

A. Purpose and Goals

Developments shall not increase, decrease, modify, or alter the normal patterns of stormwater drainage caused during the development of a site and/or by the eventual development itself. The goal of these standards is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public in the Town of Milford. This Ordinance seeks to meet that goal through the following objectives:

1. Prevent increases in stormwater runoff from any development to reduce flooding, siltation and streambank erosion and maintain the integrity of stream channels.
2. Prevent increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality.
3. Minimize the total volume of surface water runoff which flows from any specific site during and following development to not exceed the pre-development hydrologic condition to the maximum extent practicable as allowable by site conditions.
4. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, through stormwater management controls and to ensure that these management controls are properly maintained and pose no threat to public safety or cause excessive municipal expenditures.
5. Protect the quality of groundwater resources, surface water bodies and wetlands.

B. Authority

This Ordinance is adopted pursuant to the authority vested in:

1. The authority vested in the Selectmen pursuant to RSA 41:11, RSA 47:17, VII, VIII, and XVIII; and
2. The Planning Board pursuant to RSA 674:35 and 36, and RSA 674:44; and, RSA 155-E:11; and
3. The authority vested in the Health Officer and Board of Health pursuant to RSA 147:1 and 147:14; and
4. The authority vested in the Water and Sewer Commissioners pursuant to RSA 38:26 and RSA 149:1:6, respectively.

The Ordinance shall become effective upon adoption by the Town of Milford Planning Board, Health Officer/Board of Health, the Board of Selectmen, Water and Sewer Commissions, in accordance with the statutory sections identified above.

C. Jurisdiction

1. This Ordinance shall pertain to all land within the boundaries of the Town of Milford, New Hampshire.
2. In any case where a provision of the Ordinance is found to be in conflict with a provision of any other Ordinance, Regulation, code, or covenant in effect in the Town of Milford or with any State Statute with particular reference to NHRSA Chapter 676:14 and 674:16 and 674:17 and the relevant sections therein, the provision which is the more restrictive shall prevail.

D. Severability

The invalidity of any section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance shall not be held to invalidate any other section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance.

E. Amendments

This Ordinance may be amended by the approval of the several boards identified in Section B

above, provided that each such agency complies with any applicable statutory or local procedures governing their authority to adopt such Ordinance. Amendments to zoning aspects must be approved at Milford Town Meeting.

F: Minimum Thresholds for Applicability

1. The post-construction stormwater management standards apply to any development or redevelopment project that:
 - a. Disturbs more than twenty thousand (20,000) square feet, or
 - b. Disturbs more than ten thousand (10,000) square feet cumulative within one hundred (100) feet of existing surface waters, including ponds, rivers, perennial, and intermittent streams (natural or channelized), and wetlands (including vernal pools) and shall be protected by the minimum buffer setback distances (as specified in Section 6.02.03 of the Zoning Ordinance).
2. Applications for Subdivisions and Site Plan Applications will be administered by the Planning Board and all other application that do not require Planning Board action (i.e., individual lots) will be administered by the or Community Development/DPW Department officials.
3. At the request of an applicant, the Planning Board or Community Development/DPW Department officials, as applicable, may grant a waiver to any or all stormwater standards for projects that: disturb less than one acre; create less than five-thousand (5,000) square feet of new impervious surface; and do not disturb land within one-hundred (100) feet of a surface water body or wetland, or as the Planning Board or Community Development/DPW Department officials determines appropriate. Community Development/DPW Department officials may consult with the Conservation Commission as needed.
 - a. Runoff from new impervious surfaces shall be directed to a filtration and/or infiltration device or properly discharged to a naturally occurring or fully replanted and vegetated area with slopes of fifteen (15%) percent or less and with adequate controls to prevent soil erosion and concentrated flow.
 - b. Impervious surfaces for parking areas and roads shall be minimized to the extent possible (including minimum parking requirements for proposed uses and minimum road widths).
 - c. Runoff generated from new impervious surfaces shall be retained on the development site and property and mimic natural hydrologic processes to the maximum extent possible, or it is determined that the biological and chemical properties of the receiving waters will not be degraded by or its hydrology will benefit from discharge of treated or filtered stormwater runoff from the development site.
 - d. Compliance with standards 3.a to 3.c above will be determined by the Planning Board or Community Development/DPW Department officials, as applicable, on a case-by-case basis as site conditions and constraints differ greatly between various development and re-development proposals.
4. The following activities are considered exempt from this Ordinance:
 - a. Agricultural and forestry practices that are using established best management practices.
 - b. Resurfacing and routine maintenance of roads and parking lots.
 - c. Exterior and interior alterations and maintenance to existing buildings and structures that do not change the building footprint.
5. Application

Commented [LD1]: Minimum Thresholds - 20,000 sf.

Commented [LD2]: Waiver Provision

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- a. All projects subject to these standards require the applicant to complete a Stormwater Permit Application form and submit plans and other required documents as required below. Prior to commencement of land disturbance, the applicant must obtain written approval as required by this Ordinance.
6. Other Required Permits
 - a. In addition to local approval, copies of the following permits shall be required if applicable:
 - i. *RSA 485-A:17* requires a permit from the New Hampshire Department of Environmental Services (NHDES) Water Supply and Pollution Control Division for "...any person proposing to significantly alter the characteristic of the terrain, in such a manner as to impede natural runoff or create an unnatural runoff ..." Regulations require this permit for any project involving more than one-hundred thousand (100,000) contiguous square feet of disturbance or if such activity occurs in or on the border of the surface waters of the state.
 - ii. *RSA 482-A* requires a permit from the Department of Environmental Services for any person desiring to "...excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the State."
 - iii. *National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit*. A permit issued by the Environmental Protection Agency (EPA) or by the State under authority delegated pursuant to *33 USC, section 1342 (b)* that authorizes the discharge of pollutants to waters of the United States. For a cumulative disturbance of one (1) acre of land that EPA considers "construction activity," which includes, but is not limited to clearing, grading, excavation, and other activities that expose soil typically related to landscaping, demolition, and construction of structures and roads, a federal permit will be required. Consult the EPA for specific rules. This EPA permit is in addition to any state or local permit required.
 - b. *Stormwater Pollution Prevention Plan (SWPPP)*, if applicable.

G: Stormwater Management for New Development

1. All proposed stormwater management practices and treatment systems shall meet the following performance standards.
2. Alternatives to stream and wetland crossings that eliminate or minimize environmental impacts shall be considered. Existing surface waters, including ponds, rivers, perennial, and intermittent streams (natural or channelized), and wetlands (including vernal pools) shall be protected by the minimum buffer setback distances (as specified in the Zoning and Regulations). Stormwater and erosion and sediment control BMPs shall be located outside the specified buffer zone unless otherwise approved by the Planning Board. Alternatives to stream and wetland crossings that eliminate or minimize environmental impacts shall be considered. When necessary, as determined by the Planning Board or their representative, stream and wetland crossings shall comply with state recommended design standards to minimize impacts to flow and enhance animal passage (see the NHDES Stream Crossing Guidelines, as amended).

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Low Impact Development (LID) site planning and design strategies must be used to the maximum extent practicable to reduce stormwater runoff volumes, protect water quality, and maintain predevelopment site hydrology. Low Impact Development techniques that preserve existing vegetation, reduce the development footprint, minimize, or disconnect impervious area, and use enhanced stormwater *Best Management Practices* (BMPs) (such as raingardens, bioretention systems, tree box filters, and similar stormwater management landscaping techniques) shall be incorporated into landscaped areas as discussed in the *NH Stormwater Manual. Volumes 1 and 2, December 2008*, as amended or other equivalent means approved by the Town. Capture and reuse of stormwater is strongly encouraged. The applicant must document in writing why Low Impact Development strategies are not appropriate when not used to manage stormwater. Community Development/DPW Department officials may consult with the Conservation Commission as needed.

3. All stormwater treatment areas shall be planted with native plantings appropriate for the site conditions: trees, grasses, shrubs and/or other native plants in sufficient numbers and density to prevent soil erosion and to achieve the water quality treatment requirements of this section.
4. Salt storage areas shall be fully covered with permanent or semi-permanent measures and loading/offloading areas shall be located and designed to not drain directly to receiving waters and maintained with good housekeeping measures in accordance with *New Hampshire Department of Environmental Services* published guidance. Runoff from snow and salt storage areas shall enter treatment areas as specified above before being discharged to receiving waters or allowed to infiltrate into the groundwater.
5. Surface runoff shall be directed into appropriate stormwater control measures designed for treatment and/or filtration to the maximum extent practicable and/or captured and reused onsite.
6. All newly generated stormwater from new development shall be treated on the development site. A development plan shall include provisions to retain natural predevelopment watershed areas on the site by using the natural flow patterns.
7. Runoff from impervious surfaces shall be treated to achieve at least eighty (80%) percent removal of Total Suspended Solids and at least fifty (50%) removal of both total nitrogen and total phosphorus using appropriate treatment measures, as specified in the *NH Stormwater Manual. Volumes 1 and 2, December 2008*, as amended or other equivalent means approved by the Town. Where practical, the use of natural, vegetated filtration and/or infiltration practices or subsurface gravel wetlands for water quality treatment is preferred given its relatively high nitrogen removal efficiency. All new impervious area draining to surface waters impaired by nitrogen, phosphorus or nutrients shall be treated with stormwater Best Management Practices (BMPs) designed to optimize pollutant removal efficiencies based on design standards and performance data published by the UNH Stormwater Center and/or included in the latest version of the *NH Stormwater Manual*.
8. Measures shall be taken to control the post-development peak runoff rate so that it does not exceed pre-development runoff for the 2-year, 10-year, and 25-year design storm at each discharge point from the site. Drainage analyses shall include calculations using analysis methodologies in the *NH Stormwater Manual, December 2008, as amended* comparing pre- and post-development stormwater runoff rates (cubic feet/second) for the 2-year, 25-year, 50-year storm and system/pond overflows shall be designed to accommodate the 100-year design storms runoff rates. Stormwater volume control shall mitigate the increase in the post-development runoff volume to infiltrate the groundwater recharge volume GRV according to the ratios of

Hydrologic Soil Group (HSG) type versus infiltration rate multiplier (see attached Stormwater Design Criteria Table). For sites where infiltration is limited or not practicable, the applicant must demonstrate that the project will not create or contribute to water quality impairment.

9. The design of the stormwater drainage systems shall provide for the conveyance or recharge of stormwater without flooding or functional impairment to streets, adjacent properties, downstream properties, soils, or vegetation. The design shall also provide adequate conveyance systems for groundwater collected and diverted to a concentrated location without functional impairment to streets, adjacent properties, or downstream properties.
10. The physical, biological, and chemical integrity of the receiving waters shall not be degraded by the stormwater runoff from the development site.
11. The design of the stormwater management systems shall account for upstream and upgradient runoff that flows onto, over, or through the site to be developed or re-developed and design for this contribution of runoff.
12. All stormwater installations that received runoff must be designed to drain within a maximum of seventy-two (72) hours.
13. Appropriate erosion and sediment control measures shall be installed prior to any soil disturbance, the area of disturbance shall be kept to a minimum, and any sediment in runoff shall be retained within the project area. Wetland areas and surface waters shall be protected from sediment. Disturbed soil areas shall be either temporarily or permanently stabilized consistent with the *NHDES Stormwater Manual Volume 3*, as amended, guidelines. In areas where final grading has not occurred, temporary stabilization measures should be in place within 7 days for exposed soil areas within 100 feet of a surface water body or wetland and no more than forty-five (45) days for all other areas. Permanent stabilization should be in place no more than three (3) days following the completion of final grading of exposed soil areas.
14. All temporary control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized prior to removal of temporary control measures unless specifically designed to remain.
15. Whenever practicable, native site vegetation shall be retained, protected, or supplemented. Any stripping of vegetation shall be done in a manner that minimizes soil erosion.
16. Submission Requirements for Stormwater Management Report and Plans.
 - a. All applications subject to these Standards shall include a comprehensive Stormwater Management Plan. The Stormwater Management Plan shall include a narrative description and an Existing Conditions Site Plan showing all pre-development impervious surfaces, buildings, and structures; surface water bodies and wetlands; drainage patterns, sub-catchment, and watershed boundaries; building setbacks and buffers, locations of various hydrologic group soil types, mature vegetation, land topographic contours with minimum 2-foot intervals and spot grades where necessary for sites that are flat.
 - b. The Stormwater Management Plan shall include a narrative description and a Proposed Conditions Site Plan showing all post-development proposed impervious surfaces, buildings and structures; temporary and permanent stormwater management elements and Best Management Practices, including GIS coordinates and GIS files; important hydrologic features created or preserved on the site; drainage patterns, sub-catchment and watershed boundaries; building setbacks and buffers; proposed tree clearing and topographic contours

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with minimum two (2) foot intervals. The plans shall provide calculations and identification of the total area of disturbance proposed on the site (and off-site if applicable) and total area of new impervious surface created. A summary of the drainage analysis showing a comparison of the estimated peak flow and volumes for various design storms (see Table 1. Stormwater Infrastructure Design Criteria) at each of the outlet locations shall be included.

- c. The Stormwater Management Plan shall describe the general approach and strategies implemented, and the facts relied upon, to meet the goals of Section C. The Stormwater Management Plan shall include design plans and/or graphical sketch(es) of all proposed above ground Low Impact Development (LID) practices.
- d. The Stormwater Management Plan shall include calculations of the change in impervious area, pollution loading and removal volumes for each best management practice, and GIS files containing the coordinates of all stormwater infrastructure elements (e.g., catch basins, swales, detention/bioretenement areas, piping).
- e. The Stormwater Management Plan shall include a description and a proposed Site Plan showing proposed erosion and sediment control measures, limits of disturbance, temporary and permanent soil stabilization measures in accordance with the NH Department of Environmental Services *Stormwater Manual Volume 3* (as amended) as well as a construction site inspection plan including phased installation of best management practices and final inspection upon completion of construction. All temporary erosion and sediment control measures shall be removed upon completion (complete stabilization) of the project site.
- f. The Stormwater Management Plan shall include a long-term stormwater management Best Management Practices (BMP) inspection and maintenance plan (Section E) that describes the responsible parties and contact information for the qualified individuals who will perform future inspections. The inspection frequency, maintenance and reporting protocols shall be included.
- g. The Stormwater Management Plan shall describe and identify locations of any proposed deicing chemical and/or snow storage areas. Stormwater Management Plan will describe how deicing chemical use will be minimized or used most efficiently.
- h. In urbanized areas that are subject to the *EPA MS4 Stormwater Permit* and will drain to chloride-impaired waters, any new developments and redevelopment projects shall submit a description of measures that will be used to minimize salt usage, and track and report amounts applied using the UNH Technology Transfer Center online tool (<http://www.roadsalt.unh.edu/Salt/>) in accordance with Appendix H of the *NH MS4 Permit*.

12. General Performance Criteria for Stormwater Management Plans.

- a. All applications shall apply site design practices as outlined in the Development Regulations, to reduce the generation of stormwater in the post-developed condition, reduce overall impervious surface coverage, seek opportunities to capture and reuse and minimize the discharge of stormwater to the municipal stormwater management system.
- b. Water Quality Protection.
 - i. No stormwater runoff generated from impervious cover from new development or redevelopment shall discharge directly into a jurisdictional wetland or surface water body without adequate treatment as noted in this Ordinance.
 - ii. All developments shall provide adequate management of stormwater runoff and

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- prevent discharge of stormwater runoff from creating or contributing to water quality impairment.
- c. Onsite groundwater recharge shall be maintained by promoting infiltration through use of structural and non-structural methods. The recharge from the post development site shall maintain or exceed the recharge from pre-development site conditions in accordance with the soil type requirements discussed above in Section C.9. Capture and reuse of stormwater runoff is encouraged in instances where groundwater recharge is limited by site conditions. All stormwater management practices shall be designed to convey stormwater to allow for maximum groundwater recharge. This shall include, but not be limited to:
 - i. Maximizing flow paths from collection points to outflow points.
 - ii. Use of multiple best management practices (NH Stormwater Manual).
 - iii. Retention of stormwater and discharge to fully vegetated areas.
 - iv. Maximizing use of infiltration practices.
 - v. Stormwater System Design Performance Standards described in Appendix A.
 - d. Stormwater system design, performance standards and protection criteria shall be provided as prescribed in Appendix A. Calculations shall include sizing of all structures and best management practices, including sizing of emergency overflow structures based on assessment of the 100-year 24-hour frequency storm discharge rate.
 - e. The sizing and design of stormwater management practices shall utilize the higher precipitation volume from new precipitation data from the *Northeast Region Climate Center (NRCC) Extreme Precipitation Tables* or the most recent precipitation atlas published by the National Oceanic and Atmospheric Administration (NOAA) for the sizing and design of all stormwater management practices.
 - f. All stormwater management practices involving bioretention and vegetative cover as a key functional component must have a landscaping plan detailing both the type and quantities of plants and vegetation to be in used in the practice. Additional detail shall include how vegetation is to be maintained and that the owner of the property is responsible for maintaining vegetation. The use of native plantings appropriate for site conditions is required for these types of stormwater treatment areas. The landscaping plan must be prepared by a registered landscape architect, certified wetland scientist, or another qualified professional.
13. Water Quality Protection: All aspects of the application shall be designed to protect the quality of surface waters and groundwater of the Town of Milford as follows:
- a. No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, noxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface water or groundwater to contaminate, pollute, harm, impair or contribute to an impairment of such waters.
 - b. All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials shall meet the regulations of the New Hampshire Department of Environmental Services (NHDES).

H: Stormwater Management for Redevelopment

1. Redevelopment (as applicable to this stormwater Ordinance) means:
 - a. Any construction, alteration, or improvement that disturbs existing impervious area (including

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demolition and removal of road/parking lot materials down to the erodible sub-base) or expands existing impervious cover by any amount, where the existing land use is commercial, industrial, institutional, governmental, recreational, or multi-family residential.

- b. Any redevelopment activity that results in improvements with no increase in impervious area shall be considered redevelopment activity under this Ordinance.
 - c. Any new impervious area over portions of a site that are currently pervious.
 - d. The following activities are not considered redevelopment:
 - i. Interior and exterior building renovation (no change in building footprint).
 - ii. Resurfacing of an existing paved surface (e.g., parking lot, walkway, or roadway).
 - iii. Pavement excavation and patching that is incidental to the primary project purpose, such as replacement of a collapsed storm drain.
 - iv. Landscaping installation and maintenance.
2. Redevelopment applications shall comply with the requirements of Sections C.10 Submission Requirements for Stormwater Management Report and Plans, C.11 General Performance Criteria for Stormwater Management Plans, and C.12 Water Quality Protection.
 3. For sites meeting the definition of a redevelopment project and having less than forty (40%) percent existing impervious surface coverage, the stormwater management requirements will be the same as other new development projects. The applicant must satisfactorily demonstrate that impervious area is minimized, and Low Impact Development (LID) practices have been implemented on-site to the maximum extent practicable.
 4. For sites meeting the definition of a redevelopment project and having more than forty (40%) percent existing impervious surface area, stormwater shall be managed for water quality in accordance with one or more of the following techniques, listed in order of preference:
 - a. Implement measures onsite that result in disconnection or treatment of one hundred (100%) percent of the additional proposed impervious surface area and at least thirty (30%) percent of the existing impervious area and pavement areas, preferably using filtration and/or infiltration practices.
 - b. If resulting in greater overall water quality improvement on the site, implement Low Impact Development practices to the maximum extent practicable to provide treatment of runoff generated from at least forty (40%) percent of the entire developed site area.
 - c. An alternative plan resulting in greater overall water quality improvement from runoff from the site, as approved by the Planning Board.
 5. Off-Site Mitigation:
 - a. In cases where the applicant demonstrates, to the satisfaction of the planning board, that onsite treatment has been implemented to the maximum extent possible or is not feasible, off-site mitigation will be an acceptable alternative if implemented within the same sub-watershed, within the project's drainage area or within the drainage area of the receiving water body. To comply with local watershed objectives the mitigation site would be preferably situated in the same sub-watershed as the development and impact/benefit the same receiving water.
 - b. Off-site mitigation shall be equivalent to no less than the total area of impervious cover NOT treated on-site.
 - c. An approved off-site location must be identified, the specific management measures identified, and an implementation schedule developed in accordance with planning board review. The

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applicant must also demonstrate that there is no downstream drainage or flooding impacts as a result of not providing on-site management for large storm events.

- d. A monetary contribution may be allowed by the Planning Board if the funds can be used for water quality mitigation that is at least equal to the impact caused by the development project and the Planning Board determines that it is in the Town's best interest.

Commented [LD3]: Off-Site Mitigation Option

I: Stormwater Management Plan and Site Inspections

- 1. The applicant shall provide that all stormwater management and treatment practices have an enforceable operations and maintenance plan and agreement to ensure the system functions as designed. This agreement will include all maintenance easements required to access and inspect the stormwater treatment practices, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater system. The operations and maintenance plan shall specify the parties responsible for the proper maintenance of all stormwater treatment practices. The operations and maintenance plan shall be provided to the Planning Board as part of the application prior to issuance of any local permits for land disturbance and construction activities.
- 2. The applicant shall provide legally binding documents for filing with the registry of deeds (recorded plan for subdivisions and a deed reference for all other projects) which demonstrate that the obligation for maintenance of stormwater best management practices and infrastructure runs with the land and that the Town has legal access to inspect the property to ensure their proper function or maintain onsite stormwater infrastructure when necessary to address emergency situations or conditions.
- 3. The property owner shall bear responsibility for the installation, construction, inspection, and maintenance of all stormwater management and erosion control measures required by the provisions of these Ordinances and as approved by the Planning Board, including emergency repairs completed by the Town.

J. Stormwater Management Plan Recordation

- 1. Stormwater management and sediment and erosion control plans shall be incorporated as part of any approved development application. A Notice of Decision acknowledging the Planning Board approval of these plans shall be maintained in the Town's Planning Office.
- 2. The applicant shall submit as-built drawings (hard copy and CAD/GIS format) of the constructed stormwater management system following construction.
- 3. Easements: Where a development is traversed by or requires the construction of a watercourse or a drainage way, an easement to the Town of adequate size to enable construction, reconstruction and required maintenance shall be provided for such purpose. Easements to the Town shall also be provided for the purpose of periodic inspection of drainage facilities and Best Management Practices should such inspections by the Town become necessary. All easements shall be recorded at the County Registry of Deeds.

K. Inspection and Maintenance Responsibility

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1. Municipal staff or their designated agent, including but not limited to the Code Enforcement Officer or Town Engineer, shall be granted site access to complete inspections to ensure compliance with the approved stormwater management and sediment and erosion control plans. Such inspections shall be performed at a time agreed upon with the landowner.
 - a. If permission to inspect is denied by the landowner, municipal staff or their designated agent shall secure an administrative inspection warrant from the district or superior court under *RSA 595-B Administrative Inspection Warrants*. Expenses associated with inspections shall be the responsibility of the applicant/property owner.
 - b. If violations or non-compliance with a condition(s) of approval are found on the site during routine inspections, the inspector shall provide a report to the Board of Selectmen and the Planning Board documenting these violations or non-compliance, including recommend corrective actions. The Code Enforcement Officer or other municipal staff shall notify the property owner in writing of these violations or non-compliance and corrective actions necessary to bring the property into full compliance. At their discretion, the Code Enforcement officer may issue a stop work order if corrective actions are not completed within 10 business days.
 - c. If corrective actions are not completed within a period of 30 days from property owner's notification, the Planning Board may exercise their jurisdiction under *RSA 676:4-a, Revocation of Recorded Approval*.
2. The applicant shall bear final responsibility for the installation, construction, inspection, and disposition of all stormwater management and erosion control measures required by the Planning Board. Site development shall not begin before the Stormwater Management Plan receives written approval by the Planning Board.
 - a. The applicant and the applicant's engineer (or technical representative) shall schedule and attend a mandatory preconstruction meeting with the Town Engineer or his designee at least two weeks prior to commencement of construction. All required escrow deposits and bonding must be in place prior to the scheduled meeting. (Note: Preconstruction conferences will typically not be required for construction of one single-family home or one residential duplex, not part of a larger plan of construction.)
 - b. The Department of Community Development and/or Department of Public Works reserve the right to prepare and request the applicant's acknowledgement of a preconstruction checklist.
 - c. The applicant shall bear final responsibility for the installation, construction, inspection, and disposition of all stormwater management and erosion control measures required by the provisions of this Ordinance.
 - d. The Department of Community Development may require a bond or other security with surety conditions in an amount satisfactory to the Town, providing for the actual construction, installation, and removal of such measures within a period specified by the Town and expressed in the bond or the security.
 - e. The Department of Community Development and/or Code Enforcement may require the owner or his authorized agent to deposit in escrow with the Town an amount of money sufficient to cover the Town's costs for inspection and any professional assistance required for site compliance monitoring.
 - f. Site development shall not begin before all Town, State and Federal Permits are in place.

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3. The municipality retains the right, though accepts no responsibility, to repair or maintain stormwater infrastructure if: a property is abandoned or becomes vacant; and in the event a property owner refuses to repair infrastructure that is damaged or is not functioning properly.
4. Landowners subject to an approved Stormwater Management Plan shall be responsible for submitting an annual report to the Planning Board by September 1 each year by a qualified professional that all stormwater management and erosion control measures are functioning per the approved stormwater management plan. The annual report shall note if any stormwater infrastructure has needed any repairs other than routine maintenance and the results of those repairs. If the stormwater infrastructure is not functioning per the approved stormwater management plan the landowner shall report on the malfunction in their annual report and include detail regarding when the infrastructure shall be repaired and functioning as approved.
5. If no report is filed by September 1st, municipal staff or their designated agent shall be granted site access to complete routine inspections to ensure compliance with the approved stormwater management and sediment and erosion control plans. Such inspections shall be performed at a time agreed upon with the landowner and at the landowner's expense.
6. If the stormwater infrastructure is not functioning per the approved stormwater management plan the landowner shall report on the malfunction in their report and include detail regarding when the infrastructure shall be repaired and functioning as approved. Landowners are responsible for maintaining their own records and the Town may request record information on any sites as they determine necessary.
7. Municipal staff or their designated agent shall have site access to complete routine inspections to ensure compliance with the approved stormwater management and sediment and erosion control plans. Such inspections shall be performed at a time agreed upon with the landowner and at the landowner's expense.
8. Confirmation by Registered Professional Engineer. Upon such inspection, when the circumstances of any suspected breach of condition or violation of this Ordinance involve standards that implicate technical engineering criteria either included in this Ordinance or as a condition of such permits, the Code Enforcement Officer, Health Officer, and/or DPW Director or their designee shall seek confirmation that such circumstances constitute a violation of such criteria prior to taking any enforcement at the landowner's expense.
9. Enforcement. Upon such confirmation by a Registered Professional Engineer, or when such confirmation is not required due to the fact that the circumstances of such violation do not implicate technical engineering criteria either included in this Ordinance or as a condition of such permit, the Code Enforcement Officer, Health Officer, and/or DPW Director or their designee may proceed to enforce the provisions of this Ordinance or conditions of the permit in accordance with applicable statutes, rules or regulations and at the landowner's expense.

L: Glossary of Terms

BEST MANAGEMENT PRACTICES (BMPs) - A structural or non-structural device designed to temporarily store or treat urban stormwater runoff in order to mitigate flooding, reduce pollution and provide other amenities.

Stormwater Management Ordinance (June 1, 2022)

BIORETENTION – A water quality practice that utilizes vegetation and soils to treat urban stormwater runoff by collecting it in shallow depressions, before filtering through an engineered bioretention planting soil media.

BUFFER – An upland area adjacent to a wetland or surface water. This buffer zone, under the jurisdiction of the Town of Milford, shall include an area of one hundred (100) feet, measured on a horizontal plane from the mean high-water mark of a surface water, the delineated edge of a wetland, or the limits of hydric soils (whichever is most restrictive).

DISTURBED AREA – An area in which the natural vegetative soil cover has been removed or altered and, therefore, is susceptible to erosion.

EFFECTIVE IMPERVIOUS COVER (EIC) – The total impervious surface areas less the area of disconnected impervious cover (areas where runoff is captured and infiltrated or otherwise treated).

ENVIRONMENTAL (NATURAL RESOURCE) PROTECTION - Policies and procedures aimed at conserving natural resources, preserving the current state of natural environments and, where possible, reversing degradation. Any activity to maintain or restore environmental quality through preventing the emission of pollutants or reducing the presence of polluting substances in environmental media and preventing physical removal or degradation of natural resources.

FILTRATION – The process of physically or chemically removing pollutants from runoff. Practices that capture and store stormwater runoff and pass it through a filtering media such as sand, organic material, or the native soil for pollutant removal. Stormwater filters are primarily water quality control devices designed to remove particulate pollutants and, to a lesser degree, bacteria, and nutrients.

GROUNDWATER RECHARGE – The process by which water that seeps into the ground, eventually replenishing groundwater aquifers and surface waters such as lakes, streams, and the oceans. This process helps maintain water flow in streams and wetlands and preserves water table levels that support drinking water supplies.

GROUNDWATER RECHARGE VOLUME (GRV) – The post-development design recharge volume (i.e., on a storm event basis) required to minimize the loss of annual pre-development groundwater recharge. The GRV is determined as a function of annual pre-development recharge for site-specific soils or surficial materials, average annual rainfall volume, and amount of impervious cover on a site.

IMPAIRED WATERS – Those waterbodies not meeting water quality standards. Pursuant to Section 303(d) of the federal Clean Water Act, each state prepares a list of impaired waters (known as the 303(d) list) which is presented in the state's Integrated Water Report as Category 5 waters. Those impaired waters for which a TMDL has been approved by US EPA and is not otherwise impaired, are listed in Category 4A.

IMPERVIOUS COVER – Impermeable surfaces shall include buildings, paved and unpaved vehicular access and parking areas, and any other area incapable of percolating water at a rate comparable to dry uncompacted ground. Term defined in Zoning Ordinance, Section IX General Standards, E.

Stormwater Management Ordinance (June 1, 2022)

INFILTRATION – the process of runoff percolating into the ground (subsurface materials). Stormwater treatment practices designed to capture stormwater runoff and infiltrate it into the ground over a period of days.

LOW IMPACT DEVELOPMENT (LID) - Low impact development is a site planning and design strategy intended to maintain or replicate predevelopment hydrology through the use of site planning, source control, and small-scale practices integrated throughout the site to prevent, infiltrate, and manage runoff as close to its source as possible. Examples of LID strategies are pervious pavement, rain gardens, green roofs, bioretention basins and swales, filtration trenches, and other functionally similar BMPs located near the runoff source.

MAXIMUM EXTENT PRACTICABLE (MEP) - To show that a proposed development has met a standard to the maximum extent practicable, the applicant must demonstrate the following: (1) all reasonable efforts have been made to meet the standard, (2) a complete evaluation of all possible management measures has been performed, and (3) if full compliance cannot be achieved, the highest practicable level of management is being implemented.

MITIGATION – Activities, strategies, policies, programs, actions that, over time, will serve to avoid, minimize, or compensate for (by treating or removing pollution sources) the impacts to or disruption of water quality and water resources. **MS4** – Refers to the Small Municipal Separate Storm Sewer System General Permit - the MS4 General Permit - issued by the EPA under the Clean Water Act. MS4 applies to municipalities that contain any portion of an urbanized area as defined by the Census. It applies to stormwater conveyances owned by a State, city, town, or other public entity that discharge to 'Waters of the United States.' The MS4 Permit requires that operators of small MS4s develop a Storm Water Management Program that uses appropriate Best Management Practices (BMPs) for each of the six minimum control measures required in the MS4 permit.

NATIVE VEGETATION AND PLANTINGS - Plants that are indigenous to the region, adapted to the local soil and rainfall conditions, and require minimal supplemental watering, fertilizer, and pesticide application.

LOAD – means an amount of pollutants that is introduced into a receiving waterbody measured in units of concentration or mass per time (i.e., concentration (mg/l) or mass (lbs./day)).

RETENTION – The amount of precipitation on a drainage area that does not escape as runoff. It can be expressed as the difference between total precipitation and total runoff from an area. **TOTAL**

SUSPENDED SOLIDS (TSS) – The total amount of soils particulate matter which is suspended in the water column.

WATER QUALITY VOLUME - The storage needed to capture and treat 90% of the average annual stormwater runoff volume. In New Hampshire, this equates to 1-inch of runoff from impervious surfaces.

WATERSHED – All land and water area from which runoff may run to a common (design) discharge point.

Appendix A. Stormwater Infrastructure Design Criteria

Design Criteria	Description										
Water Quality Volume (WQV)	$WQV = (P)(R_v)(A)$ P = 1 inch of rainfall R _v = unitless runoff coefficient, $R_v = 0.05 + 0.9(I)$ I = percent impervious cover draining to the structure converted to decimal form A = total site area draining to the structure										
Water Quality Flow (WQF)	$WQF = (q_u)(WQV)/640$ WQV = water quality volume calculated as noted above q _u = unit peak discharge from TR-55 exhibits 4-II and 4-III [1 square mile=640 acres, converts WQF equation to cubic feet per second] Variables needed for exhibits 4-II and 4-III: I _a = the initial abstraction = 0.25 S = potential maximum retention in inches = $(1000/CN) - 10$ CN = water quality depth curve number $= 1000 / (10 + 5P + 10Q - 10[Q^2 + 1.25(Q)(P)]^{0.5})$ P = 1 inch of rainfall Q = the water quality depth in inches = WQV/A A = total area draining to the design structure										
Groundwater Recharge Volume (GRV)	$GRV = (A_i)(R_d)$ A _i = the total area of effective impervious surfaces that will exist on the site after development R _d = the groundwater recharge depth based on the USDA/NRCS hydrologic soil group, as follows: <table style="margin-left: 40px;"> <thead> <tr> <th>Hydrologic Group</th> <th>R_d (inches)</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>0.40</td> </tr> <tr> <td>B</td> <td>0.25</td> </tr> <tr> <td>C</td> <td>0.10</td> </tr> <tr> <td>D</td> <td>0.00</td> </tr> </tbody> </table>	Hydrologic Group	R _d (inches)	A	0.40	B	0.25	C	0.10	D	0.00
Hydrologic Group	R _d (inches)										
A	0.40										
B	0.25										
C	0.10										
D	0.00										
Channel Protection Volume (CPV)	If the 2-year, 24-hour post-development storm volume <i>does not increase</i> due to development then: control the 2-year, 24-hour post-development peak flow rate to the 2-year, 24-hour predevelopment level. If the 2-year, 24-hour post-development storm volume <i>does increase</i> due to development then: control the 2-year, 24-hour post-development peak flow rate to ½ of the 2-year, 24-hour pre-development level or to the 1-year, 24-hour pre-development level.										
Peak Control	Post-development peak discharge rates shall not exceed pre-development peak discharge rates for the 2-year, 10-year, 25-year, 24-hour storms										
EIC and UDC	%EIC = area of effective impervious cover/total drainage areas within a project area x 100 %UDC = area of undisturbed cover/total drainage area within a project area x 100										

[Source: NH DES Stormwater Manual: Volume2 Post-Construction Best Management Practices Selection & Design (December 2008), as amended.



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620

WEB: WWW.MILFORD.NH.GOV

STAFF MEMO

Date: July 6, 2022

To: Board of Selectmen

John Shannon, Town Administrator

From: Lincoln Daley, Community Development Director

Subject: Milford Community Revitalization Tax Relief Incentive Program Application

Milford – HINEC Senior Housing LLC., Tax Map 26, Lot 169, 54 School Street

PROPOSAL

The applicant, Milford – HINEC Senior Housing LLC., is before the Board seeking approval of their Milford Community Revitalization Tax Relief Incentive Program Application related to the external/interior rehabilitation and expansion of the 24,254 square foot building. The applicant previously received both Board of Adjustment and Planning Board approvals for the change of use and construction of the 18 units of affordable senior housing, site improvements, and parking lot expansion. The applicant/property owner submitted the required building permit applications and have been issued building permit to begin construction. To date, no construction has occurred.

The project will include the complete interior renovation/rehabilitation of the existing building and construction of a 3-story, 9,990 gross square foot addition. The existing building will be structurally modified to provide meet building codes for additional snow loads. All electrical and plumbing throughout the existing building will be replaced and extended into the addition. Central heat will be provided to existing building and addition via natural gas fired high efficiency boilers. The applicant is seeking a four (4) year property tax exemption period.

APPLICATION STATUS:

The application was submitted on June 8, 2022 has been reviewed by Town staff. The application is complete and ready for consideration by the Board of Selectmen.

STAFF COMMENTS:

To qualify for tax relief under this program, the proposed substantial rehabilitation must provide a minimum of one of the public benefits listed in RSA 79-E:7.

1. Enhancement of the economic vitality of the downtown; (RSA 79-E:7, I).

The qualifying structure will significantly renovate a building that has been in a state of disrepair and vacancy for quite some time. When completed, the internal renovations and construction will greatly enhance the visual and physical character of the downtown and Commercial District. The proposed reuse and expansion of the building will add to the diversity of uses and economic vitality of the downtown by offering housing diversity and attracting additional residents and visitors to the area.

2. Enhancement or improvement of a culturally or historically important structure; (RSA 79-E:7, II)

Although is not listed on the NH State Register of Historical Resources, the building is culturally and historically significant to the Town of Milford. The proposed renovation and expansion will preserve the appearance and architectural features of the building.

3. Promotion of the preservation and reuse of existing building stock; (RSA 79-E:7, II-a).

The approved 18 senior affordable housing units are ideally suited for the building and will promote the preservation of the locally historically significant building and architectural features, and the overall property.

4. Promotion of the development of municipal centers, providing for efficiency, safety, and a greater sense of community (RSA 79-E:7, III); or

When completed, the internal renovations and expansion will greatly enhance the visual and physical character of the Oval, commercial district, and extended downtown. The rehabilitation/proposed reuse of the building and addition will add to the diversity of uses, maintain the historic character, and provide needed housing opportunities that will contribute to the sense of community.

5. Growth of residential housing in urban or town centers. (RSA 79-E:7, IV)

The construction of 18 units of senior affordable house will add to the housing diversity in Milford and addresses a housing need within the community for affordable housing opportunities.

STAFF RECOMMENDATIONS:

Staff supports the granting of the requested tax exemption period as it meets several of the required criteria pursuant to RSA 79-E. Barring any further questions and comments from the Board, staff would recommend the following motion for consideration:

1. The Board of Selectmen finds that the proposed use is consistent with the Town's Master Plan, Zoning Ordinance, and development/land use regulations.
2. The Board of Selectmen finds that the qualifying structure satisfies the public benefit requirements set forth RSA 79-E:7 by:
 - a. Enhancing the economic vitality of the downtown.
 - b. Enhancing or improving a culturally or historically important structure.
 - c. Promoting the preservation and reuse of existing building stock.
 - d. Promoting development of municipal centers, providing for efficiency, safety, and a greater sense of community.
 - e. Providing growth of residential housing in urban or town centers.
3. The public benefit shall be preserved through the recordation of the required covenant in accordance with the provisions of RSA 79-E for a term of four (4) years, beginning on April 1st of the first tax year commencing immediately after the completion of the renovation and construction work.

Street View(s) of Subject Property:



View From Middle Street



View From Middle Street



View From School Street



View From Middle & School & Street



View From School & Bridge Street



View From Bridge Street



View From Bridge Street



Community Revitalization Tax Relief Incentive REVIEW/DECISION

QUALIFYING STRUCTURE (79-E: 2)		YES	NO
1	To be a <i>qualifying structure</i> , the structure must be 50 years or older, and must be located in the designated parcels, as defined by the Milford Zoning Ordinance. Does the structure meet these requirements?		
2	Will the qualifying structure's rehabilitation be substantial; that is, will it cost at least 15 percent of the pre-rehabilitation assessed valuation or at least \$75,000, whichever is less?		
3	Does the proposed rehabilitation project meet Master Plan goals and local development regulations?		
PUBLIC BENEFIT (79-E:7) (Must provide at least one of four benefits)		YES	NO
1	Does the proposed rehabilitation enhance downtown economic vitality (Extended Milford Oval and Downtown Area)? (RSA 79-E:7, I)		
2	Does the proposed rehabilitation enhance and improve a structure that is culturally or historically important. (RSA 79-E:7, II)		
3	Does the proposed rehabilitation promote the development of a municipal center, providing for efficiency, safety, and a greater sense of community?(RSA 79-E:7, III).		
4	Does the proposed rehabilitation increase residential housing in the Milford Oval and Extended Downtown Area? (RSA 79-E:7, IV)		
THE APPLICATION IS:		Granted <input type="checkbox"/>	Denied <input type="checkbox"/>

TAX RELIEF PERIOD (assessment freeze up to 5 years) PLUS		
1	Additional 2 years (project resulting in new residential units)	_____ Years
2	Additional 4 years (project including affordable housing)	_____ Years
3	Additional 4 years (rehabilitation of structure in accordance with the Secretary of the Interior's Standards for Rehabilitation)	_____ Years
TOTAL YEARS GRANTED TAX RELIEF: (Covenant to be prepared under RSA 79:E 8)		_____ Years

The above decision was made by majority vote of the Milford Board of Selectmen on _____ after a public held on _____.

Chair, Milford Board of Selectmen

Date



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

APPLICATION FOR COMMUNITY REVITALIZATION TAX RELIEF PROGRAM

Instructions to the Applicant:

You will need to fill out the application, provide required documentation, take part in a public hearing before the Board of Selectmen and execute a covenant with the Town of Milford, which will be recorded in the Hillsborough County Registry of Deeds. To the extent that may be required by your specific application, you may also need to submit your proposal to the Planning Board, the Zoning Board of Adjustment and/or the Heritage Commission.

The Office of Community Development will be available to respond to questions the applicant(s) may have regarding the application form, drawings and plans. Legal assistance should be obtained from the applicant's personal attorney.

If you have any questions with the application, the process, or what to expect, please call the Director of Community Development at (603) 249-0620 or email: DirComDev@Milford.nh.gov.

Thank you for your interest in the Community Revitalization Tax Relief Incentive, and good luck with your application and restoration project.

Office Use Only

Date Application Submitted: 6/8/22 Received By: LD (Initials)
Applicant: Milford-HINEC Sen. Housing, LLC. Application Fee Received: Yes No
Board of Selectmen Action: Approved Denied Date: _____

COMMUNITY REVITALIZATION TAX RELIEF PROGRAM (RSA79-E)

(To be completed by the Applicant)

Property/Building Information

Building Name (if any): Milford Cabinet (First High School in Milford)

Property/Building Address: 54 School Street

Zoning District: Oval District Tax Map: 26 Lot: 169 Registry Book: 8430 Page: 0911

Contact throughout this application process will be made through the applicant listed below.

The property owner may designate an agent as the coordinator for the project. This person (the applicant) shall attend public hearings, will receive comments, recommendations, staff reports, and will communicate all case information to other parties as required.

The Property Owner may act as the Applicant. If so, list under Applicant's Name, "Owner", and complete owner's information as requested.

Applicant's Name: Milford-HINEC Senior Housing LLC

Address: 264 US Route 1, Bldg 300 Suite 2a

City: Scarborough State: ME Zip: 04074

Phone: (207) 831-5394 Fax: (207) 510-6366

E-mail: ctaylor@hinec.org

Owner's Name: Housing Initiatives of New England Corporation

Address: 264 US Route 1, Bldg 300 Suite 2a

City: Scarborough State: ME Zip: 04074

Phone: (207) 831-5394 Fax: (207) 510-6366

E-mail: ctaylor@hinec.org

Existing Property/Building Information:

Existing Uses (describe present use, size, and number of employees, etc.):

Vacant building, approximately 12,000 s.f., no employees.

The building has been reviewed by the State Historic Preservation Office and the proposed rehabilitation has been determined to have no adverse affect on this important structure. The new use is 18 affordable senior housing units that will be qualified under the Low Income Housing Tax Credits and financed by New Hampshire Housing Finance Authority.

Is the building listed on, or eligible for listing, on the National Register of Historic Places or located within a locally designated State or National Register Historic district? Yes No

If yes, provide a copy of the approved designation by the State or National Register of the building or the district. N/A

Is the building located within and important to a locally designated historic district? Yes No

Existing Property/Building Information (Continued):

Gross Square Footage of Building: 24,254 sf Year Building was built: 1853
Gross Square Footage of Parcel: 24,671 sf Area of Parcel to be impacted: 24,671 sf (0.5664 acres)
Square footage of building to impacted: 24,254 sf
Total assessed value of parcel as of date of application: \$249,100
Assessed value of building: \$157,100 Assessed value of land: \$92,100

Project Description

Proposed Uses (describe use, size, number of employees, etc.):

18 Units of affordable housing - 2 employees

Is this a change of use associated with this project? Yes No

Will the project include new residential units? Yes No

If yes, please describe:

18 rent-restricted apartments financed bu New Hampshire Housing Finance Authority

Will the project include affordable residential units? Yes No

If yes, please describe: Units will have a 30+ year affordability restriction.

Has an abatement application been filed or has an abatement been awarded on this property within the past year?
 Yes No

Will any state or federal grants, low income subsidies, or any other tax credits be used with this project?
 Yes No

If yes, describe and detail the amount of the aid and terms of repayment: _____
15 year term of financing with the low-Income Housing Tax Credit program

Number of years of requested tax relief: 4 years

For any request for tax relief for up to an additional four (4) years for historic buildings, the project described must meet the Secretary of Interior's Standards for Rehabilitation. (See NH RSA 79-E:5, III)

Replacement of Qualifying Structure:

Does the project involve the replacement of a qualifying structure? Yes No

If yes, the owner shall submit with this application the following:

1. A New Hampshire division of historical resources individual resource inventory form, prepared by a qualified architectural historian. See letter from New Hampshire State Historic Preservation Office
2. A letter from the Milford Heritage Commission that identifies any and all historical, cultural, and architectural value of the structure or structures that are proposed to be replaced and the property on which those structures are located. Milford Heritage Commission has seen the Planning Board's review

Note: The application for tax relief shall not be deemed to be complete and the governing body shall not schedule the public hearing on the application for replacement of a qualifying structure as required under RSA 79-E:4, II until the inventory form and the letter, as well as all other required information, have been submitted, if required.

Public Benefit (RSA 79:E-7)

In order to qualify for tax relief under this program, the proposed substantial rehabilitation must provide at least one of the public benefits listed below. Any proposed replacement must provide one or more of the public benefits listed below to a greater degree than would a substantial rehabilitation of the same qualifying structure.

Does the project provide the following public benefits? (Check all that apply)

Enhances the economic vitality of the designated area? Yes No

If yes, please describe:

This building is a blight on the downtown area as an unoccupied building.

Enhances and improves a culturally or historically important structure? Yes No

If yes, please describe:

Saving this unique historic structure is important to the Town of Milford with its important historical use and its beautiful masonry work.

Promotes development of the designated area, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B? Yes No

If yes, please describe:

Maintaining the historic character and creating housing for long-term Milford residents will enhance the neighborhood character.

Increases residential housing in urban or town centers? Yes No

If yes, please describe:

The housing needs in Milford have been demonstrated by the very low vacancy rates. The Milford Mill and Linsey Landing have 2-year waiting periods.

Promotes preservation and reuse of existing building stock by rehabilitation of historic structures Yes No

If yes, please describe:

Working with the NH State Historic Preservation Office and the Milford Heritage Commission, the goal is to be a good steward of this historic site.

Other issues and matters applicant deems relevant to this request? Yes No

If yes, please describe:

Community development with quality housing is the goal for the Milford Downtown.

Substantial Rehabilitation

Describe the work to be done and estimated costs.

1. Attach additional sheets if necessary and any written construction estimates.
2. Attach any project narratives, plot plans, building plans, sketches, renderings, or photographs that will help explain this application

Structural (both exterior and interior):

Construction of a 3-story new construction addition that is a wood-framed structure. The existing building will be structurally modified to provide adequate structure for additional snow loads under current codes.

Estimated Cost: \$1,148,429

Electrical:

The electrical service will be replaced 100%. The service will be underground with a new transformer. Each unit will have an electrical 100 amp panel. The house panel will service the common areas including lighting, air conditioning and make-up air, and energy recovery units.

Estimated Cost: \$379,873

Plumbing/Heating:

The central heat will be natural gas fired high efficiency boilers. All plumbing will be replaced in the building.

Estimated Cost: \$1,458,700

Mechanical:

Mechanical Systems are described above with the heating system. In addition, the building has been designed with an energy recovery system with an internal system of ducts to provide a healthy air system in the building.

included in
Estimated Cost: Plumbing/heating

Other:

Total Rehab Costs:

Estimated Cost: \$6,568,384

Total Estimated Project Cost:

\$6,868,384

Expected Project Start Date: July 1, 2022

Expected Project Completion Date: July 1, 2023

Optional attachments to this application include the following:

Sketches, renderings, photographs, plot plans, building plans, elevations, construction details/costs not included in application, and multi-year cash flow pro forma showing all revenues and expenditures for the project, which might help explain the project.

Applicant/Owner Signature

To qualify for this tax relief incentive, the costs of the project must be at least 15% of the pre-rehabilitation assessed value or \$75,000, whichever is less.

I/we certify the estimated costs are reasonable and the costs of the project meet the above requirement.

Initial here:  _____

I/We understand that failure to meet this threshold or the listing unreasonable construction costs will result in the denial of the application and forfeiture of the application fee.

Initial here:  _____

I/we have read and understand the Community Revitalization Tax Relief Incentive, RSA 79-E, and am/are aware that this will be a public process including a public hearing to discuss the merits of this application and the subsequent need to enter into a covenant with the Town and pay all reasonable expenses associated with the drafting/recording of the covenant.

Initial here:  _____

Note: The application for tax relief shall not be deemed to be complete and the governing body shall not schedule the public hearing on the application as required under RSA 79-E:4, II until the inventory form and letter required by RSA 79-E:4, I-a, and all other required information, have been submitted, if required

Initial here:  _____

IMPORTANT

Per RSA 79-E:13(II), the Base or "Original" Assessed Value for any tax relief is only set after the following two conditions are met:

1. Approval by the Board of Selectmen.
2. The Applicant's entering into a Covenant with the Town of Milford to protect the public benefit.

Therefore, the Applicant and/or property owner shall not commence any of the improvements included in this application until such time as he/she has secured the above. This prohibition shall include any demolition to an existing structure.

Affidavit

I/we have read and understand the RSA 79-E, Community Revitalization Tax Relief Incentive and the March 11, 2017 Town vote and am/are aware that this will be a public process including a public hearing to be held to discuss the merits of this application and the subsequent need to grant a covenant in the deed to the property to the Town and pay all reasonable expenses associated with the drafting/recording of the covenant. The undersigned hereby certifies the foregoing information is true and correct;

Stephen J. Milliken Taylor, PRES _____ *6/8/22*
Signature (printed name) Date

Signature (printed name) Date

Signature (printed name) Date

Signature (printed name) Date

Signature (printed name) Date

Declaration of Covenant Template

TOWN OF MILFORD, NEW HAMPSHIRE

COVENANT TO PROTECT PUBLIC BENEFIT

Per RSA 79-E:8 (Community Revitalization Tax Relief Incentive)

I (We) Housing Initiatives of New England Corporation and Milford-HINEC Senior Housing LLC [name] of 264 US Route 1, Bldg 300 Suite 2a [address], Scarborough, ME 04074 (town, city, zip code) (hereinafter referred to, collectively, if appropriate, as "GRANTOR") owner(s) of Milford Cabinet [property] situated at 54 School Street [address], Milford, NH (hereinafter referred to as the "PROPERTY"), for (myself/ourselves/itself) and for (my/our/it's) successors and assigns, for consideration of tax relief granted to GRANTOR by GRANTEE pursuant to the provisions of RSA 79-E, agree to the following covenants imposed by the Town of Milford, (hereinafter referred to as "GRANTEE"), 1 Union Square, County of Hillsborough, State of New Hampshire.

These covenants are made in exchange for property tax relief granted with respect to the PROPERTY as a result of the substantial rehabilitation of the PROPERTY to be accomplished by the GRANTOR in accordance with GRANTOR proposal (specific approved scope of work is attached as "CHAPTER 79-E COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE ADDENDUM") approved by GRANTEE on [date of Board of Selectmen approval].

This COVENANT is to protect the public benefit in accordance with the provisions of RSA 79-E for a term of 4 years, beginning on April first of the first tax year commencing immediately after the completion of the rehabilitation work. Notwithstanding the foregoing, the contemplated tax relief shall be null and void if the proposed rehabilitation work is not completed by March 31st 2024.

The PROPERTY is designated as Tax Map [number] Lot [number] in the Town of Milford. For further reference to GRANTOR'S title, see deed recorded at Book [reference], Page [reference], Hillsborough County Registry of Deeds.

The GRANTEE agrees that the PROPERTY, if substantially rehabilitated in accordance with GRANTOR'S proposal approved by GRANTEE on [date of Board of Selectmen approval] provides a demonstrated public benefit in accordance with the provisions of RSA 79-E:7 inasmuch as the substantial rehabilitation of said property:

- I. Enhances the economic vitality of the extended Milford Downtown Area.
- II. Enhances or improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located.
- III. Promotes development of the extended Milford Oval and downtown areas, providing for efficiency, safety and a greater sense of community consistent with RSA 9-B.

IV. Increases residential housing diversity and opportunities. The Town of Milford Board of Selectmen held a public hearing on _____ [date of Board of Selectmen approval] and at that meeting made the following findings consistent with and required by RSA 79-E: 7 & 8.

The terms of the COVENANT which is hereby granted by the GRANTOR to the GRANTEE with respect to the above described PROPERTY are to be co-extensive with the tax relief period and are as follows:

SUMMARY OF FINDINGS.

(Insert summary of findings if desired).

GRANTOR'S COVENANTS.

REHABILITATION OF PROPERTY. The Grantor agrees to substantially rehabilitate the PROPERTY during the term of this Agreement in accordance with GRANTOR'S proposal approved by GRANTEE on _____ [date of Board of Selectmen approval]. The substantial rehabilitation contemplated by GRANTOR'S proposal approved by GRANTEE on _____ [date of Board of Selectmen approval] shall be completed by the GRANTOR on or before March 31, _____ [deadline year]. All of the work on the attached scope of work must be completed in order for the tax relief to take effect. If only some of the work on the attached scope of work is completed prior to March 31, _____ [upcoming year] or March 31, _____ [following year], then the PROPERTY shall be fully assessed for the value of that work during the tax year(s) commencing [upcoming year] and/or _____ [following year].

MAINTENANCE OF THE PROPERTY. The GRANTOR agrees to maintain, use and keep the structure in a condition that furthers the public benefits for which the tax relief was granted and accepted during the term of the tax relief under RSA 79-E.

(Insert any particular restrictions such a signage, maintenance of building and its surroundings, other structure and so forth, as may be agreed upon between the Grantor and Grantee.)

REQUIRED INSURANCE. USE OF INSURANCE PROCEEDS. AND TIMEFRAME TO REPLACE OR REMOVE DAMAGED PROPERTY. The GRANTOR agrees and is required to obtain and maintain casualty insurance, as well as flood insurance, if appropriate. As permitted by RSA 79-E:8, this COVENANT shall be a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition or damaged structures and property. The GRANTEE further requires that the restoration or demolition commence within one year

following any insurance claim incident; otherwise the GRANTOR shall be subject to the termination provisions set forth in RSA 79-E:9, I.

RECORDING. The GRANTEE agrees to and shall provide for the recording of this COVENANT with the Hillsborough County Registry of Deeds. It shall be a burden upon the PROPERTY and bind all transferees and assignees of such PROPERTY. The GRANTOR will be solely responsible for payment of the recording fees.

ASSESSMENT OF THE PROPERTY. The GRANTEE agrees that the PROPERTY shall be assessed, during the term of the Tax Relief Granted based on the pre-rehabilitation value or such other value utilized by the Assessor to address improvements not covered by RSA 79-E. If the terms of these covenants are not met, the Property Tax Relief will be discontinued. Furthermore, the GRANTEE will assess all taxes to the owner as though no tax relief was granted, with interest in accordance with RSA 79-E:9, II.

RELEASE, EXPIRATION, CONSIDERATION.

- I. **RELEASE.** The GRANTOR may apply to the local governing body of the Town of Milford for a release from the foregoing discretionary tax relief and associated COVENANT within the duration of the tax relief period of the RSA 79-E upon a demonstration of extreme personal hardship. Upon release from such covenants, the GRANTOR shall thereafter pay the full value assessment of such structure(s) and land to the Tax Collector of the Town of Milford.
- II. **EXPIRATION.** Upon final expiration of the terms of the tax relief and associated covenants the tax assessment will convert to the then full fair market value and these covenants will be concluded.
- III. **CONSIDERATION.** The Tax Collector shall issue a summary receipt to the owner of such PROPERTY and a copy of the governing body of the Town of Milford for the sums of tax relief accorded during the term of this Agreement. The local governing body shall, upon receiving a copy of the above-mentioned consideration, execute a release of the COVENANT to the GRANTOR who shall record such a release with the Hillsborough County Registry of Deeds. A copy of such release or renewal shall also be sent to the local assessing official.
- IV. **MAINTENANCE OF STRUCTURE.** If, during the term of the tax relief, the GRANTOR shall fail to maintain the structure in conformity with the foregoing agreement, or shall cause the structure(s) to significantly deteriorate or be demolished or removed, the covenants shall be terminated and a penalty shall be assessed in accordance with Paragraph I(a) above.

ENFORCEMENT. If a breach of this COVENANT is brought to the attention of the GRANTEE, the GRANTEE shall notify the GRANTOR, in writing of such breach, which notification shall be delivered in hand or by certified mail, return receipt requested to the GRANTOR.

The GRANTOR shall have 30 days after receipt of such notice to undertake those actions, including restorations, which are reasonably calculated to cure the said breach and to notify the GRANTEE thereof.

If the GRANTOR fails to take such curative action, the GRANTEE may undertake any actions that are reasonably necessary to cure such breach, and the cost thereof, including GRANTEE'S expenses,

court costs and legal fees, shall be paid by the GRANTOR, provided the said GRANTOR is determined to be directly or indirectly responsible for the breach.

The GRANTOR, by accepting and recording this COVENANT to the GRANTOR agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein provided for and incumbent upon the GRANTEE, all in furtherance the purposes for which this Tax Relief and associated COVENANT is delivered.

WITNESS MY/OUR/IT'S HAND this _____ day of _____, 20_____.

Witness: _____ Grantor: _____

Print Name: _____

Witness: _____ Grantor: _____

Print Name: _____

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

On this _____ day of _____, 20____, personally appeared the above
_____ and _____, known to me, or satisfactorily proven, to be
the same, and acknowledged that he/she/they executed the same for the purposes contained
therein.

Notary Public/Justice of the Peace

My commission expires: _____

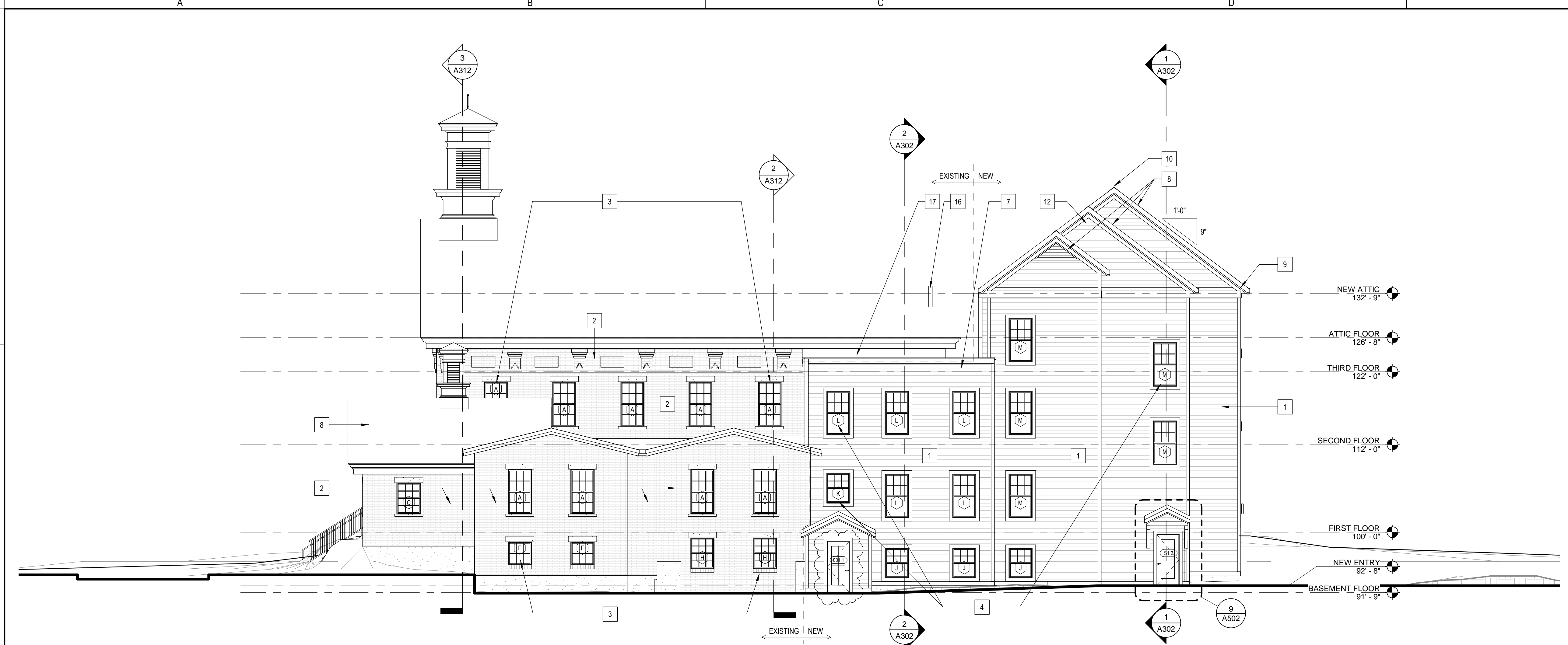
ACCEPTED this _____ day of _____, 20____ by the Town of MILFORD.

TOWN OF MILFORD

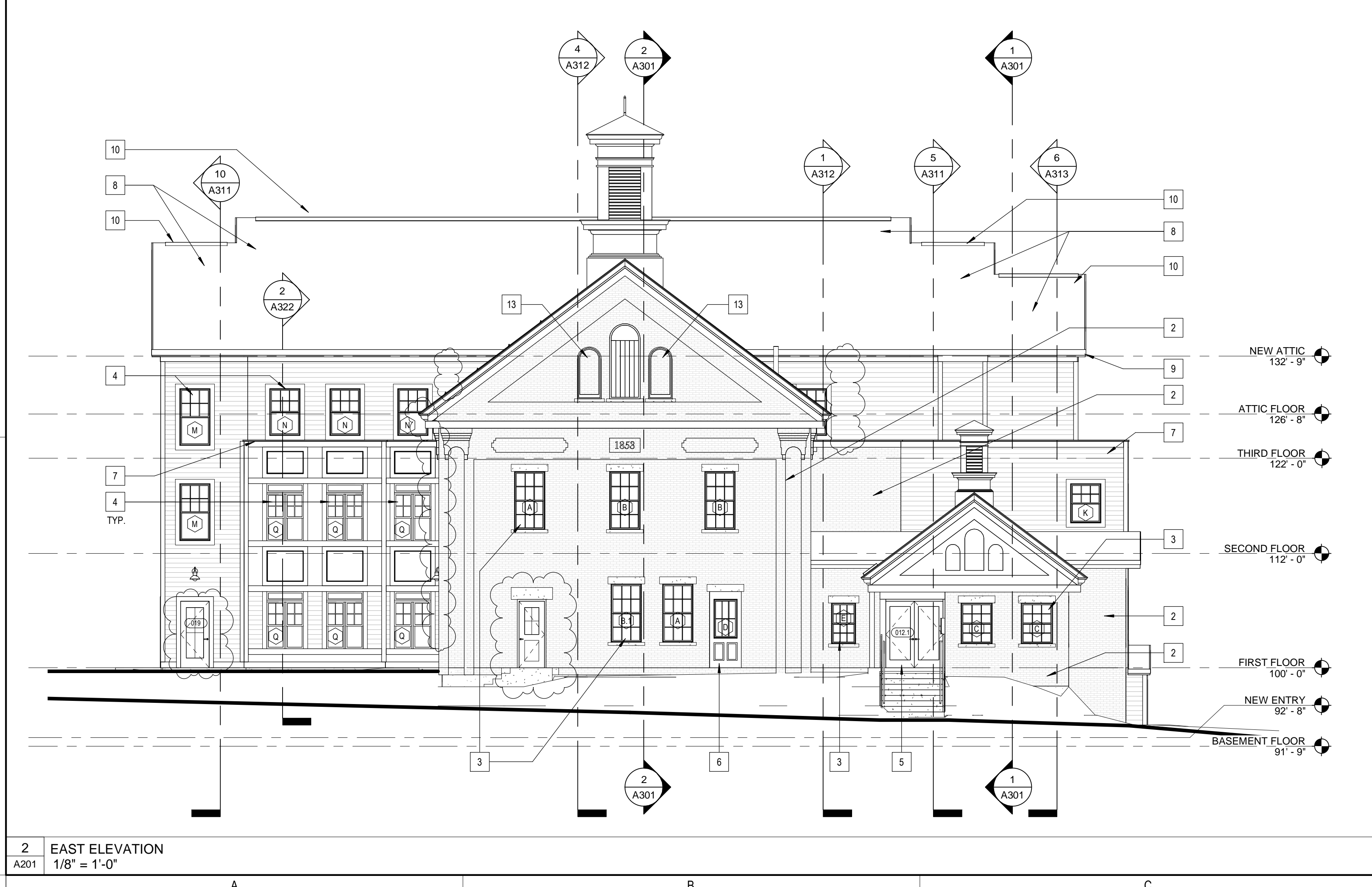
By: _____ Print Name: _____

*Milford Town Administrator
(Or other authorized designee)*

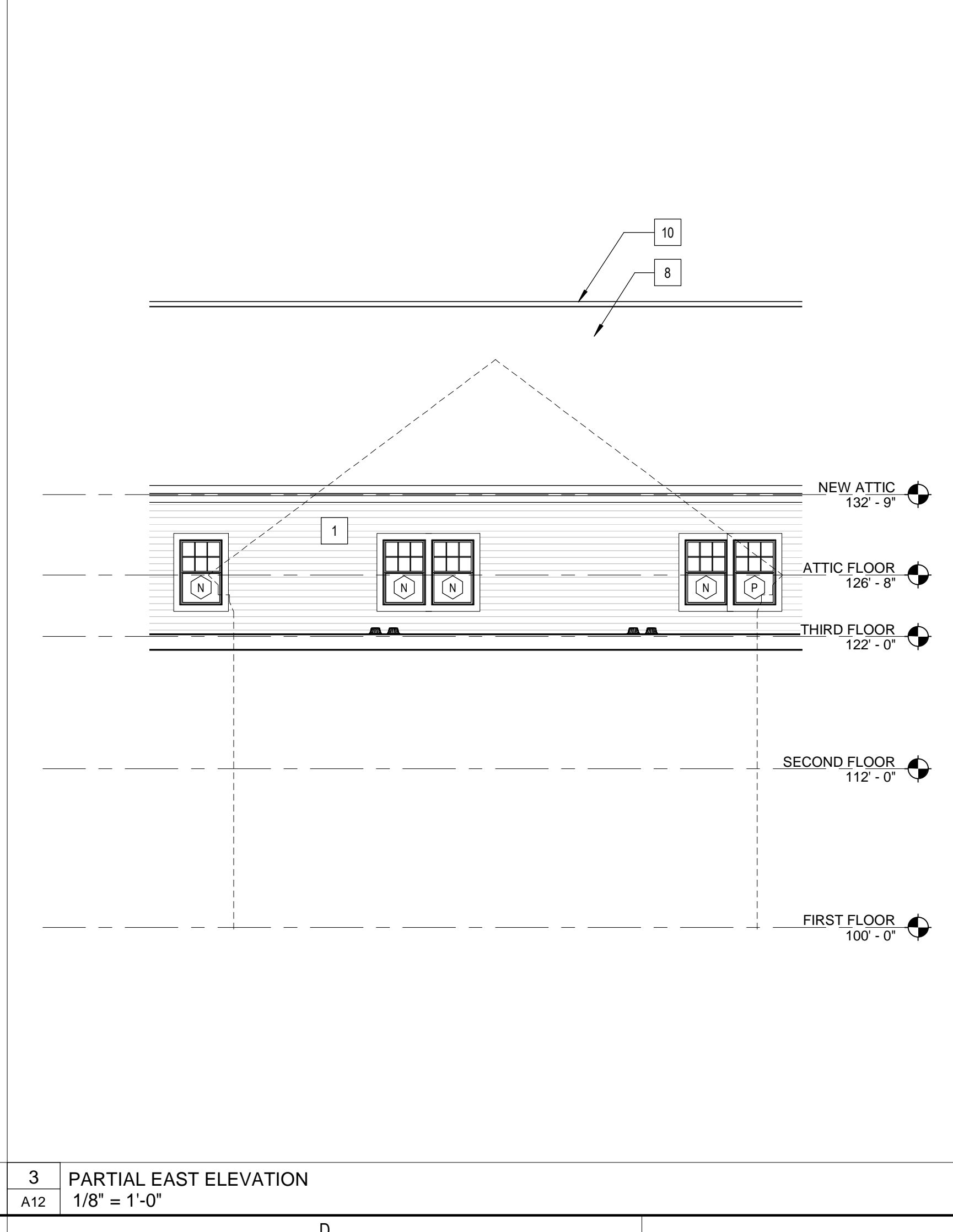
three inches = one foot
 one and one half inches = one foot
 one inch = one foot
 one quarter inch = one foot
 one eighth inch = one foot
 BIM 360/3677 Milford Cabinet Shop 3677 MILFORD CABINET SHOP - R21.rvt
 TEMPLATE DATE: 11/25/2019



1 NORTH ELEVATION
A201 1/8" = 1'-0"



2 EAST ELEVATION
A201 1/8" = 1'-0"



3 PARTIAL EAST ELEVATION
A12 1/8" = 1'-0"

GENERAL ELEVATION NOTES

- REFER TO MECH DWGS FOR LOCATIONS OF LOUVERS AND VENTS. CONFIRM FINAL POSITION WITH ARCHITECT PRIOR TO ORDERING.
- REPOINT BRICK AT EXTERIOR OF EXISTING BUILDING, TYP. ALL ELEVATIONS. SCOPE TO BE DETERMINED.

ELEVATION LEGEND

- A KEYNOTE, SEE ELEVATION KEYNOTE LEGEND
- X WINDOW TAG, SEE DOOR SCHEDULE SHEET
- CJ CONTROL JOINT

ELEVATION KEYNOTES

- | KEY # | DESCRIPTION |
|-------|--|
| 1 | VINYL SIDING w/ CLAPBOARD LOOK, COLOR: TBD. |
| 2 | CLEAN EXISTING BRICK. |
| 3 | REPLACEMENT WINDOW TYPICAL, SEE WINDOW SCHEDULE. |
| 4 | NEW WINDOW, TYPICAL, SEE WINDOW SCHEDULE. |
| 5 | NEW STOREFRONT, SEE STOREFRONT ELEVATIONS. |
| 6 | EXTERIOR WOOD DOOR & FRAME TO BE REPAIRED & REFINISHED IN PLACE. SEAL DOOR WEATHERTIGHT IN CLOSED POSITION. |
| 7 | FLAT ROOF EDGE, SEE ROOF PLAN & DETAILS. |
| 8 | ASPHALT ROOF, SEE ROOF PLAN & DETAILS. |
| 9 | PVC TRIM, PAINT TO MATCH CABINET TRIM. |
| 10 | RIDGE VENT, SEE ROOF PLAN. |
| 11 | EXTERIOR WOOD DOOR & FRAME TO BE REPAIRED & REFINISHED IN PLACE, PROVIDE NEW HARDWARE AS SCHEDULED. |
| 12 | LOUVER. |
| 13 | BRICK INFILL AT EXISTING MASONRY OPENING. |
| 14 | SNOW GUARDS. |
| 15 | GUTTER AND DOWNSPOUT. |
| 16 | EXISTING PLUMBING VENT TO REMAIN. |
| 17 | EPDM ROOFING OVER COVERBOARD, SEE WALL SECTIONS. |
| 18 | FIRE DEPARTMENT KNOX BOX. |
| 19 | NEW MECHANICAL LOUVER IN EXISTING OPENING, SEE MECHANICAL DRAWINGS. |
| 20 | SLEEVE THROUGH EXTERIOR WALL FOR THROUGH-WALL AIR CONDITIONING UNIT; CUSTOM-FABRICATED, INTERIOR, REMOVABLE, INSULATED WOOD COVER (MILLWORK DESIGN PROVIDED BY OWNER). |

WARRENSTREET ARCHITECTS
 27 Warren Street Concord NH 03301
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OWNER
 HOUSING INITIATIVES OF NEW ENGLAND CORPORATION
 264 U.S. ROUTE 1
 BUILDING 300, SUITE 2A
 SCARBOROUGH, ME 04074
 P. (207) 774-8812 F. (207) 510-6366

CONSTRUCTION MANAGER
 BONNETTE, PAGE & STONE CORP.
 91 BISSON AVENUE
 LACONIA, NH 03246
 P. (603) 524-3411 F. (603) 524-4641

PLAN KEY:

PROJECT TITLE / ADDRESS:
MILFORD CABINET BUILDING
 54 SCHOOL STREET
 MILFORD, NH 03055

SCALE: AS NOTED DWN BY: CC
 JOB #: 3677 CHK BY: SD

PRINT DATE: 6/1/2022 6:37:33 PM

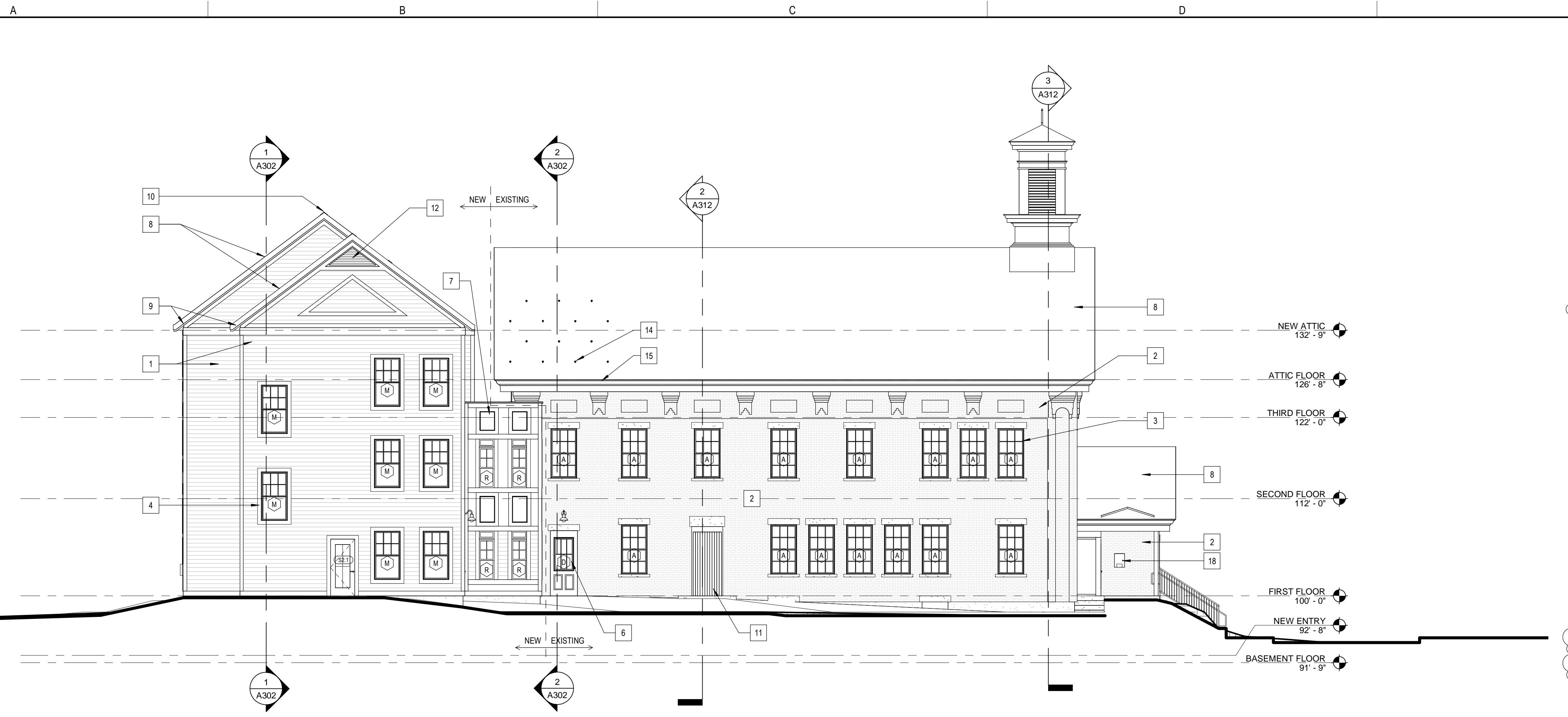
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REVISION	DATE	COMMENTS
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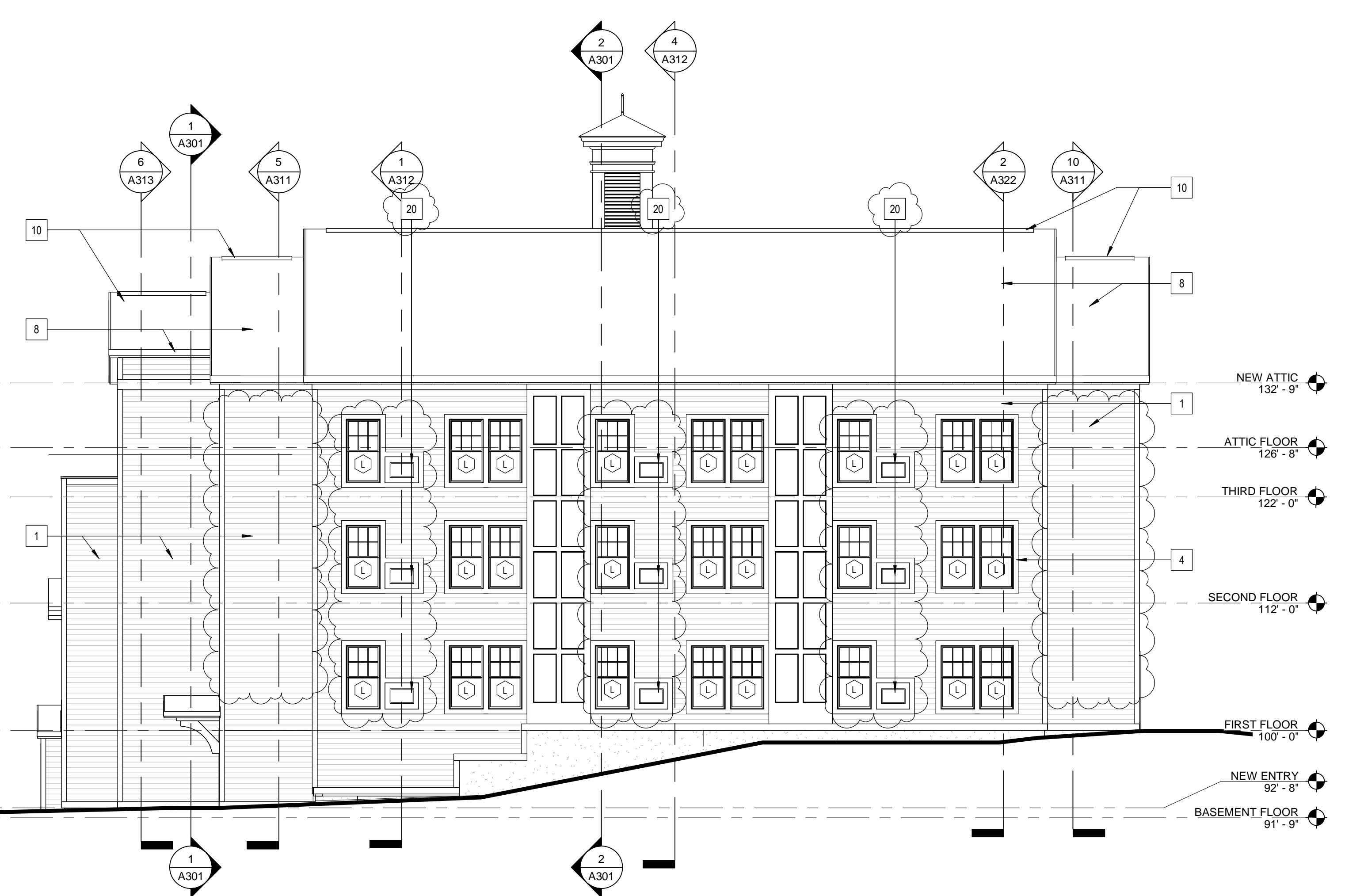
EXTERIOR ELEVATIONS

A201

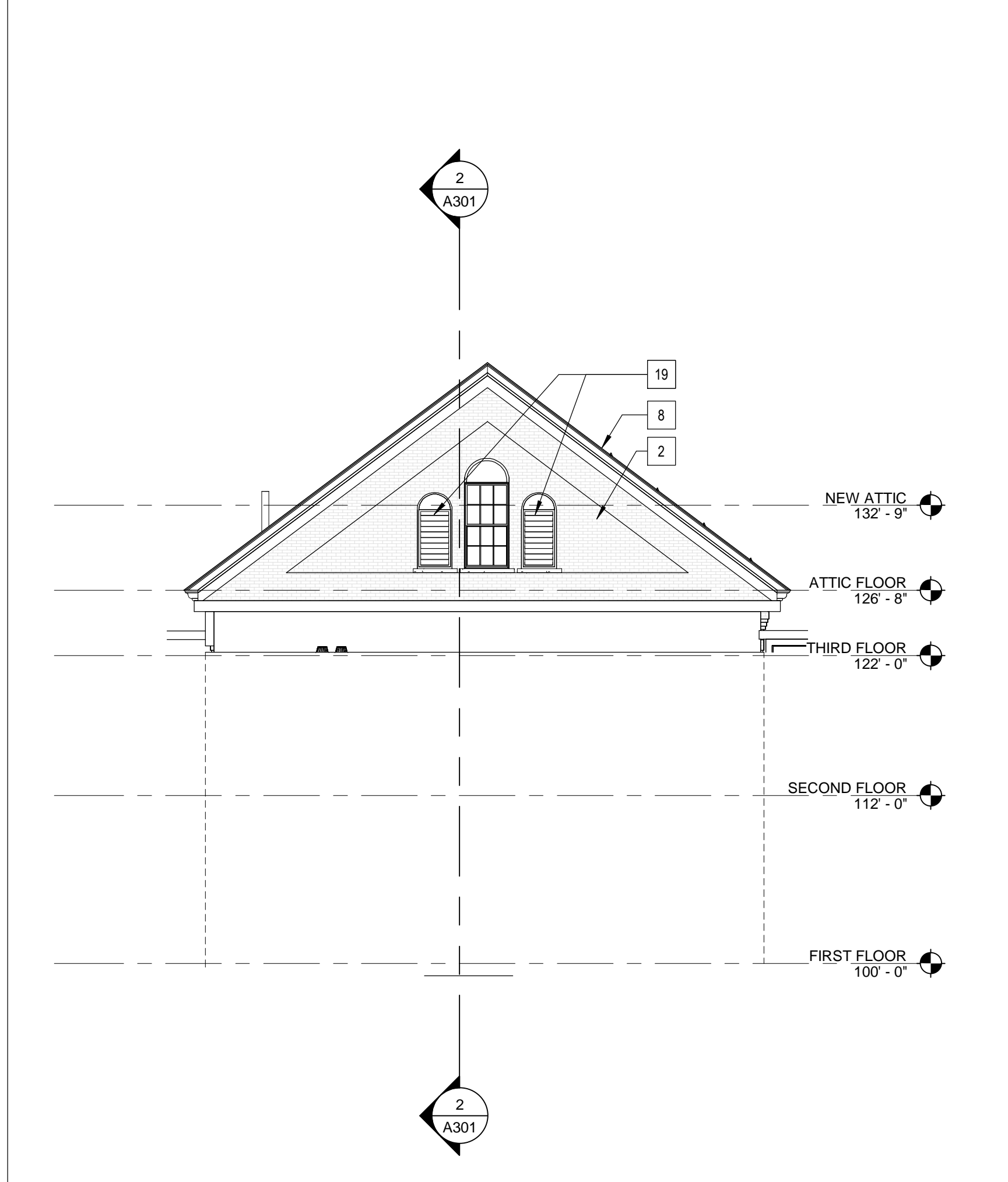
SHEET NUMBER: 38 OF 57 ARCHITECTURAL
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1 SOUTH ELEVATION
A202 1/8" = 1'-0"



2 WEST ELEVATION
A202 1/8" = 1'-0"



3 PARTIAL WEST ELEVATION
A12 1/8" = 1'-0"

GENERAL ELEVATION NOTES

- REFER TO MECH DWGS FOR LOCATIONS OF LOUVERS AND VENTS. CONFIRM FINAL POSITION WITH ARCHITECT PRIOR TO ORDERING.
- REPOINT BRICK AT EXTERIOR OF EXISTING BUILDING, TYP. ALL ELEVATIONS. SCOPE TO BE DETERMINED.

ELEVATION LEGEND

- A KEYNOTE, SEE ELEVATION KEYNOTE LEGEND
- X WINDOW TAG, SEE DOOR SCHEDULE SHEET
- CJ CONTROL JOINT

ELEVATION KEYNOTES

- | KEY # | DESCRIPTION |
|-------|--|
| 1 | VINYL SIDING w/ CLAPBOARD LOOK, COLOR: TBD. |
| 2 | CLEAN EXISTING BRICK. |
| 3 | REPLACEMENT WINDOW TYPICAL, SEE WINDOW SCHEDULE. |
| 4 | NEW WINDOW, TYPICAL, SEE WINDOW SCHEDULE. |
| 5 | NEW STOREFRONT, SEE STOREFRONT ELEVATIONS. |
| 6 | EXTERIOR WOOD DOOR & FRAME TO BE REPAIRED & REFINISHED IN PLACE. SEAL DOOR WEATHERTIGHT IN CLOSED POSITION. |
| 7 | FLAT ROOF EDGE, SEE ROOF PLAN & DETAILS. |
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EXTERIOR ELEVATIONS

A202

SHEET NUMBER: 39 OF 57 ARCHITECTURAL
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 BIM 360/3677 Milford Cabinet Shop 3677 MILFORD CABINET SHOP - R21.rvt
 TEMPLATE DATE: 11/25/2019

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BASEMENT FLOOR PLAN

A110

SHEET NUMBER: 10 OF 57 ARCHITECTURAL
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GENERAL PLAN NOTES

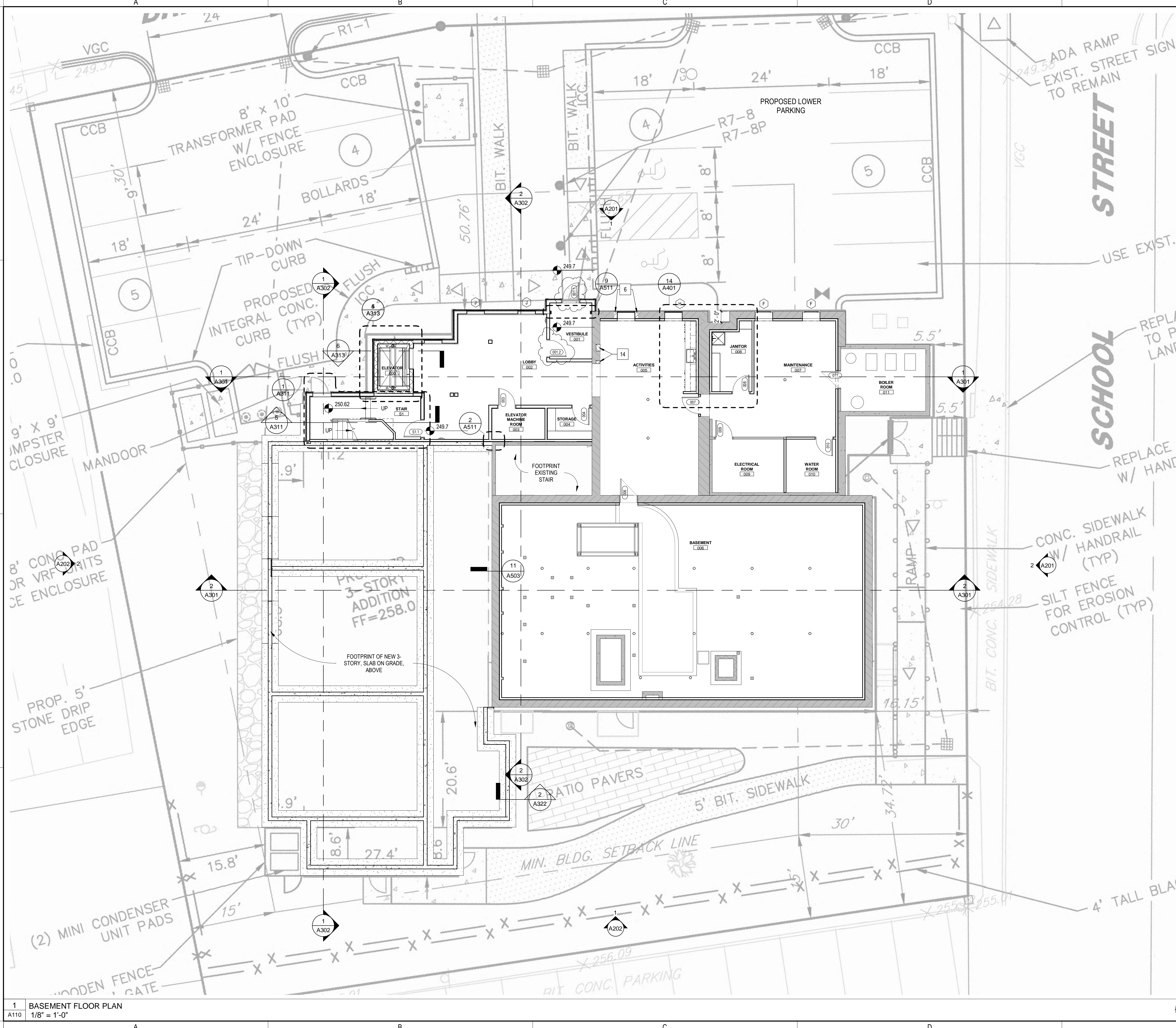
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- ALL DIMENSIONS AT NEW WALLS ARE TO OUTSIDE FACE OF STUD. FACE OF CONCRETE, FACE OF MASONRY, OR CENTER OF OPENING, U.N.O. AT EXISTING WALLS DIMENSIONS ARE TO FINISH FACE OF WALL.
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FLOOR PLAN LEGEND

- DOOR TAG, SEE DOOR SCHEDULE
- WINDOW TAG, SEE WINDOW SCHEDULE
- ACCESSORY TAG, SEE ACCESSORY TYPES & INTERIOR ELEVATIONS
- KEYNOTE, SEE FLOOR PLAN KEYNOTE LEGEND
- STRUCTURAL GRID LINE
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- NEW DOOR
- EXISTING DOOR

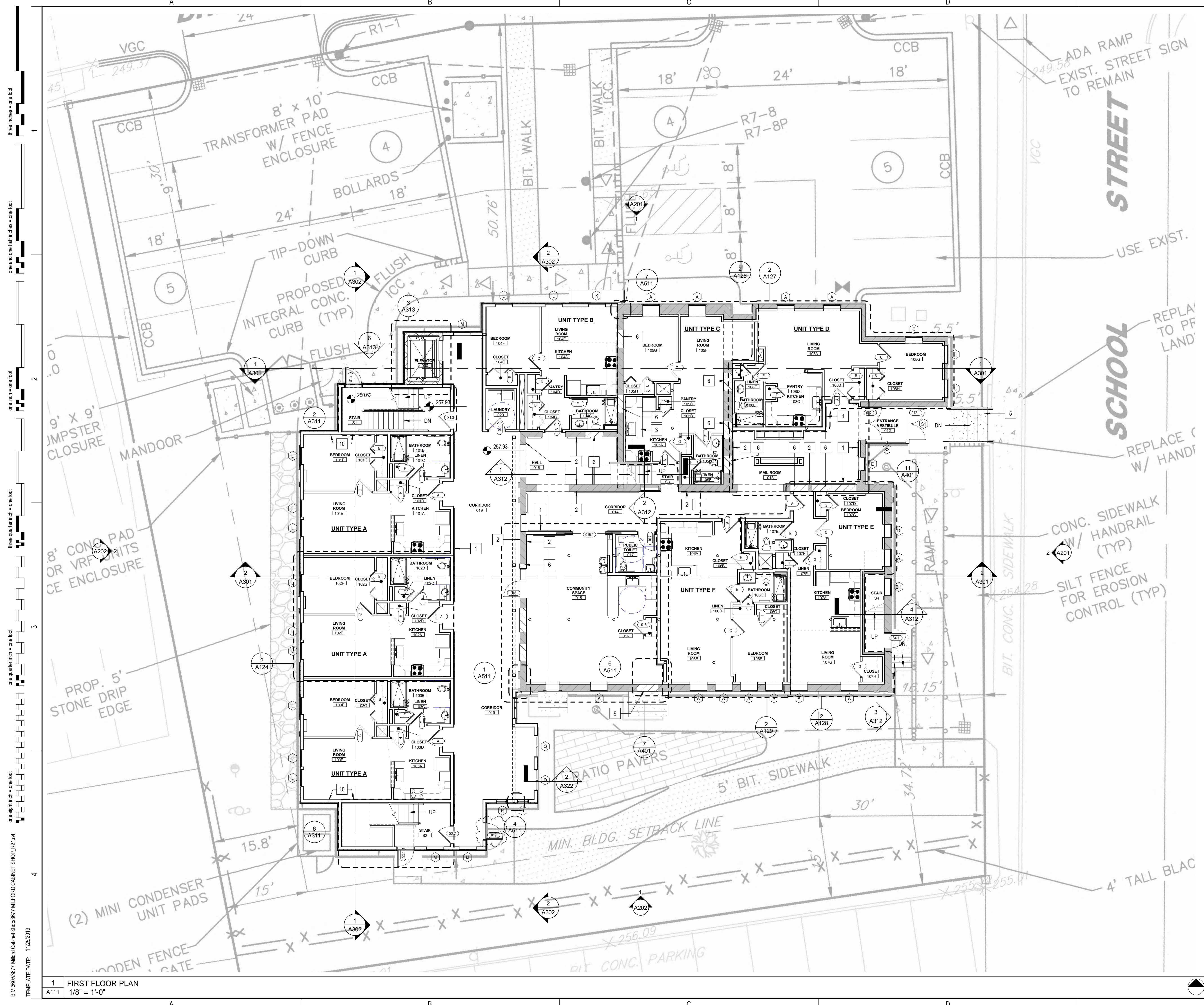
FLOOR PLAN KEYNOTES

KEY #	DESCRIPTION
1	CORRIDOR HANDRAILS (TYPICAL)
2	CLEAN EXISTING BRICK WALL TO BE LEFT EXPOSED.
3	INFILL FLOOR STRUCTURE, SUBFLOORING & FINISH FLOORING AT OPENING.
5	NEW CONCRETE STAIR, SEE CIVIL DRAWINGS.
6	BRICK INFILL TO MATCH ADJACENT SURFACES. SEE DETAIL 11/A511.
9	SEAL EXISTING DOOR SHUT; INFILL WALL TO MATCH ADJACENT.
10	ADD EXTRA LAYER OF 1/2" GYPSUM BOARD TO INTERIOR OF EXTERIOR WALL TO ALIGN WITH INTERIOR STAIR WALL.
11	SAFETY GATE AT STAIR TO ATTIC.
12	NEW ERV AND DUCTWORK IN EXISTING ATTIC; SEE MECH. DRAWINGS.
13	EXISTING ATTIC FRAMING TO REMAIN.
14	BRICK IN PARTIAL OPENINGS FLUSH WITH ADJACENT SURFACES.
15	ALTERNATING TREAD STAIR TO ATTIC.



1 BASEMENT FLOOR PLAN
A110 1/8" = 1'-0"

one inch = one foot
one and one half inches = one foot
one inch = one foot
three quarter inch = one foot
one quarter inch = one foot
one eighth inch = one foot
BIM 360/3677 Milford Cabinet Shop/3677 MILFORD CABINET SHOP: R21.rvt
TEMPLATE DATE: 11/25/2019



GENERAL PLAN NOTES

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10. SITE PLAN SHOWN FOR REFERENCE ONLY. SEE CIVIL DRAWINGS FOR SITE PLAN INFORMATION.

FLOOR PLAN LEGEND

- (RT) DOOR TAG, SEE DOOR SCHEDULE
- (X) WINDOW TAG, SEE WINDOW SCHEDULE
- (11) ACCESSORY TAG, SEE ACCESSORY TYPES & INTERIOR ELEVATIONS
- (A) KEYNOTE, SEE FLOOR PLAN KEYNOTE LEGEND
- STRUCTURAL GRID LINE
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- NEW DOOR
- EXISTING DOOR

FLOOR PLAN KEYNOTES

KEY #	DESCRIPTION
1	CORRIDOR HANDRAILS (TYPICAL).
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 MILFORD, NH 03055

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 JOB #: 3677 CHK BY: SD

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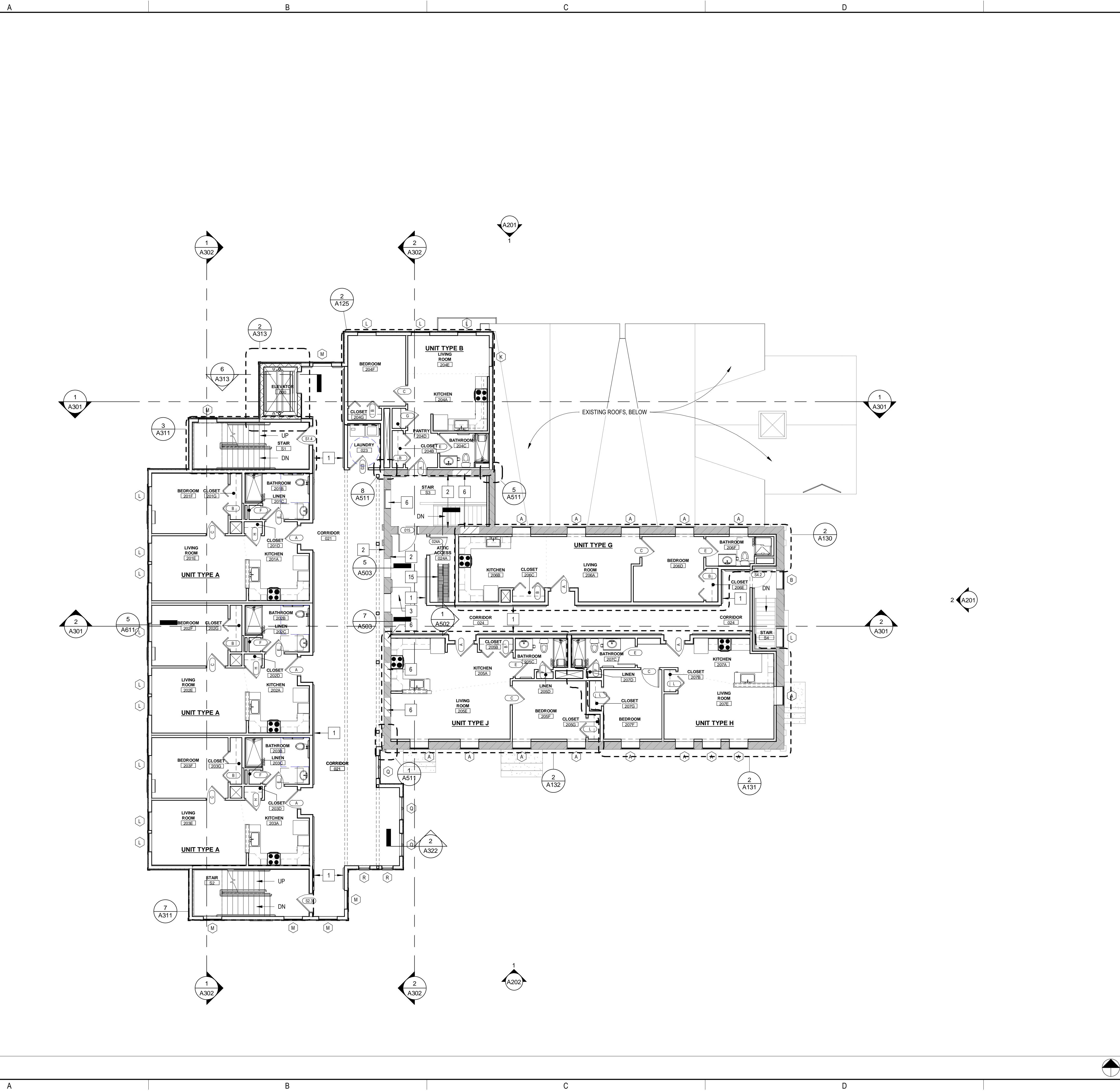
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FIRST FLOOR PLAN

A111

SHEET NUMBER: 11 OF 57 ARCHITECTURAL
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 TEMPLATE DATE: 11/25/2019
 one eighth inch = one foot
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 three inches = one foot



- ### GENERAL PLAN NOTES
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- ### FLOOR PLAN LEGEND
- DOOR TAG, SEE DOOR SCHEDULE
 - WINDOW TAG, SEE WINDOW SCHEDULE
 - ACCESSORY TAG, SEE ACCESSORY TYPES & INTERIOR ELEVATIONS
 - KEYNOTE, SEE FLOOR PLAN KEYNOTE LEGEND
 - STRUCTURAL GRID LINE
 - NEW CONSTRUCTION
 - EXISTING CONSTRUCTION
 - NEW DOOR
 - EXISTING DOOR

- ### FLOOR PLAN KEYNOTES
- | KEY # | DESCRIPTION |
|-------|--|
| 1 | CORRIDOR HANDRAILS (TYPICAL). |
| 2 | CLEAN EXISTING BRICK WALL TO BE LEFT EXPOSED. |
| 3 | INFILL FLOOR STRUCTURE, SUBFLOORING & FINISH FLOORING AT OPENING. |
| 5 | NEW CONCRETE STAIR, SEE CIVIL DRAWINGS. |
| 6 | BRICK INFILL, TO MATCH ADJACENT SURFACES. SEE DETAIL 11A1511. |
| 9 | SEAL EXISTING DOOR SHUT; INFILL WALL TO MATCH ADJACENT. |
| 10 | ADD EXTRA LAYER OF 1/2" GYPSUM BOARD TO INTERIOR OF EXTERIOR WALL TO ALIGN WITH INTERIOR STAIR WALL. |
| 11 | SAFETY GATE AT STAIR TO ATTIC. |
| 12 | NEW ERV AND DUCTWORK IN EXISTING ATTIC; SEE MECH. DRAWINGS. |
| 13 | EXISTING ATTIC FRAMING TO REMAIN. |
| 14 | BRICK IN PARTIAL OPENINGS FLUSH WITH ADJACENT SURFACES. |
| 15 | ALTERNATING TREAD STAIR TO ATTIC. |



OWNER
 HOUSING INITIATIVES OF NEW ENGLAND CORPORATION
 264 U.S. ROUTE 1
 BUILDING 300, SUITE 2A
 SCARBOROUGH, ME 04074
 P. (207) 774-8812 F. (207) 510-6366

CONSTRUCTION MANAGER
 BONNETTE, PAGE & STONE CORP.
 91 BISSON AVENUE
 LACONIA, NH 03246
 P. (603) 524-3411 F. (603) 524-4641

PLAN KEY:
 PROJECT TITLE / ADDRESS:
MILFORD CABINET BUILDING
 54 SCHOOL STREET
 MILFORD, NH 03055

SCALE: AS NOTED DWN BY: CC
 JOB #: 3677 CHK BY: SD

PRINT DATE: 6/1/2022 6:35:07 PM

ISSUE DATE:
06/01/2022
 CONSOLIDATED DRAWING SET
 ISSUED FOR CONSTRUCTION

REVISION	DATE	COMMENTS

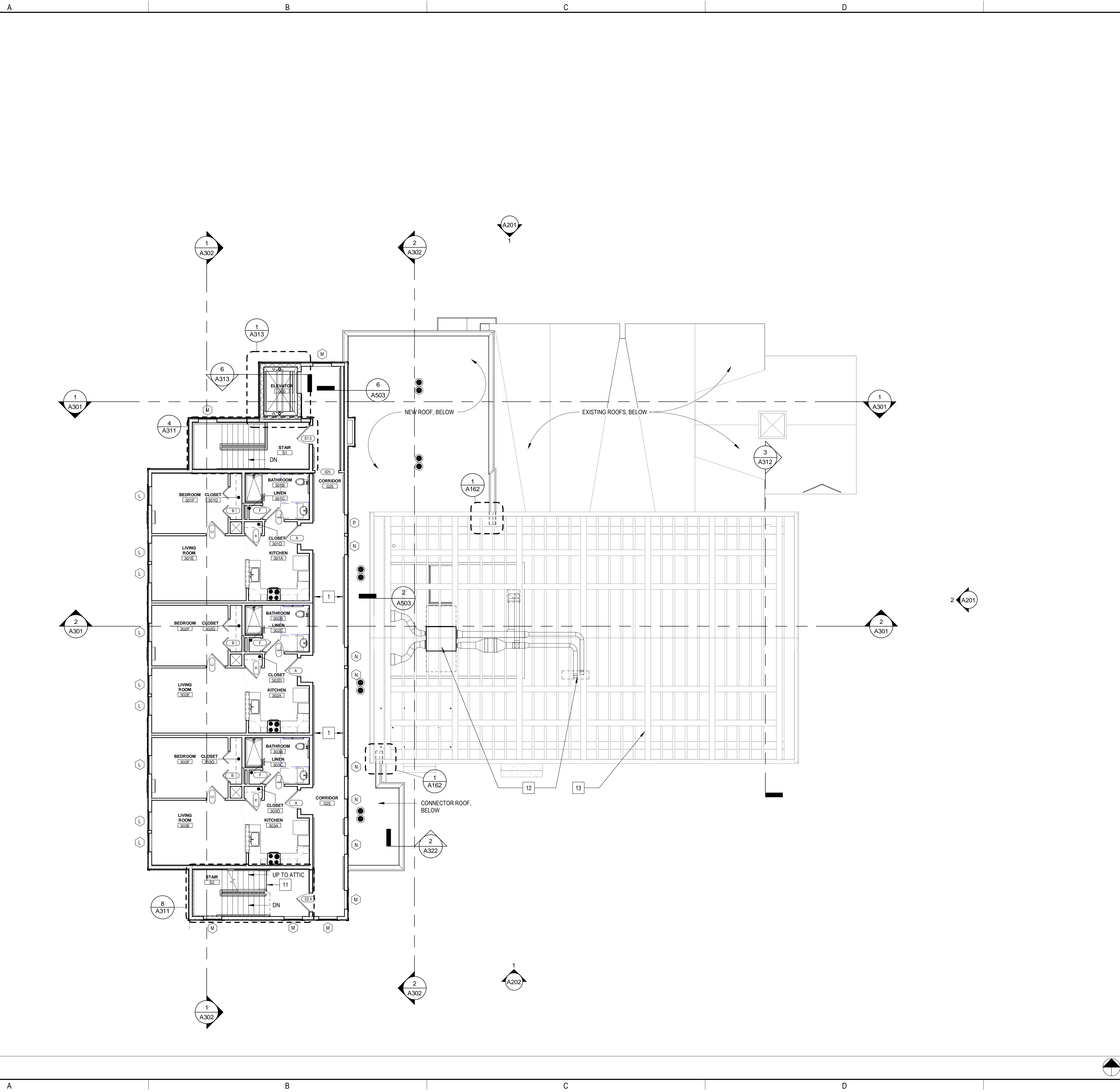
SECOND FLOOR PLAN

A112

SHEET NUMBER: 12 OF 57 ARCHITECTURAL

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BIM 360/3677 Milford Cabinet Shop 3677 MILFORD CABINET SHOP - R21.rvt
 TEMPLATE DATE: 11/25/2019
 one eighth inch = one foot
 one quarter inch = one foot
 three quarter inch = one foot
 one inch = one foot
 one and one half inches = one foot
 three inches = one foot



- ### GENERAL PLAN NOTES
1. ARCHITECTURAL DATUM = 100'-0". THE ARCHITECTURAL DATUM IS INDEPENDENT OF ELEVATIONS SHOWN ON THE CIVIL DRAWINGS. SEE CIVIL DRAWINGS FOR CORRESPONDING DATUM IN HEIGHT ABOVE SEA LEVEL.
 2. ALL DIMENSIONS AT NEW WALLS ARE TO OUTSIDE FACE OF STUD, FACE OF CONCRETE, FACE OF MASONRY, OR CENTER OF OPENING, U.N.O. AT EXISTING WALLS DIMENSIONS ARE TO FINISH FACE OF WALL.
 3. DO NOT SCALE DRAWINGS. CONTACT ARCHITECT FOR ANY DISCREPANCY PRIOR TO COMMENCING WITH ANY WORK.
 4. REFER TO DIMENSION PLANS FOR GENERAL PARTITION NOTES & PARTITION TYPES.
 5. VERIFY FIELD CONDITIONS PRIOR TO COMMENCEMENT OF EACH PORTION OF THE WORK. NOTIFY ARCHITECT OF DISCREPANCIES.
 6. ALL LUMBER IN DIRECT CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED INCLUDING ALL SILL PLATES FOR WOOD STUD WALLS.
 7. REVIEW PRIOR TO INSTALLATION, ANY CONFLICT OF ENGINEERING TRADE DEVICES (I.E. FIRE ALARM STROBES) WITH ARCHITECTURAL DETAILS AND BRING THOSE DISCREPANCIES TO THE ARCHITECT FOR REVIEW.
 8. PROVIDE BLOCKING FOR MILLWORK, MECHANICAL FIXTURES, PLUMBING FIXTURES AND OTHER ITEMS IDENTIFIED IN THE CONSTRUCTION DOCUMENTS.
 9. COORDINATE MISC. STEEL REQUIREMENTS FOR MOUNTING / HANGING OWNER SUPPLIED EQUIPMENT.
 10. SITE PLAN SHOWN FOR REFERENCE ONLY. SEE CIVIL DRAWINGS FOR SITE PLAN INFORMATION.

- ### FLOOR PLAN LEGEND
- DOOR TAG, SEE DOOR SCHEDULE
 - WINDOW TAG, SEE WINDOW SCHEDULE
 - ACCESSORY TAG, SEE ACCESSORY TYPES & INTERIOR ELEVATIONS
 - KEYNOTE, SEE FLOOR PLAN KEYNOTE LEGEND
 - STRUCTURAL GRID LINE
 - NEW CONSTRUCTION
 - EXISTING CONSTRUCTION
 - NEW DOOR
 - EXISTING DOOR

- ### FLOOR PLAN KEYNOTES
- | KEY # | DESCRIPTION |
|-------|--|
| 1 | CORRIDOR HANDRAILS (TYPICAL). |
| 2 | CLEAN EXISTING BRICK WALL TO BE LEFT EXPOSED. |
| 3 | INFILL FLOOR STRUCTURE, SUBFLOORING & FINISH FLOORING AT OPENING. |
| 5 | NEW CONCRETE STAIR, SEE CIVIL DRAWINGS. |
| 6 | BRICK INFILL, TO MATCH ADJACENT SURFACES. SEE DETAIL 11A511. |
| 9 | SEAL EXISTING DOOR SHUT; INFILL WALL TO MATCH ADJACENT. |
| 10 | ADD EXTRA LAYER OF 1/2" GYPSUM BOARD TO INTERIOR OF EXTERIOR WALL TO ALIGN WITH INTERIOR STAIR WALL. |
| 11 | SAFETY GATE AT STAIR TO ATTIC. |
| 12 | NEW ERV AND DUCTWORK IN EXISTING ATTIC; SEE MECH. DRAWINGS. |
| 13 | EXISTING IN PARTIAL OPENINGS FLUSH WITH ADJACENT SURFACES. |
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| 15 | ALTERNATING TREAD STAIR TO ATTIC. |



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PLAN KEY:

 PROJECT TITLE / ADDRESS:
MILFORD CABINET BUILDING
 54 SCHOOL STREET
 MILFORD, NH 03055

SCALE: AS NOTED DWN BY: CC
 JOB #: 3677 CHK BY: SD

PRINT DATE: 6/1/2022 6:35:12 PM

ISSUE DATE:
06/01/2022
 CONSOLIDATED DRAWING SET
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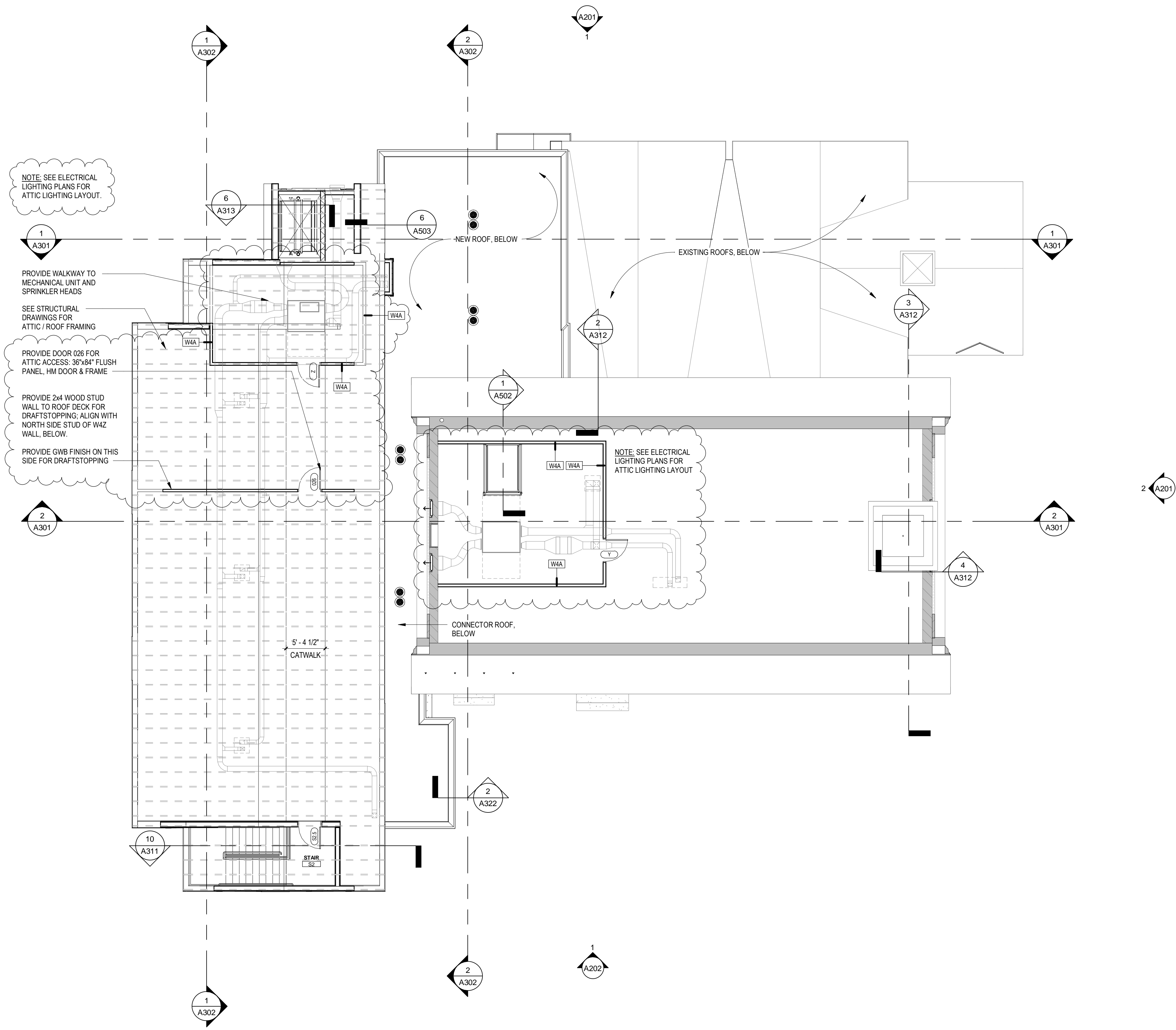
REVISION	DATE	COMMENTS

THIRD FLOOR PLAN

A113
 SHEET NUMBER: 13 OF 57 ARCHITECTURAL

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BIM 360/3677 Milford Cabinet Shop 3677 Milford Cabinet Shop 3677 Milford Cabinet Shop R21.rvt
 TEMPLATE DATE: 11/25/2019
 one eighth inch = one foot
 one quarter inch = one foot
 three quarter inch = one foot
 one inch = one foot
 one and one half inches = one foot
 three inches = one foot



NOTE: SEE ELECTRICAL LIGHTING PLANS FOR ATTIC LIGHTING LAYOUT.

PROVIDE WALKWAY TO MECHANICAL UNIT AND SPRINKLER HEADS
SEE STRUCTURAL DRAWINGS FOR ATTIC / ROOF FRAMING

PROVIDE DOOR 026 FOR ATTIC ACCESS: 36"x84" FLUSH PANEL, HM DOOR & FRAME

PROVIDE 2x4 WOOD STUD WALL TO ROOF DECK FOR DRAFTSTOPPING, ALIGN WITH NORTH SIDE STUD OF W42 WALL, BELOW.

PROVIDE GWB FINISH ON THIS SIDE FOR DRAFTSTOPPING

NOTE: SEE ELECTRICAL LIGHTING PLANS FOR ATTIC LIGHTING LAYOUT

GENERAL PLAN NOTES

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FLOOR PLAN LEGEND

- DOOR TAG, SEE DOOR SCHEDULE
- WINDOW TAG, SEE WINDOW SCHEDULE
- ACCESSORY TAG, SEE ACCESSORY TYPES & INTERIOR ELEVATIONS
- KEYNOTE, SEE FLOOR PLAN KEYNOTE LEGEND
- STRUCTURAL GRID LINE
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- NEW DOOR
- EXISTING DOOR

FLOOR PLAN KEYNOTES

KEY #	DESCRIPTION
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PLAN KEY:

PROJECT TITLE / ADDRESS:
MILFORD CABINET BUILDING
54 SCHOOL STREET
MILFORD, NH 03055

SCALE: AS NOTED DWN BY: CC
JOB #: 3677 CHK BY: SD

PRINT DATE: 6/1/2022 6:35:16 PM

ISSUE DATE:
06/01/2022
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ISSUED FOR CONSTRUCTION

REVISION	DATE	COMMENTS
1	06/01/2022	CONSOLIDATED DRAWING SET

ATTIC PLAN

A114

SHEET NUMBER: 14 OF 57 ARCHITECTURAL
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1 NEW ATTIC FLOOR PLAN
A114 1/8" = 1'-0"



5:55 - approval of one (1) Abatement Application for Denial, Map 21 Lot 8 and one (1) Abatement Application for Approval, Map 50 Lot 4-2 - Assessing Director, Marti Noel

MEMORANDUM

DATE: July 11, 2022

TO: Board of Selectmen

CC: John Shannon

FROM: Marti Noel, Assessor

RE: **2021 Property Abatement Applications
Recommendations for Denial - 1
Recommendations for Approval – 1**

As a refresher on the Abatement process, if a property owner feels their assessment is incorrect or inequitable, an abatement application may be submitted to the assessing office between the date the final tax bill is mailed and March 1st of the following year. The deadline for filing for abatement for the 2021 tax year is March 1, 2022.

The deadline for response by the municipality to all abatements timely filed is July 1. If no decision has been made, the abatement is to be considered to have been denied, and the Appellants may begin filing for appeal at the state level, either the BTLA or Superior Court. The filing deadline for Appeals is September 1. Nothing precludes on-going discussion regarding abatements after July 1.

The abatements tonight are addressed after July 1 in order to give the applicants maximum time to provide any additional information, and in one case to provide maximum opportunity to visit the property. These are the final abatements left to be addressed for the 2021 tax year.

The first appellant was asked to provide additional documentation where an appraisal that was provided had a third of the data cut off. The missing data is considered vital to the application. A full and complete document was requested but the appellant has not complied with that request.

The second abatement was a request for a reduction in value based on proximity to an on-going gravel operation. The appellants have requested to speak to this request to the BOS tonight. Although the operation has been in existence for many years, the operation machinery has recently been moved. The appellants claim the noise and dust are disruptive to their lives. I visited the site approximately 20 times during May and June and spoke with the appellants and the pit operator. My observations were that the dust or grit observed on multiple surfaces was consistent with off-site observations and that the

noise level was generally minimal to slight unless machinery was running. Machinery ran intermittently during permitted hours between 7 and 5; on many days the machinery did not run at all. When running, the machinery was primarily heard from the back yard area where the owners have a pool and a deck and was considered minimum to moderate. On the occasions I was there and machinery was running, the machinery noise was not disruptive to conversations held in the back yard area. I have given the appellants ample opportunity to provide documentation supporting any significant loss in value. To date no documentation has been provided. The slight reduction in value recommended is mainly due to the relatively few days per year when the rock crusher is running for consecutive days. My experience is that the crusher fluctuates between actively crushing and idling on the days it is being used.

In both cases, the appellants have been notified that if documentation is provided, I am open to reconsidering the property value based on new evidence.

Thank You

TY 2021 Abatement Recommendations									
App #	Map/ Lot	Address	Property Owner Request	Recommend	Reason	Letter Sent	2021 Assessed Value	Adjusted Assesed Value	Abatement Amount @ \$20.15 rate
2112	50/4-2	22 Myrtle St	Reduce value based on appraisal provided.	Deny	The appraisal provided had the bottom 3rd of the report cut off and missing vital information to conclude a recommendation. A full copy of the appraisal was requested, however, the owner has not complied with that request.	6/30/2022	434,500	434,500	0
2110	54/4-2	224 Mile Slip Rd	Noise from nearby gravel operation is disruptive	Approve	In the course of 20 visits in 2 months, I could identify minimal loss in value based on in-person visits.	6/30/2022	367,100	359,758	147.94
					Total Amount of Abatement Recommended for Approval this Session				147.94
					Total from prior granted 2018 Abatements				11,401.99
					Appeals Resolved in 2021				
					Total				11,549.93

Town of Milford, NH
 Assessing Department
 Abatement Receipt
 Date: 2/17/2022
 #: 2110
 Signed: (m)

FOR MUNICIPALITY USE ONLY:
 Town File No.: _____
 Taxpayer Name: _____

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

SECTION A. Party(ies) Applying (Owner(s)/Taxpayer(s))

Name(s): JAYSON + KERRIE WALKER
 Mailing Address: 224 Mile Slip Rd Milford NH
 Telephone Nos.: (Home) _____ (Cell) _____ (Work) 677-2353 (Email) Jaywalka@aol.com

Note: If an abatement is granted and taxes have been paid, interest on the abatement shall be paid in accordance with RSA 76:17-a. Any interest paid to the applicant must be reported by the municipality to the United States Internal Revenue Service, in accordance with federal law. Prior to the payment of an abatement with interest, the taxpayer shall provide the municipality with the applicant's social security number or federal tax identification number. Municipalities shall treat the social security or federal tax identification information as confidential and exempt from a public information request under RSA 91-A.

SECTION B. Party's(ies)' Representative if other than Person(s) Applying (Also Complete Section A)

Name(s): _____
 Mailing Address: _____
 Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

SECTION C. Property(ies) for which Abatement is Sought

List the tax map and lot number, the actual street address and town of each property for which abatement is sought, a brief description of the parcel, and the assessment.

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
<u>050-004002-000</u>	<u>224 Mile Slip Rd Milford</u>	<u>3bed Cape w/ furnished porch & 2 car garage</u>	<u>\$ 367,100</u>

RECEIVED
FEB 17 2022
 BY: _____

SECTION D. Other Property(ies)

List other property(ies) in the municipality owned in the same name(s), even if abatements for the other property(ies) have not been sought. The taxpayer's entire real property estate must be considered in determining whether the appealed property(ies) is (are) disproportionately assessed.

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
079-091-000-000	177 South St Milford	Auto Repair Business	\$ 305,400

SECTION E. Reasons for Abatement Application

RSA 76:16 provides that an abatement may be granted for "good cause shown." "Good cause" generally means:
1) establishing an assessment is disproportionate to market value and the municipality's level of assessment; or
2) establishing poverty and inability to pay the tax. This form can be utilized for either basis of requesting an abatement. The taxpayer has the burden to prove good cause for an abatement.

- 1) If claiming disproportionality, state with specificity all the reasons supporting your application. Statements such as "taxes too high," "disproportionately assessed" or "assessment exceeds market value" are insufficient. Generally, specificity requires the taxpayer to present material on the following (all may not apply):
 1. physical data – incorrect description or measurement of property;
 2. market data – the property's market value on the April 1 assessment date, supported by comparable sales or a professional opinion of value; and/or
 3. level of assessment – the property's assessment is disproportionate by comparing the property's market value and the town-wide level of assessment.

Note: If you have an appraisal or other documentation, please submit it with this application.

- 2) If claiming poverty or inability to pay, state in detail why abatement of taxes is appropriate as opposed to some other relief such as relocating, refinancing or obtaining some alternative public assistance. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

SECTION F. Taxpayer's(s) Opinion of Market Value

State your opinion of the market value of the property(ies) appealed as of April 1 of the year under appeal.

Town Parcel ID# 050-004-002-000 Appeal Year Market Value \$ _____

Town Parcel ID# _____ Appeal Year Market Value \$ _____

Explain the basis for your value opinion(s). (Attach additional sheets if necessary.)

Unfortunately I cannot answer this question as the destruction & disruption the gravel pit has caused to our home, our way of living & our mental well being there is no price tag.

SECTION G. Sales, Rental and/or Assessment Comparisons

List the properties you are relying upon to show overassessment of your property(ies). If you are appealing an income producing property, list the comparable rental properties and their rents. (Attach additional sheets if needed.)

Town Parcel ID#	Street Address	Sale Price/Date of Sale	Rents	Assessment
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

SECTION H. Certification by Party(ies) Applying

Pursuant to BTLA Tax 203.02(d), the applicant(s) **MUST** sign the application. By signing below, the Party(ies) applying certifies (certify) and swear(s) under the penalties of RSA ch. 641 the application has a good faith basis, and the facts stated are true to the best of my/our knowledge.

Date: 2-14-22

[Signature]
(Signature)

Jaysm Walker
(Print Name)

[Signature]
(Signature)

Kerne Walker
(Print Name)

SECTION I. Certification and Appearance by Representative (If Other Than Party(ies) Applying)

By signing below, the representative of the Party(ies) applying certifies and swears under penalties of RSA ch. 641:

1. all certifications in Section H are true;
2. the Party(ies) applying has (have) authorized this representation and has (have) signed this application;
and
3. a copy of this form was sent to the Party(ies) applying.

Date: _____

(Representative's Signature) (Print Name)

SECTION J. Disposition of Application* (For Use by Selectmen/Assessor)

*RSA 76:16, II states: the municipality "shall review the application and shall grant or deny the application in writing by July 1 after notice of tax date"

Abatement Request: GRANTED _____ Revised Assessment: \$ _____ DENIED _____

Remarks:

Date: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

Jayson & Kerrie Walker

224 Mile Slip Road

Milford, NH 03055

603-672-2353

Attention Marti Noel

As requested, we are sending a written statement of the issues, we have had with our property at 224 Mile Slip Road. We are requesting an abatement on our tax assessment and property tax increase due to the issues that the Spring Creek sand and gravel operation behind our home has and continues to cause. We take great pride in our home and yard and trying to maintain our property. The constant toll of repairs and more than routine maintenance have hit our wallet hard and the thought of paying higher taxes for things we cannot even use or enjoy is beyond frustrating. The following is a list of many of the issues we have had to deal with financially, physically, and emotionally.

- Soundproofing shades with a 4.5 rating for noise reduction...\$ 7,000.00 We are unable to sleep past 6 am when the 10-15 trucks start to line up. It is very noisy as they come in and their headlights shine in our windows. Which the shades do help somewhat with the headlights, but they do not provide any soundproofing. The activities that take place in the gravel pit are just too loud, the rock crusher, the screener, the loaders running around and all the trucks in and out are just too much noise for any soundproofing of shades to handle.
- Professional power washing of the house once per year (our power washer is not strong enough to get the dust and silt off our light-colored home) \$475.00.
- Cracked ceilings, and walls repaired by us. We have photos and video documentation if requested.
- Pictures falling off the walls and breaking, replaced by us. We have video and photo documentation if requested.
- Vet bill for the dog that contracted aspiration pneumonia due to the dust. \$800.00, we have documentation. Now she requires a \$3500. Surgery that we cannot afford.
- Pool filter parts that needed to be replaced due to the dust and silt build up. \$200.00
- Increased electric bill for central a/c, which has to run from April until late October because we cannot open our windows due to the noise and dust. We have sound machines in all rooms of the home to help drown out some of the noise that are constantly on and playing.
- Unable to enjoy our pool, deck, patio, and farmers porch due to the dust and noise and smell of diesel fuel. We cannot use any part of our yard. We cannot be outside at all the dust making it hard to breathe and the noise is so loud you cannot hear each other talk. We cannot stay in the upstairs

portion of our house as the noise is so loud, the lower floor is a tad more bearable, but we still can hear it...all which we pay taxes on.

- Emotional turmoil, beyond belief, no price tag!
- We have been told that due to the gravel pit our home would be a very hard sell, and we would take a great monetary loss., here we are, prisoners in our own home and faced with a constant increase in our taxes. We are asking that you please take all of this into consideration from the financial burdens that have been placed on us by the Spring Creek sand and gravel operation.

Not to mention loss of wages for the times that we have requested town officials all of whom are from Community Development, which have come to our home to witness the dust and the noise issues. Having to leave work to be home when services are preformed due to the damage caused by the gravel pit.

Lack of sleep takes an unhealthy toll on the body; my husband and I are forced to wake by 6am as the noise from the trucks is already starting. Our daughter works midnights for Amherst Police, and when she gets out of work she cannot go home to sleep as the amount of noise in the home is unbearable, she actually comes to my office puts two chairs together just to be able to catch up on her sleep. My oldest daughter who lives on her own, cannot even come home to visit during the week, as she has an uncurable disease, and as a result no immune system, with the videos of the dust destruction, that we have shown to her doctors and after meetings with her specialists, not knowing what kind of dust is coming from all the crushing of rock, possible radon, etc., and the dust from all the screening her doctors recommend her not to visit while the operations are running, that being said there is absolutely no price tag on that!

To recap the amount of expense endured for the past three years in a situation that is out of our control is unfair and unjust. We cannot be in the upstairs of our home past 6 am, to 5 pm. We have to have sound machines on all floors running constantly and radios on all floors running constantly, central a/c that runs all day long from April to late October as we cannot open our windows, in fact I cannot tell you the last time we have been able to open windows, even on the weekends if its windy the dust blows off the piles and is unbearable, the constant repairing of or home, you never know what you are going to come home to, the constant replacing of personal items, pictures etc., that fall and break due to the house shaking, all of these burdens have been place upon us. Paying taxes on a home you cannot access, a yard you cannot use and a pool , patio , deck, farmers porch, that we cannot use due to something out of our control is completely unfair and unjust, and this we have already been dealing with for three years, and this operation has a ten year permit, our wallet has been hit hard and I don't know how much more financial distress we can take.

Please feel free to reach out to Community Development and the Town Administrator who have all been dealing with us and have first handedly heard how extremely loud it is on our property.

Thank you for your time and consideration. Please feel free to contact us and pay a visit to our home should you want to see and hear our concerns.

Best regards,

Jayson and Kerrie Walker

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

TAX YEAR APPEALED

*2020-until the Gravel
pit operations are
it is a 10 year permit over.*

INSTRUCTIONS

1. Complete the application by typing or printing legibly in ink. **This application does not stay the collection of taxes; taxes should be paid as assessed. If an abatement is granted, a refund with interest will be made.**
2. File this application with the municipality by the deadline (see below). Date of filing is the date this form is either hand delivered to the municipality, postmarked by the post office, or received by an overnight delivery service.

DEADLINES: The "notice of tax" means the date the board of tax and land appeals (BTLA) determines the last tax bill was sent by the municipality. (If your municipality bills twice annually, you must apply after the bill that establishes your final tax liability and not before.)

Step One: Taxpayer must file the abatement application with the municipality by March 1 following the notice of tax.

Step Two: Municipality has until July 1 following the notice of tax to grant or deny the abatement application.

Step Three: Taxpayer may file an appeal either at the BTLA (RSA 76:16-a) or in the superior court (RSA 76:17), but not both. An appeal must be filed:

- 1) no earlier than: a) after receiving the municipality's decision on the abatement application; or b) July 1 following the notice of tax if the municipality has not responded to the abatement application; and
- 2) no later than September 1 following the notice of tax.

EXCEPTION: If your municipality's final tax bill was sent out after December 31 (as determined by the BTLA), the above deadlines are modified as follows (RSA 76:1-a; RSA 76:16-d, II):

Step One: 2 months after notice of tax;

Step Two: 6 months after notice of tax; and

Step Three: 8 months after notice of tax.

FORM COMPLETION GUIDELINES:

1. **SECTION E.** Municipalities may abate taxes "for good cause shown." RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax.
2. **SECTION G.** If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show: a) what the property was worth (market value) on the assessment date; and b) the property's "equalized assessment" exceeded the property's market value. To calculate the equalized assessment, simply divide the assessment by the municipality's equalization ratio (assessment ÷ ratio). Because a property's market value is a crucial issue, taxpayers must have an opinion of the market value estimate. This value estimate can be shown by obtaining an appraisal or presenting sales of comparable properties.
3. **SECTION H.** The applicant(s) must sign the application even if a representative (e.g. Tax Representative, Attorney, or other Advocate) completes Section I.
4. Make a copy of this document for your own records.



Assessor's Office • 1 Union Square • Milford, NH 03055
Phone 603.249-0615 ▪ Fax 603.673.2273
www.milford.nh.gov

June 30, 2022

Walker, Jason & Kerrie
224 Mile Slip Rd
Milford NH 03055

RE: Abatement #2110
Map 50 Lot 4-2

Dear Property Owners,

In a previous letter, I had extended the review of your abatement request for your parcel in order to allow time for site visits to witness the noise concerns you have stated regarding the gravel operation behind your home, and to also allow additional time for you to provide any other documentation. Thank you for allowing me to enter your land repeatedly in the last several weeks.

I have visited your home multiple times between May 2nd and June 28th, 2022. In early May the foliage had not filled in and I had an opportunity to observe the gravel pit operations from your yard. By mid-May, the foliage had filled in and visual observations were very limited.

During my several visits, I did observe that there was often very slight to minimal audible noise rising to moderate levels on occasion. Pit sounds were typically only heard as I came around to the back yard. Mostly I could hear vehicles – a loader, dump trucks and such. I considered these sounds to be only background noise and did not find them disruptive. The screener was heard running periodically, and the crusher was heard only towards the end of June. On these occasions, the noise level was considered to include the truck noises and a mechanical hum associated with the screener and a slightly louder rumble associated with the crusher. The noise level of the machinery fluctuated, and was not at a consistent level throughout the times when I visited, often the machinery seemed to be idling, but at times reached what I considered to be a moderate level in the back yard area. I never felt the noise level in the front yard to fluctuate above slight. In my observations, I did not notice the noise or dust level rise to any alarming or even exceptional degree, although there were occasions in May where I did observe pollen clouds blowing across the property.

During one of my visits, we held a conversation in your back yard. I would compare the gravel pit noise then to that of a neighbor mowing their lawn on any given day— a steady background noise, but not considered loud enough to disrupt a conversation. I also want to note that Kerrie expressed distress during that observation period and stated she felt the noise level forced her to shout where I felt I was conversing normally.

There was one period (May 25) where Kerrie e-mailed to state the noise from the gravel pit was extreme and occupants could feel vibration in the house. Unfortunately, I was not in the area to visit the house at that time. Towards the end of June, complaints of vibrations and excess dust escalated. In my visits, I did not experience vibrations from the deck area or excessive dust that would have exceeded other observations from off site and away from 224 Mile Slip Rd. Kerrie has stated that real estate agents and a mortgage broker have expressed that the house would be difficult to sell and/or finance, but though requested, no written documentation has been submitted, nor has an appraisal which was also requested.

In addition to the site visits and conversations with the owners of 224 Mile Slip, I also spoke with the operator/ manager of the gravel pit Dale White of Leighton White, Inc who stated that screeners were usually used 2-3 times a week during 3 seasons when the pit was active, and the rock crushers might be used a couple times a year. When I asked you whether this sounded about right, you agreed. I also ascertained that approved Operation hours are between 7 AM and 5PM weekdays. All of the complaints seemed to be within permitted hours of operation except for truck noises which seemed to also occur slightly before 7 AM. All my observations were within the permissible operating hours.

Milford is rural in nature, with a majority of the properties zoned Residential “R” or “Rural”. Multiple uses are permitted in in the Residential “R” zone, including gravel operations. Milford has a history of residential subdivisions being developed or co-existing in proximity to gravel operations, granite quarry operations, highways, the transfer station, a tree processing yard, etc. As you are aware, the property behind your home has been operated as a gravel pit for many years prior to the construction of your own home. The concern, as I understand it, is that the machinery and operating area has recently moved closer to your property.

Historic and recent sales data indicates that residential properties in Milford have not shown any measurable reduction in value for these or similar external influences. Most especially, within the past few years it seems nothing has hindered residential sales.

While I personally have not encountered any disturbance to the degree that is described in the abatement request, it is evident that you, as occupants, feel that you have experienced more than what I was able to witness during my visits. It would also seem, based on observations, that there would be multiple days and most every evening and weekend where your property can be enjoyed fully.

To gain perspective, I have to question if the level of noise I have heard is any more disruptive than having a next door neighbor who revs a motorcycle or starts up a diesel truck in their driveway every morning. It may be very annoying to be woken up by that noise, but does it rise to the level of a loss in value? Because of the persistence of the operation throughout the day, the argument can be made for a nominal reduction.

I have applied a temporary 2% reduction to your land and dwelling assessments to reflect the unique challenges you describe, influenced by my own observations. This results in a value change for the 2021 tax year from \$367,100 to \$359,800, a \$7,300 difference. I remain open to reviewing any other documentation you can provide that would quantify a greater loss in value.

This 2% reduction will apply for each year going forward as long as the gravel operation is running its screener (periodically) and crusher (a couple times a year) in the current location behind your home. For 2022 and going forward, I have also added the central air conditioning feature to your property record.

I will forward a recommendation to the Board of Selectman (BOS) to approve this \$7,300 reduction in value in response to your abatement request. The BOS will consider this action at their meeting on July 11, 2022. This meeting is a regularly scheduled BOS meeting and you are welcome to participate if you are so inclined. However, unless you wish to speak to the Board members, it is not required that you attend.

As far as I am aware at this point, this meeting will be a hybrid meeting with an option to attend via Zoom. The link will be available on the Town of Milford website on the day of the meeting. At the time of writing this letter I do not know the exact time that abatements will be scheduled to be considered. Unless a property owner states the desire to speak to the Board regarding their abatement request, abatements will be addressed only briefly. If you are planning to attend and wish to address the Board, you must call me or the Select Board's executive assistant Tina Philbrick at 249-0603 by the Wednesday before the scheduled meeting so we can let the Board Members know you wish to speak and require additional time. If we are aware you will be attending and would like to speak to the Board members, we will attempt to allow time in the agenda for you to address your concerns to the Board. If we cannot, we will attempt to reschedule to a more convenient date. The BOS agenda is made available the Friday before the scheduled meeting.

Please note: It is the procedural policy of the Milford Board of Selectman to review requests for abatement based on the specific facts submitted on the abatement application to the municipality and the assessor's subsequent review. The Board will not review or consider new information presented at the Selectman's meeting. If there is any additional information that you wish the Board to consider in their decision, such information must be submitted to the Assessor(s) five (5) business days prior to the scheduled meeting.

As detailed in the original instructions, the filing deadline for any abatement request is March 1, and the municipality has until July 1 to respond. Upon receipt of a notice of denial, or if you are unsatisfied with the result of the abatement as approved, a Taxpayer may file an appeal either at the BTLA (RSA 76-16-a) or in the superior court (RSA 76:17), but not both. An appeal must be filed no earlier than after receiving the municipality's decision on the abatement application or no later than September 1, following the notice of tax. This letter is a courtesy letter, and not a notice of denial. Any official notice will be signed by Board of Selectmen members and will be sent after the above mentioned meeting. If an abatement check is due to you, it will be processed and sent to the above mailing address as soon as possible following the Board's decision.

If you have any questions or concerns about this or any other matter regarding your abatement application please feel free to contact me at 249-0615.

Respectfully,
Marti Noel, CNHA
Assessor
Milford, NH
mnoel@mlford.nh.gov

2022 Walker Site Visits			Back Yard	Front Yard
Date	Time (Approx)	Observations regarding Noise and Dust	Func/Ext?	Func/Ext?
5/2/2022	8:30 AM	cool weather, observed from the edge of Mile Slip Road and driveway. Could hear faint distant grinding noise easily overpowered by birds, overhead plane		
				None
5/3/2022	8:00 AM	had just stopped raining, could hear trucks (driving, backing up) in the pit, but easily held a normal pitched conversation at the back door with Kerrie. Dust levels seemed normal for outdoors	None	None
5/5/2022	8:10 AM	beautiful sunny morning, slight breeze; from the back deck, sounds of birds and flags snapping easily overrode any faint truck sounds (driving, backing up, loading) from the pit. Dust levels seemed normal for outdoors	None	None
	1:20 PM	No change in conditions or noise or dust level		
5/6/2022	1:00 PM	Two or three screeners were running, causing a steady motorized sound along with faint truck sounds (driving, backing up, loading) . I did hold a conversation at the back of house with Kerrie and Jayson. I felt I could speak and hear normally, Kerrie stated she felt as though she had to shout. No observed additional or excessive dust.	Very Slight	None
5//9/2022	12:45 PM	Nice day. Screeners had been removed. There was very little activity in the pit. No noise or dust observed. The pool cover had been removed. Water seemed mostly clear with a small amount of solid leaf/dirt detritious at bottom of pool. Minimal noise or dust observed	None	None
5/11/2022	11:00 AM	Nice Day. No screeners. Some distant truck noise (driving, backing up, loading) flags on poles snapping in breeze easily overrode the pit sounds.	None	None
5/13/2022	1:30 AM	Fairly warm and sunny. No screeners. Minimal distant pit noises; no trucks loading	None	None
5/17/2022	10:00 AM	Warm, Sunny, Breezy. No screeners. Minimal pit sounds.	None	None

5/18/2022	12:45 PM	Warm, Sunny, Breezy. The foliage has grown in and it is difficult to observe any activity in the pit. From the back yard area, I could hear truck noises, at times a little louder than most days previously observed, but I could still hear flag sounds and birds from the back deck area above the truck loading/moving sounds. Dirt in the pool appeared to be from the trees; the drain bucket was empty with greenish brown residue assumed to be a mix of pollen and possibly dust but no excessive dust observed anywhere else on back yard items.	Very Slight	None
5/23/2022	10:00 AM	Cool, Sunny. No activity in gravel pit observed. Pool was open and had tree residue in it. No excess layer of dust observed, but due to recent rain, the drain bucket did have water in it. It was full of slightly discolored water. Could easily see the bottom of the bucket, but the water color was tainted with likely pollen and possibly some dust.	None	None
5/25 & 26		Through email, Kerrie Walker reported screener running very loudly all day on the 25th and 26th. Stated Beds and furniture indoors was shaking. I was not in the area and was unable to follow up with a site visit	Reportedly very high	
6/7/2022	11:00 AM	Nice day, minimal breeze. Screener was running. Noise could be heard in the back yard, but did not override the sound of my footsteps on the gravel. Screener sifter engine was audible, some truck traffic was audible. Pool was open and had tree residue in it. No excess layer of dust observed, but due to recent rain, the drain bucket did have water in it. It was full of slightly discolored water. Could easily see the bottom of the bucket, but the water color was tainted with likely pollen and possibly some dust.	Slight	Minimal

6/13/2022	11:00 AM	Kerrie texted to advise of loud machinery. I visited the site. Observations: Nice day, minimal breeze. Screener was running. Noise could be heard in the back yard, but did not override the sound of my footsteps on the gravel. Screener sifter engine was audible like a background hum, some truck traffic was audible. Pool was open and had tree residue in it. No excess layer of dust observed, but due to recent rain, the drain bucket did have water in it. It was full of slightly discolored water. Could easily see the bottom of the bucket, but the water color was tainted with likely pollen and possibly some dust.	Reportedly very high; BUT observed experience was persistent machinery noise and periodic truck noises; but would not disrupt a conversation, (similar to my observations on 5/6) I did not feel any vibrations from machinery at back patio	Minimal
6/17/2022	10:15 AM	Same as 6/13, but drain bucket was empty. The plastic was not inherently clean but stained with pollen/dirt from multiple uses without scouring between rain occasions.	Slight	Minimal
6/21/2022	8:47 AM	Walker Email complaint of trucks starting, screener running, & excessive dust		
	10:50 AM	I visited the site. The noise level was a bit louder than on most other days, and pit sounds were slightly audible from the front.	Moderate	Slight
		I checked the level of "dust and grit" on the grill: there was also some grease and char from grilling, some tree detritous and some light dust/grit. I then checked several surfaces around the yard: pelican statuary on the deck, Mary statue in back yard, bird house roof at side of house, wheelbarrow at side of house, planter at front of garage, leaves on the Japanese maple. All of the man-made surfaces had what felt like a similar light film of grit. There was no observed grit on the maple leaves. I also checked the green gazing ball halfway down the driveway; this also had a light layer of grit. On the way out of the Walker driveway, heading north on Mile Slip to Mason Rd, I checked the mailbox top at 187 Mile Slip, the stand pipes at Stonewall Dr, green UG Utility casing @ Great Brook condos(first turn-off), subpanel stantions at the old Bridge on Mason Rd, the newspaper box on Middle St, and finally, the stone samples on the steps at Twill on Middle St. All seemed to have a similar level of grit/dust.		

		At the office, I measured that the Walker driveway is 600' +/- from the start of the gravel road section of Mile Slip Rd (relatively flat) and 1600' from the entry to the newly developed Autumn Oaks subdivision which is uphill from the Walker residence. The Walker residence is uphill from the gravel pit, approximately 415 ' through the trees.		
		Except for along the roadway, the entire area is heavily treed.		
6/22/2022	7:30 AM	Walker email complaint of both screener and crusher running. I was not in the area and was unable to follow up with a site visit		

6/23/2022	8:30 AM	<p>Email complaint of both screener and crusher running. I was on site by 8:30 AM. Screener / pit noise was moderate, but I did not hear the rock crusher running nor feel any vibrations while standing in the back yard and on the back deck. I checked the back deck and patio furniture for excessive grit but found there to be minimal to trace amounts, which could be attributed to normal outdoor air quality for windblown pollens and dust. I could not see any film on the pool showing pit dust. Kerrie came out and we stood at the back deck for 20 minutes or so. We held a conversation in normal tones. She gave details about when the rock crusher was brought on site, when it was set up, the vehicle belonging to the person working on it to get it running. I asked that, given the cover of leaves, how she could tell that the rock crusher was brought the site to before it even started up as I could see nothing of the pit activity from the back yard or deck. She explained the capabilities of the security cameras to zoom in on the pit and equipment. Kerrie then insisted that real estate brokers and mortgage officers had told her the home could not sell based on the operation behind her house. I suggested she have those unidentified parties put that in writing for her. I also described the level of dust/grit in the various places I had tested two days prior. I then stated that based on the multiple time I had been to the site, I could not identify any basis for significant loss in value and likened her situation to that of Badger Hill or Autumn Oaks subdivisions with construction noises/activity during the day. Kerrie suggested that those times I had been to her property were unusually quiet, and that times when I had not visited the site were different/much louder. During our conversation, the screener seemed to be running based on the sounds coming from the pit but I felt no vibrations nor saw anything on the deck, the suspended birdhouse nor the lanterns by the mary stature shaking. The crusher did not run for the duration of time I was there. I offered to return later in the day to see if it had started up.</p>	Moderate	Slight
	12:20 PM	<p>Re-visited Walker residence. Noise level still moderate. No vibrations felt. No excessive grit accumulation. No rock crusher noise.</p>	Moderate	Slight
6/24/2022		<p>Email that the screener and crusher were both running</p>		

	1:00 AM	Visited the sight. Nice day, partly cloudy. There was no machinery running. I could hear low level activity that sounded like a truck being loaded and then driving off. Checked but did not observe any hightened levels of grit and dirt. In fact, the drain bucket had been flushed out from rain in the previous 24 hours.	Minimal	None
6/28/2022	9:16 AM	Walker email complaint that crusher had been running on the 27th and again today		
6/28/2022	9:42 AM	I got to Walker residence. Nice day, slight breeze. There was a low hum of machinery and vehicles in the pit when I arrived, barely audible from the front yard, moderately audible in the back yard. After waiting a few minutes I did hear the rock crusher start up. The sound level increased, but during the operation of the crusher, I could still hear the vehicles operating in the pit - backing up, driving, etc over the sound of the rock crusher. In other words, the noise from the rock crusher did not obliterate all additional sounds. As I stood on the deck, I both leaned against the house and held my hand on the table surface in order to feel any vibrations from the pit equipment. I could not feel any vibrations under my hands, under my feet, or against my shoulder and back on the house. The crusher ran for about 10 minutes then the crushing stopped. I touched multiple surfaces to see the level of grit/pollen after the rain from the day before. It seemed minimal on all the surfaces I touched: the table, the arms and seats of chairs, the orange table top, the pelicans on the deck, the planter in the front against the garage. Nothing felt excessive for any outdoor environment. The drain bin had been emptied and was relatively clean. When I went back to the front yard, the daughter came to the front porch railing and we had a conversation in normal tones. The daughter led the discussion about how her bed was shaking and she could not sleep. I stated that I had explicitly tried to feel any vibration, but that I had felt none. The daughter then began to tell me of hostilities she had experienced off site to which I stated that that was beyond the scope of my review. Next she explained that she worked for the police department and had co-workers come to experience the noise and disturbance; she informed me they were sympathetic to her opinions and experiences. I inquired if the intent was to shut the operation down and if any such action by the police had been made. The daughter then stated it was suspicious that the operation noises quieted down whenever I came to the sight and then proceeded to suggest that I and other town employees were favoring the pit operator because of the operator's name. I again informed her that my presence at the home was only to try to quantify loss in property value (if any) with disregard to parties involved. During the course of that conversation which lasted maybe 15 minutes the rock crusher	Moderate	Slight

	2:30 ISH	Walker call to OCD complaining of excessive dust.		
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6:10 Appointment to the Traffic Safety Committee - Chris Labonte

June 24, 2022

Chair Paul Dargie
Milford Board of Selectmen
Town of Milford
1 Union Square
Milford, NH 03055

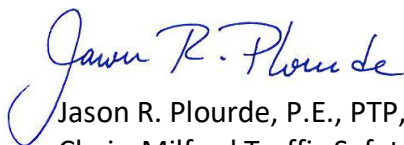
Dear Chair Dargie and Select Board Members:

On October 26, 2021 and on June 23, 2022, Mr. Christopher Labonte of 45 Marcy's Way in Milford, New Hampshire, attended our Traffic Safety Advisory Committee (TSAC) meetings and has expressed interest in joining our organization. As the Chair of the TSAC, I understand the importance of our responsibilities in reviewing Traffic Ordinances, acting as a group in evaluating traffic issues related to public safety, and advising the Select Board with recommended solutions to alleviate traffic safety issues.

As the Chair and a member of various governmental groups within Milford, I recognize that the Town expects us to exercise good judgment in making decisions in compliance with local regulations, listen with an open mind to testimony, and balance the evidence presented against the requirements of the Zoning Ordinance, Master Plan, and other municipal regulations and standards. I also appreciate the significance of continuously learning about new laws, regulations, and guidelines. Mr. Labonte is a longtime resident of Milford and previously served our community as a Select Board member. Mr. Labonte has consistently shown his willingness to learn, commitment to our community, and dedication to making informed decisions.

I believe that Mr. Labonte would make a valuable addition to the Milford TSAC. With the retirement of a TSAC member in October 2021, Mr. Labonte would help fill an important void on our committee. Therefore, I would request that you consider Mr. Labonte as a member of the Milford TSAC.

Very truly yours,



Jason R. Plourde, P.E., PTP, LPA
Chair, Milford Traffic Safety Advisory Committee

Chris Labonte
PO Box 532
Milford, NH 03055

July 5, 2022

Board of Selectman
Town of Milford
1 Union Square
Milford, NH 03055

Dear Board of Selectman,

I am writing to express my interest in joining the Traffic Safety Advisory Committee. I feel I would be a good fit for this Committee because I understand the importance of addressing traffic safety concerns and working together to mitigate any potential issues. As you know, I am someone who will do my homework and work hard to get the job done right. Milford is my home, it's run on volunteers and I am happy to give back to community where I can.

Thank you for your consideration.

Sincerely,

Chris Labonte

4. a. 1) Approval of Intent to Cut, Map 51 Lot 1

TOWN / CITY:	Milford
COUNTY:	Hillsborough
OWNER:	McNulla, Mark
COMPANY / OWNER 2:	
ADDRESS:	79 Woodhawk Dr
TOWN / STATE / ZIP:	Milford, NH 03055

INTENT FILED DURING TAX YEAR: April 1, 2021 to March 31, 2022

ACCOUNT & SERIAL #:	
TAX MAP & LOT #:	51-1
OPERATION #:	21-303-02
DATE OF BILLING:	July 11, 2022

SPECIES	LOW MBF	HIGH MBF			RANGE DIFFERENCE	RATING %	STUMPAGE VALUE*	BOARD FEET (In Thousands)			
WHITE PINE	\$100.00	\$200.00			\$100.00	0.50	\$ 150.00	4.420			
HEMLOCK	\$25.00	\$65.00			\$40.00	0.50	\$ 45.00	0.000			
RED PINE	\$20.00	\$60.00			\$40.00	0.50	\$ 40.00	0.000			
SPRUCE & FIR	\$60.00	\$125.00			\$65.00	0.50	\$ 92.50	0.000			
HARD MAPLE	\$140.00	\$400.00			\$260.00	0.50	\$ 270.00	0.000			
WHITE BIRCH	\$50.00	\$100.00			\$50.00	0.50	\$ 75.00	0.290			
YELLOW BIRCH	\$75.00	\$250.00			\$175.00	0.50	\$ 162.50	0.000			
OAK	\$200.00	\$500.00			\$300.00	0.50	\$ 350.00	1.590			
ASH	\$75.00	\$200.00			\$125.00	0.50	\$ 137.50	0.000			
SOFT MAPLE	\$50.00	\$150.00			\$100.00	0.50	\$ 100.00	0.200			
BEECH/PALLET/TIE LOGS	\$25.00	\$75.00			\$50.00	0.50	\$ 50.00	0.000			
PINE BOX / PALLET	\$5.00	\$25.00			\$20.00	0.50	\$ 15.00	0.000			
OTHER:	\$0.00	\$0.00			\$0.00	0.50	\$ -	0.000			
OTHER:	\$0.00	\$0.00			\$0.00	0.50	\$ -	0.000			
OTHER:	\$0.00	\$0.00			\$0.00	0.50	\$ -	0.000			
TONS & CORDS	TONS LOW	TONS HIGH	CORDS LOW	CORDS HIGH	TONS	CORDS	RATING %	STUMPAGE VALUE TONS	STUMPAGE VALUE CORDS	#TONS	#CORDS
SPRUCE & FIR	\$0.00	\$1.00			\$1.00		0.50	\$ 0.50		190.000	
HARDWOOD & ASPEN	\$1.00	\$4.00			\$3.00		0.50	\$ 2.50		0.000	
PINE	\$0.00	\$0.50			\$0.50		0.50	\$ 0.25		0.000	
HEMLOCK	\$0.00	\$3.00			\$3.00		0.50	\$ 1.50		0.000	
BIOMASS CHIPS	\$0.00	\$1.00			\$1.00		0.50	\$ 0.50		404.200	
HIGH GRADE SPRUCE	\$20.00	\$30.00			\$10.00		0.50	\$ 25.00		0.000	
CORD WOOD/FUELWOOD			\$8.00	\$18.00		\$10.00	0.50		\$ 13.00	\$ -	7

* STUMPAGE VALUE = % RATING X RANGE DIFFERENCE + LOW RANGE VALUE

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2021 to March 31, 2022

TOWN / CITY OF: Milford
 COUNTY OF: Hillsborough
 DATE OF BILLING: July 11, 2022

SEND SIGNED COPY TO: NH DEPARTMENT OF REVENUE ADMINISTRATION
 MUNICIPAL AND PROPERTY DIVISION
 PO BOX 487
 CONCORD, NH 03302-0487
 or E-mail to timber@dra.nh.gov

Paul Dargie Chair	7/11/2022
Tim Finan Co-Chair	7/11/2022
Gary Daniels	7/11/2022
Laura Dudziak	7/11/2022
David Freel	7/11/2022

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10	
NAME OF OWNER	SPECIES	NUMBER OF BOARD FEET (In Thousands)	NUMBER OF TONS	NUMBER OF CORDS	STUMPAGE VALUE	TOTAL ASSESSED VALUE	TAX AT 10 %		
McNulla, Mark 79 Woodhawk Dr Milford, NH 03055	WHITE PINE	4.420			\$150.00	\$663.00	\$66.30	Subtotal of TAXES Due (Col. #9)	
	HEMLOCK				\$45.00				
	RED PINE				\$40.00				
	SPRUCE & FIR				\$92.50				
# 2	HARD MAPLE				\$270.00				
DESIGNATED ON NOTICE OF INTENT TO CUT	WHITE BIRCH	0.290			\$75.00	\$21.75	\$2.18	\$164.94	
	YELLOW BIRCH				\$162.50				
	OAK	1.590			\$350.00	\$556.50	\$55.65		
MAP & LOT NUMBER	ASH				\$137.50			Less bond or amount previously paid, if applicable	
51-1	SOFT MAPLE	0.200			\$100.00	\$20.00	\$2.00		
	BEECH/PALLET/TIE LOGS				\$50.00				
	PINE BOX / PALLET				\$15.00				
	OTHER:								
# 3	OTHER:								
OPERATION NUMBER					TONS	CORDS			
21-303-02	SPRUCE & FIR		190.00		\$ 0.50		\$95.00	\$9.50	Total Amount Due
	HARDWOOD & ASPEN				\$ 2.50				
	PINE				\$ 0.25				
	HEMLOCK				\$ 1.50				
ACCOUNT OR SERIAL #:	BIOMASS CHIPS		404.20		\$ 0.50		\$202.10	\$20.21	
	HIGH GRADE SPRUCE				\$ 25.00				
	CORDWOOD			7		\$ 13.00	\$91.00	\$9.10	
							\$1,649.35	\$164.94	

**ORIGINAL WARRANT
YIELD TAX LEVY
July 11, 2022
THE STATE OF NEW HAMPSHIRE**

COUNTY OF: Hillsborough

Kathy Doherty, Collector of Taxes for Town of: Milford, in said County.

In the name of said State, you are hereby directed to collect on or before thirty (30) days from the date of bill from the person(s) named herewith committed to you, the Yield Tax set against their name(s), amounting in all to the yield tax due, below, with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day. We further order you to pay all monies collected to the treasurer of said town, or treasurer's designee as provided in RSA 41:29, VI, at least on a weekly basis, or daily when receipts exceed \$1,500.00, or more often when directed by the Commissioner of Revenue Administration.

Given under our hands and seal at *ENTER TOWN or CITY NAME*,

Paul Dargie Chair Date

Tim Finan Co-Chair Date

Gary Daniels Date

Laura Dudziak Date

David Freel Date

DATE OF BILLING: July 11, 2022

NAME & ADDRESS	TAX MAP & LOT	OPERATION #	YIELD TAX DUE
McNulla, Mark 79 Woodhawk Dr Milford, NH 03055	51-1	21-303-02	\$164.94
DATE YIELD TAX DUE:			August 10, 2022

4. a) 2) Acceptance of Gifts of Property under \$5,000

Board of Selectmen

Agenda Date: 7/11/2022

Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b))

Source	Amount	Purpose
None at this time.		

Acceptance of Gifts of Property Under \$5,000 (31:95(e))

Vested Interest in K9s, Inc.

Donation of a K-9 ballistic vest for the Milford Police Department's K-9 Mako. This has an estimated value of \$985. See attached memo from the Police Chief.



Town of Milford

POLICE DEPARTMENT

19 Garden Street
Milford, NH 03055
603-249-0630

Michael J. Viola
Chief of Police



To: John Shannon, Town Administrator
Board of Selectmen
From: Chief Michael J. Viola
Date: July 6, 2022
Ref: K-9 Vest Donation from Vested Interest in K-9s Inc.

On behalf of the Milford Police Department, I am respectfully requesting the Board of Selectmen to consider and approve the donation of a K-9 ballistic vest for the Milford Police Department's K-9 Mako. The K-9 ballistic vest, which cost approximately \$985.00 (nine hundred and eighty-five dollars), was donated to the department's K-9 Officer and K-9 Mako in April of 2022.

Vested Interest in K9s, Inc. is a 501c(3) non-profit whose mission is to provide bullet and stab protective vests and other assistance to dogs of law enforcement and related agencies throughout the country. Their programs are made possible with funds raised through contributions, grants and fundraising events.

On behalf of the Milford Police Department, K-9 Officer Mike Barritt and Mako, I would like to respectfully thank Vested Interest in K-9s Inc. for their donation of the ballistic vest and all of their work and dedication that they do for law enforcement K-9 programs.

Your consideration in this request is greatly appreciated.

The CABINET

IT'S YOUR
COMMUNITY

AMHERST • LYNDEBOROUGH • MILFORD • MONT VERNON • WILTON

One dollar • Milford, New Hampshire 03055

ESTABLISHED 1802

Volume 216, Number 17 • Thursday, April 28, 2022

Milford PD receives body armor donation for K9



Mako

Milford Police Department's K9, Mako, has received a bullet and stab protective vest, thanks to a charitable donation from Vested Interest in K9s Inc., a nonprofit organization.

K9 Mako's vest was sponsored by Donnie Sawin of Lyndeborough, and embroidered with the sentiment, "Honoring those who served and sacrificed."

Vested Interest in K9s Inc., established in 2009, is a 501(c)(3) charity whose mission is to provide bullet and stab protective vests and other assistance to dogs of law enforcement and related agencies throughout the United States. This potentially lifesaving body armor for four-legged K9 officers is U.S.-made, custom fitted, and NIJ certified. Since its inception, Vested Interest in K9s Inc. has provided more than 4,563 vests to K9s in all 50 states at a value of \$6.9 million, made possible by both private and corporate donations.

The program is open to U.S. dogs that are at least 20 months old and actively employed and certified with law enforcement or related agencies. K9s with expired vests are also eligible to participate. There are an estimated 30,000 law enforcement K9s throughout the United States.

Vested Interest in K9s Inc. accepts tax-deductible contributions in any amount, while a single donation of \$960 will sponsor one vest. Each vest has a value of \$1,744-\$2,283, weighs an average of 4-5 pounds and comes with a five-year warranty.

For more information, or to learn about volunteer opportunities, call 508-824-6978. Vested Interest in K9s Inc. provides information, lists events and accepts donations at www.vik9s.org, or you may mail your contribution to P.O. Box 9, East Taunton, MA 02718.

5. Town Status Reports

Town Status Reports – July 11, 2022

1. ARPA Funding – The town staff along with the Water and Sewer Departments and the Wadleigh Library has prepared a list of possible projects on which the remaining American Rescue Plan Act (ARPA) funding may be used. The BOS will make their decisions based on information provided by a project’s sponsor and all information can be found on the town website. We expect a discussion to take place at the July 25th BOS meeting.

2. Capital Improvements Program (CIP) – The CIP Committee deadline for any and all submissions for the 2023-2028 CIP has passed. The committee will start meeting in the near future to discuss all submitted items and remaining items from the previous list. They intend to complete their review by the end of September 2022.

3. FY 23 Budget Cycle Schedule – The draft version of the FY 2023 Budget Cycle Timeline has been developed by Town staff in cooperation with the Budget Advisory Committee. Once approved by the BOS, it can be found on the town’s website along with other information concerning this effort.

4. Brox AoT Update - The Town is still working with the NHDES and NHF&G to have a new Alteration of Terrain permit issued for gravel operations at the Brox. Town Representatives are planning to meet with NH DES in the coming weeks to discuss any remaining concerns. We have no timetable for a final determination at this time.

*** Any questions or concerns about any of these items may be directed to the Town Administrator’s Office.**

6. 1) Traffic Safety Concern - Mcgettigan and Savage Road

Hello Board of Selectmen,

Bryanna St.Hilaire (Sthilairebryanna@gmail.com) has sent you a message via your contact form (<https://www.milford.nh.gov/user/49/contact>) at Milford NH.

Hello,

I own the home at the corner of Mcgettigan and Savage. The 3 way stop intersection right there is a constant issue.

I am fairly new to the neighborhood and in such a short time I have witnessed so many accidents and incidents of road rage because of this intersection. Speed is definitely an issue on Savage. People come speeding through the intersection constantly and get upset towards those who slow down. But it is an intimidating intersection. I live right here and I slow down everytime I come through this intersection. People should be slowing down who are coming from Savage towards Isaac Frye/Wilton. I don't believe anyone goes near the speed limit on Savage. That's a big issue too.

However, I am really advocating at this time because a few weeks ago a friend of ours dog was hit and killed at this intersection as a direct result of road rage. A gentleman driving a truck was upset that someone slowed down, he laid on his horn several times, our friends dog in a vehicle ahead of them jumped out due to fear from the commotion, and the gentleman in the truck struck and hit the dog before fleeing the scene. He was coming down Savage heading towards Isaac Frye/Wilton.

It is certainly not the first or the last time something like this will happen here. Next time it could certainly be a person or a child. I see many residents in the neighborhood walking jogging, walking their dogs, or walking with their children. Many cross this intersection throughout the day. It's not very safe with people like this flying through it.

I believe there isn't a stop sign on the savage rd side because it's a bit of a slope and I'd imagine that during the winter it would be difficult to get up the hill again after stopping.

I'm not an expert but that's what I believe just from observing. But I think, maybe, a yellow blinking light prior to the intersection could improve this? I'm obviously not an expert. But I believe that way, people would be warned to slow down, and those who already do would be in the right of way.

Regardless, I would like to formally request in somewhat for someone to please come out and possibly assess this and see if there is any way we can improve the safety of this intersection and just this area in general.

Please let me know anything I can do. I feel really passionately about this and I am willing to do whatever.

9. Approval of Draft Minutes June 27, 2022

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 27, 2022

PRESENT:	Paul Dargie, Member	John Shannon, Town Administrator
	Tim Finan, Member	Tina Philbrick, Executive Assistant
	Gary Daniels, Member	Andy Kouropoulos, Videographer
	Laura Dudziak, Member	
	Dave Freel, Member	

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS:
Chairman Dargie called the meeting to order at 5:30 p.m., introduced Board members, and then led the audience in the Pledge of Allegiance.

2. APPOINTMENTS – (Approximate times)

5:30 p.m. – Veterans Tax Credit for Approval

Ms. Noel, Milford Assessor, said this is a new applicant per RSA 72:35, total service connected disability. The application was late but the veteran does qualify.

Selectman Daniels made a motion to approve the Veterans Tax Credit. Seconded by Selectman Freel. All were in favor. The motion passed 5/0.

Elderly Exemption for Approval

This was a late filed application for Elderly Exemption. The applicant has received the exemption since 2015. This year they were delayed filing due to medical issues. Statute does allow for late filed applications.

Selectman Freel made a motion to approve the Elderly Exemption. Seconded by Selectman Daniels. All were in favor. The motion passed 5/0.

2021 Property Abatement Applications, seven (7) for Denial

Ms. Noel said the Abatements are recommended this evening for Denial based on insufficient data provided to support any change in value. Attorney Saliba, a representative of Ocean State Job Lots, Map 44 Lot 10, application 2111, is contesting one of the abatements denial. All parties were notified of what data was missing.

Mr. Saliba The property was home of Ocean State Job Lots, The Dollar Tree, St. Mary’s Bank, Eye Care and, McDonalds, St. Mary’s Bank and Eye Care has since moved. The owner doesn’t feel that the property would sell for what it’s been assessed at. He gave the Assessor the income and expenses that was requested. The property was appraised several years ago and it was very expensive to have it appraised again and it would mean going to court. He suggested that they withdraw this year with a promise that next year the value would be reduced to what they are asking for with no abatement. He provided the Board with some financial data. Ms. Noel said if they were going to discuss financial information, they would need to go into non-public.

Ms. Noel explained to the Board all the documents that are needed to for an appraisal, and Mr. Saliba only presented a one sheet document which wasn’t enough to meet the requirements. Mr. Saliba is providing information for the 2022 tax year and not the 2021 tax year. He can appeal this and come up with an appraisal that will meet the needs of the abatement. The property was assessed for \$9,768,900, which was higher than the previous amount of \$7,158,900. The increase was \$2.6 million. Mr. Saliba can appeal, provide additional information and we can discuss this prior to any court date.

Selectman Daniels asked if the vacancies on that property have any bearing on the property value. Ms. Noel said that is accounted for and is built into to the income value. The actual income and expense is not what we use for each property. All data is combined of all commercial properties.

Selectman Freel said the whole town had an increase in taxes. Mr. Saliba repeated that the owner doesn’t believe that the property could sell for over 9 million dollars.

Selectman Freel made a motion to approve the recommendation of the Assessors for denial of the Ocean State Job Lot Property, 2111 Abatement Application. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.

2021 Property Abatement Applications, one (1) for Approval

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 06/27/2022

64 This abatement (#2121) was not timely filed. The property owner noticed only after receiving the 2022 tax bill that the Vet-
65 eran’s Credit had not been applied. While this has been rectified for 2022, there remains the issue of the Tax Credit that was
66 missed due to an assessing clerical error. I recommend this Veteran’s Credit be reimbursed to the deserving Veteran.

67
68 **Selectman Daniels made a motion to approve the Property Abatement recommended by the Assessor for #2121 Map**
69 **47 Lot 27-1 Armory Road. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.**
70

71 **Selectman Daniels made a motion to approve the recommendation of denial for the remaining six (6) property**
72 **Abatement Applications. Seconded by Selectman Finan. All were in favor. The motion passed 5/0.**
73

74 **6:00 p.m. – Library Update (VERBAL) - Library Trustee Chairman Kathy Parenti.**

75 Ms. Parenti updated the Board on library items. The air conditioner was broken air conditioner, it’s been repaired. They
76 are working on the ARPA grant application. The library doesn’t have a SAM number to get government contracts and
77 grants. Paul Calabria, finance Director said he would help here with that. They submitted 4 items for the CIP but only one
78 will be requested for 2023. They are planning a HVAC warrant for next year, 2023. Ms. Parenti is now on the state library
79 trustee board which gives her additional revenues to help with the Milford library.

80
81 Selectman Freel asked if the Library was moving forward with any renovations with the money that they were going to put
82 towards the HVAC system. Would the money ever be used for upgrades.

83
84 Lynn Coakley, Library Trustee Treasurer, said the money is not allocated for giant projects, it’s for small projects. They
85 won’t want to put something like a sprinkler system and then if they do get a larger amount of money, they would have to
86 re-do what they already spent their savings on.

87
88 **6:05 p.m. - 1st Public Hearing to Update the Current Stormwater Ordinance, Chapter 5.32 - Community Devel-**
89 **opment Director, Lincoln Daley**

90 Mr. Daley provided an overview of why the update is needed. The Town’s current stormwater regulations were adopted in
91 2007 and do not meet the current technical requirements for stormwater retention and treatment and references are outdat-
92 ed. With the assistance of the Town’s engineering consultant, the Town’s Office of Community Development, Planning
93 Board, and Conservation Commission have cooperatively developed draft stormwater regulations to address the MS4 per-
94 mit requirements and these other issues. Their efforts meet the 2018 MS4 permit requirements. Appropriate stormwater
95 requirements from the current regulations were incorporated into that draft after updating references and design standards.
96 The ordinance would impact/apply to developments that disturb 20,000 square feet or larger.

97
98 Chairman Dargie asked about someone disturbing more than 20,000 square feet. Mr. Daley said the old regulations are
99 5,000 square feet or greater, the new regulations allow for more disturbance. The documentation requirements would be
100 more detailed to meet EPA requirements.

101
102 Chairman Dargie said a regular house can easily go over 20,000 square feet of disturbed space, under the new regulations, it
103 that a cost penalty? Mr. Daley said yes, it would be more depending on the situation. The town is also required to put in
104 more technology to treat the water to a higher level, costing more. EPA is looking for a better way to manage stormwater.

105
106 Selectman Freel clarified that the EPA is asking the town to look at their regulations, not requiring us to change them. Mr.
107 Daley said no, this meets the minimum requirements under our federal permit. We have to follow these regulations, it’s
108 federally mandated. Selectman Freel asked what would happen if we didn’t comply with this. Mr. Daley said we would be
109 heavily fined by the EPA. This is a 10 year permit. We have also reached out to neighboring towns for information on this.

110
111 Selectman Daniels asked that this document be put on the web site so the public can provide input if needed. Chairman
112 Dargie asked Mr. Daley to highlight any difficult items that need to be addressed before the next meeting.

113
114 Mr. Daley said there is an out clause built into the document for example if it’s less than 1 acre, we could waive the re-
115 quirements.

116
117 Selectman Finan said this was discussed in detail at the Planning Board and they did vote to go forward with this. The vote
118 was 4/1/1. We have to do this, it’s like a unfunded mandate. Staff works closely with the applicants when making chang-
119 ing. We are in line with all the towns that are about our size. Mr. Daley said it’s basically the whole southern part of New
120 Hampshire.

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 06/27/2022

121
122 Chairman Dargie opened the public hearing.

123
124 Chris Labonte, a Milford resident, said he thought there was discussion of changing it from 20,000 square feet to 40,000
125 square feet and the Board of Selectmen could do this. The guide lines are huge on what you have to do, could it be changed
126 to 40,000 square feet. Chairman Dargie asked if the 20,000 part of the EPA’s requirement. Mr. Daley said no, it was based
127 on the collations recommendations and has to be less than an acre. We are seeing more challenging properties. They felt
128 that 20,000 capture most of the development that is happening now.

129
130 Chairman Dargie asked if the number was higher, would that be a problem. Mr. Daley said subdivision and site plans are
131 part of the requirement. A 20,000 square foot requirement would be fine on a one acre lot. It should capture the challenging
132 properties.

133
134 Selectman Finan asked if there were many problem properties that would have benefited from this sooner. Mr. Daley
135 said yes.

136
137 Mr. Labonte said the majority of Milford is mostly developed. Houses are different now than in the past. Anything you are
138 disrupting goes into that square footage. Mr. Daley said yes, but that is why they have a waiver process that looks at prop-
139 erties. Mr. Labonte said a waiver is never guaranteed. He’s concerned about the cost that will be put on the homeowner
140 building a single house.

141
142 Selectman Freel kinds of agrees with Mr. Labonte. He would like it to be higher square footage. This is an additional cost
143 that is put on the homeowner. He would like something that isn’t forced on people. Mr. Daley said this whole process is
144 forced on all of us. There is some flexibility but these regulations are part of the permitting process. The 20,000 square
145 feet is a better improvement over 5,000. If it’s harder it could cause harm.

146
147 Mike Thornton, a Milford resident, is there a move to make this retroactive for current home owners. Mr. Daley said no.
148 Mr. Thornton asked if there would be a boiler plate to educate homeowners. Mr. Daley said they would educate everyone.

149
150 Chairman Dargie closed the public hearing.

151
152 Two hearings are needed to approve the changes. The next hearing will be held on July 11 2022 and a decision will be
153 made on July 25, 2022.

154
155 **6:20 p.m. - Line Striping - Melendy Road - Nick Darchik (Mr. Darchik cancelled his appointment after the agenda**
156 **was published).**

157 Chairman Dargie updated the Board on the most recent meeting of the Traffic Safety Committee. The committee met on
158 June 23, 2022 to discuss the centerline striping along Melendy Road. The process of striping a centerline along Melendy
159 Road has been conducted in conformance with the SOP. The Milford Select Board acknowledged and approved Public
160 Works Director Leo Lessard’s request to stripe centerline pavement markings along the roadway section in question. As a
161 result, the TSAC recommends that the Select Board conduct no additional action on this item.

162
163 **6:30 p.m. - 2020 Audit Review - Jarad Vartanien**

164 Mr. Vartanien provided a summary of the 2020 audit. The overall audit did not identify any deficiencies in internal control
165 over compliance that we consider to be material weaknesses. The Town of Milford complied, in all material respects, with
166 the types of compliance requirements referred in the audit report. There was an additional requirement because the Town
167 spent over \$750,000 in one year. They did find an error in their formula on one page which was updated.

168
169 They would like the town to break out some of the items in more detail. Several audit adjustments were noted and those are
170 standard. Mr. Vartanien explained the different adjustments in some of the funds. There was an adjustment for state revolving
171 loan fees in the sewer fund. The findings were not out of the norm. Milford has a lot going on and we made less than
172 10 suggestions where we usually make more than 60 for most towns, Milford’s books are good. There was no management
173 recommendation letter needed. He reviewed the financial statement.

174
175 The 2021 audit has already been started; usually we get going and then get hung up on the Water and Sewer because it’s an
176 enterprise fund, its complex. Mr. Calabria is looking to have all the information to Vachon Clukay & Company PC by the
177 end of July.

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Mr. Thornton asked if the department of Water and Sewer a separate reporting system with their own reporting standards. Chairman Dargie said yes, but it's a complicated arrangement. We handle all their money and collect taxes for them. Mr. Calabria said the town provides a lot of support to Water and Sewer. Mr. Vartanien said the town is considered a primary government. The Town's audit must include the Water and Sewer Department but the Water and Sewer audit doesn't need to include the town.

6:45 p.m. - Community Power Coalition of NH - Henry Herndon, Consultant

Mr. Hendron provided a powerpoint presentation to the Board. There is no cost associated with joining the Coalition. Eighteen municipalities and one county have joined the Coalition. Coalition members benefit from peer-to-peer resource sharing across the state towards authorizing Community Power locally. The process requires a Committee to draft an Electric Aggregation Plan; hold public hearings; and bring the plan before the local legislative body for approval (e.g., town meeting; city/town council vote).

The member communities consist of 18 municipalities and 1 county. The town would purchase an electric power supply on behalf of their residents and businesses and provide related customer service. The community would benefit from the program with lower rates and choices. Customers don't have to go with this; they can switch back to utility default or get the service from another supplier. There is a board of directors and Milford would also be on this board. The town's governing body would vote to adopt the Joint Powers Agreement which is a contract among local governments agreeing to delegate specific authorities to the agency under the terms of the agreement. There is no cost to adopt this agreement.

Selectman Daniels asked how long has the coalition existed. Mr. Hendron said 9 months. Selectman Daniels said there isn't enough historical data to show the differences between the other electric companies. Mr. Hendron said correct. There have been studies on the Massachusetts programs and they have seen savings.

Mr. Hendron said there are two phases to implement this. One is authorizing a warrant at town meeting and then adopting a policy. It's a long process. The program is operated on a not for profit basis and is overseen by the member communities. This is fully transparent. There are overhead cost built in the energy supply rate. There is a detailed business plan that has a cash flow analysis that projects the revenue of the organization. He went through the steps that Milford would have to follow if they would want to move forward with this. There is no cost to the tax payers, all cost are paid for through the energy supply rate. All members share in the general and administrative cost. If one member wants to develop a project or have more energy, that member only flows to that member. No one member can impose a cost onto another member. Up until the program is initiated and power supply begins, you can leave at no cost. Once the customers have been enrolled you will have to develop a risk policy that would state "subject to your current obligations under your contract". There may be some commitment that you have to finish.

Selectman Freel said there is no benefit of jumping in now versus later because there isn't any data on this yet. You could follow a track record and join later. Mr. Hendron said the higher cost that your citizens will pay over that waiting period would be a benefit.

Administrator Shannon said our current contract is up in November so we will have to renew. We would have to renew for 12 months which would be next November. Would that prohibit us from going with Community Power Coalition of NH? Mr. Hendron said you will start once your current contract is complete as long as the town adopted the policy plan and has everything setup. It's an opt in or opt out program. Everyone gets a letter and they have to check the box if they want in.

Selectman Freel asked if the coalition could ever buy at the wrong time and go upside down. Mr. Hendron said you can have a clause that you won't launch unless the rates are equal to or better than the default utility. You could hire the wrong people and they could mess up, hiring the right people is a benefit. On average they will deliver the best rate.

There was some discussion of the differences between Standard Power and Community Power Coalition.

3. **PUBLIC COMMENTS (regarding items that are not on the agenda)** No one spoke at this time.

4. DECISIONS

a) CONSENT CALENDAR

- 1. Request Approval to NOT USE PA-28 Inventory of Taxable Property Form for 2023.
- 2. Request Approval for Annual Reimbursement of Taxes for Property owned by the NH State Department of Resources and Economic Development.

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Selectman Freel made a motion to accept the consent calendar. Seconded by Selectman Dudziak. All were in favor. The motion passed 4/0.

b. OTHER DECISIONS

- 1. Acceptance of Acquisition of Land - Map 19 Lot 29-5 (Dog Park) in accordance with NH RSA 41:14a.

Selectman Dudziak made a motion to accept the approve the Acceptance of Acquisition of Land, Map 19 Lot 29-5 (Dog Park). Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

5. TOWN STATUS REPORT –

a. Town Status – Town Administrator

- 1. **BROX AoT Update** - The Town is still working with the NHDES and NHF&G to have a new Alteration of Terrain permit issued for gravel operations at the Brox. Town Representatives are planning to meet with NH DES in next week to discuss any remaining concerns. We have no timetable for a final determination at this time.
- 2. **Community Power Update** - Standard Power gave a presentation to the BOS on February 28, 2022 concerning the Community Power program. The Community Power Coalition of New Hampshire will be presenting to the BOS on June 27, 2022 on the same topic prior to any decisions being made by the Board.
- 3. **Website Meeting Videos** - The town website has been experiencing a few issues with the posting of meeting videos. Our current equipment is near end of life and new equipment has been approved for purchase. Once installed, it should alleviate any further problems or delays.
- 4. **FY23 Budget Cycle Schedule** - The draft version of the FY 2023 Budget Cycle Timeline has been developed by Town staff in cooperation with the Budget Advisory Committee. Once approved by the BOS, it can be found on the town’s website along with other information concerning this effort.

Chairman Dargie would like to have warrant articles earlier. Tina Philbrick, Executive Assistant will have a DRAFT listing by the end of August.

b. Paving Bid, Intent to Proceed – Public Works Director, Leo Lessard

Director Lessard said that three bids were submitted. Advanced Excavating and Paving was disqualified for no bid, no bond amount which left two bids and BROX Industries was the low bidder at \$619,058.75.

Selectman Freel made a motion to approve the Brox Industries paving bid of \$619,058.75. Seconded by Selectman Dudziak. All were in favor. The motion passed 4/0.

6. DISCUSSIONS

- 1. N/A

7. PUBLIC COMMENTS. (Regarding items that are not on the agenda) There were no comments at this time.

8. SELECTMEN’S REPORTS/DISCUSSIONS

- a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES

b) OTHER ITEMS (that are not on the agenda)

9. APPROVAL OF FINAL MINUTES - Selectman Dudziak moved to approve the minutes of June 13, 2022. Seconded by Selectman Finan. All were in favor. The motion passed 4/0.

10. INFORMATION ITEMS REQUIRING NO DECISIONS.

- a. Treasurers Report for March and April 2022.

11. NOTICES. Notices were read.

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 06/27/2022

290 **12. NON-PUBLIC SESSION – N/A**

291

292 **13. ADJOURNMENT: Selectman Dudziak moved to adjourn at 7:52 pm. Seconded by Selectman Freel. All were in**
293 **favor. The motion passed 4/0.**

294

295

296 _____
Paul Dargie, Chairman

Laura Dudziak, Member

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298

299 _____
Tim Finan, Vice-Chairman

Dave Freel, Member

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302 _____
Gary Daniels, Member

10. Treasurers Report - May 2022

TREASURER'S REPORT
TOWN OF MILFORD, NEW HAMPSHIRE
5/31/2022
(unaudited)

	CHECKING ACCOUNT	TOWN CLERK ACCOUNT	ESCROW ACCOUNT	NHPDIP ACCOUNT	DISBURSEMENT ACCOUNT	BAR HARBOR ACCOUNTS	INVESTMENT ACCOUNT	TOTAL
Beginning Balance as 5/01/22	5,901,888.97	56,049.83	117,346.19	3,961.63	8,600.88	10,683.78	3,430,398.08	\$ 9,528,929.36
Receipts:								
Taxes and Interest	470,981.70	-	-	-	17,211.97	-	-	\$ 488,193.67
Water & Sewer User Fees	323,021.77	-	-	-	45,854.04	-	-	\$ 368,875.81
Other Revenues	505,325.95	434,577.44	-	-	8,786.20	-	-	\$ 948,689.59
Ambulance	-	-	-	-	67,392.25	-	-	\$ 67,392.25
Recreation	-	-	-	-	21,471.00	-	-	\$ 21,471.00
Escrow Deposit	-	-	-	-	-	-	-	\$ -
Escrow Transfers	-	-	-	-	-	-	-	\$ -
Interest Income	-	-	9.96	2.32	-	0.43	101.67	\$ 114.38
Investment Transfers	4,213,398.08	-	-	-	-	-	988,000.00	\$ 5,201,398.08
TAN Deposit	-	-	-	-	-	-	-	\$ -
Bond Proceeds	-	-	-	-	-	-	-	\$ -
Total Receipts:	\$ 5,512,727.50	\$ 434,577.44	\$ 9.96	\$ 2.32	\$ 160,715.46	\$ 0.43	\$ 988,101.67	\$ 7,096,134.78
Disbursements:								
Accounts Payable Warrants	(2,258,982.01)	(134,764.71)	-	-	(412.76)	-	-	\$ (2,394,159.48)
Payroll Warrants	(464,606.62)	-	-	-	-	-	-	\$ (464,606.62)
Milford School District Appropriation	(2,053,014.00)	-	-	-	-	-	-	\$ (2,053,014.00)
Hillsborough County Appropriation	-	-	-	-	-	-	-	\$ -
Escrow Transfers	-	-	-	-	-	-	-	\$ -
Investment Transfers	(509,000.00)	(318,000.00)	-	-	(161,000.00)	-	(4,213,398.08)	\$ (5,201,398.08)
TAN Disbursement	-	-	-	-	-	-	-	\$ -
Suntrust Disbursement	-	-	-	-	-	-	-	\$ -
Bank Charges	(192.30)	-	-	-	-	-	-	\$ (192.30)
Voided Checks	69.00	-	-	-	-	-	-	\$ 69.00
Total Disbursements:	\$ (5,285,725.93)	\$ (452,764.71)	\$ -	\$ -	\$ (161,412.76)	\$ -	\$ (4,213,398.08)	\$ (10,113,301.48)
Ending Balance as of 5/31/22	\$ 6,128,890.54	\$ 37,862.56	\$ 117,356.15	\$ 3,963.95	\$ 7,903.58	\$ 10,684.21	\$ 205,101.67	\$ 6,511,762.66

Allen White June 30th 2022
ALLEN WHITE
TOWN TREASURER