



Date: December 29, 2020
To: Planning Board
From: Lincoln Daley, Community Development Director
Subject: **The Art of Learning Child Development Program/Kailey Bento (Owner)** – Review for acceptance and consideration of final approval for Minor Site Plan Application for a change of use to convert a portion of the single-family residence and outdoor area into a daycare operation serving a maximum of 12 children. The parcel is located at 100 Elm Street, Tax Map 20, Lot 51 in the Commercial ‘C’ Zoning District.

BACKGROUND/PROPOSAL:

The applicant is before the Board seeking approval of a minor site plan to convert a portion of the single-family residence (approximately 500 square feet) and an outdoor fenced area into a daycare operation serving a maximum of 12 children. Hours of operation for the licensed child care facility will be Monday through Friday, 7am to 5:30pm. The proposal calls for using the existing driveways on both sides of the residence for employees (1 currently) and clients. Please refer to the attached business plan for additional information and details.

The property totals approximately 0.39 acres with +/- 58.2 linear feet of frontage on Elm Street. The property is partially developed and contains an existing single family residence. The parcel lies within the Commercial zoning district and is serviced by municipal water and wastewater.

This will be the first public hearing for the application.

APPLICATION STATUS:

The application is complete and ready to be accepted.

NOTICES:

Notices were sent to all property abutters on December 18, 2020.

WAIVERS:

No waivers have been requested.

ZONING:

The parcel is within the Commercial district. The intent of this District is to provide areas for those businesses, institutional, financial, governmental and compatible residential uses which constitute the commercial requirements of the Town. A child daycare facility is a permitted use within the Commercial zoning district. However, the child daycare facility is categorized as a change of use and subject to a minor site plan application.

TRAFFIC AND ACCESS MANAGEMENT:

Vehicular egress and access to the property will be from two existing curb cuts on either side of the single-family residence on Elm Street. Designated parking areas have been provided internally on site.

PARKING:

The proposed parking appears to meet the minimum requirements set forth in Section 6.05.4 Table of off Street Parking which requires two (2) spaces per 1,000 square feet and 1 per employee: **500 SF and One Employee = 2 spaces required**. The plan proposes to use the two existing driveways serving the property. The property/business owner and future employees will park to the right of the home while clients will utilize the left parking area/driveway for both morning drop-off and afternoon pickup. The parking spaces are not outlined on the plan. The applicant should confirm.

OPEN SPACE/LANDSCAPING:

As per Section 5.05.6 of the Zoning Ordinance, open space shall be provided for all uses, other than single-family and two-family dwellings in an amount equal not less than thirty (30) percent of the total lot area. The property exceeds the minimum open space requirements.

DRAINAGE/STORMWATER MANAGEMENT

No substantive changes are being proposed to the exterior of the site at this time. The planned fenced outdoor play area will be fenced in and not result in changes to the existing stormwater management.

BUILDING ELEVATIONS

No exterior building changes are proposed. Building modifications will occur within proposed converted residential space and will be subject to the building permit process.

INTERDEPARTMENTAL REVIEWS:

Ambulance: No comments

Assessing: No concerns/issues.

Building Department: No comments

Code Enforcement/ Health: No comments.

Conservation Commission: No comments

Fire Department: Comments Due January 4th.

Heritage Commission: No comments

Police Department: No comments

Public Works: No comments.

Water/Sewer Utilities: No comments.

Drainage/Stormwater: No comments

Community Development / Planning:

1. Site Plan. Parking – Please confirm the number of projected parking spaces on the plan.
2. The applicant should be detail the anticipated pick up and drop-off process and contingency plans to prevent cuing of vehicles and traffic impacts on Elm Street.
3. Staff is concerned with the limited internal vehicle circulation and passenger safety while leaving the site onto Elm Street (backing up onto Elm Street).
4. A sign permit will be required for the proposed sign.

STAFF RECOMMENDATIONS:

The applicant should be prepared to address the comments raised by the Planning Board, Conservation Commission, Town Consultants, Staff, and public pertaining to the Site Plan. If the Board is satisfied with the information and responses from the applicant and finds the remaining concerns can be addressed with staff, staff would recommend a conditional approval.



TOWN OF MILFORD
RECEIVED
DEC 18 2020
PB _____ ZBA _____ Office _____

APPLICATION FOR SITE PLAN APPROVAL

2021-01

CONTACT INFORMATION

Property Owners(s): Name: Kailey Bento
Address: 100 Elm Street
Milford, NH 03055
Telephone Number: 603-493-9153 Fax: _____
Email Address: 999krb@gmail.com

Applicant: Name: The Art of Learning Child Development Program
(if different from above) Address: 100 Elm Street
Milford, NH 03055
Telephone Number: 603-493-9153 Fax: _____
Email Address: 999krb@gmail.com

**Engineer/
Surveyor/
Architect:** Name: CHANGE OF USE APPLICATION - USED EXISITNG SURVEY PLAN
Address: TO DEPICT OUTDOOR PLAY/RECREATION SPACE
Telephone Number: _____ Fax: _____
Email Address: _____
Primary Contact Person: _____

TYPE OF APPLICATION

(Please check all that apply)

- Discussion - Informal meeting with Planning Board.
- Minor Site Plan - Less than 600 sq. ft. of additional exterior construction.
- Major Site Plan
 - Design Review Plan
 - Final Plan
- Request for Waiver of Site Plan Review
- Request for Waiver of Specific Site Plan Requirements
- Other - (i.e. amendments and/or revisions)

SITE INFORMATION

LOCATION: Tax Map Number 20 Lot(s) 51 ZONING DISTRICT: Commercial
ROAD FRONTAGE ON: 58.20' on Elm Street TOTAL SITE AREA: .39 (18,146.7 sf)
BRIEF DESCRIPTION OF PROJECT: Change of use to convert a portion of the existing single-family residence to a 12 children (maximum) licensed day facility, named "The Art of Learning Child Development Program". A small portion of exterior/back yard of the property will be converted to a fenced outdoor play / recreational area for the children.
NAME OF EXISTING OR PROPOSED SITE PLAN: The Art of Learning Child Development Program Site Plan

INSTRUCTIONS FOR SUBMITTING A COMPLETE APPLICATION (Please read carefully)

For an application to be scheduled on the next available Planning Board agenda, the following items MUST be submitted to the Department of Planning & Community Development by noon (12:00 p.m.) on the officially posted submittal date:

- 1. **Completed and signed SITE PLAN APPLICATION FORM and ABUTTERS LIST.**
The application will not be placed on the Planning Board agenda unless all required signatures are on the application. The owner MUST sign the application form.
- 2. **Three (3) large and one (1) 11" x 17" prints of the site plan or site plan set.**
At least one (1) plan MUST be signed by the owner. All applicable information as described on the attached SITE PLAN CHECKLIST MUST be shown on the plans. Owner's signature must be on at least one (1) plan, indicating his/her knowledge of the plan and application.
- 3. **Application fee and Abutter Mailing Fees.**
These fees will be determined at the time you turn in the application. Fees are based on square footage of new construction and number of certified mailings, which must be sent. All checks are to be made payable to the **Town of Milford**.

AUTHORIZED SIGNATURES

Owner(s): I/We, as owner(s) of the property described hereon, certify that this application is correctly completed with all required attachments and requirements in accordance with the Site Plan Regulations for the Town of Milford. I/We also authorized members of the Milford Planning Board and its agents to access the property described on this application for on-site review of the proposed site plan.

Kailey R Bento Owner/Provider 12/14/2020
Name (please print) and Title Date

IF APPLICABLE:

Owner(s) authorization for Applicant or Agent to represent the application:
The applicant or agent, as stated hereon, has authorization from the property owner to submit this site plan application and represent the property owner on matters relative to the Town site plan approval process.

Owner's Signature Date

Applicant's Signature:
I acknowledge, as the applicant stated hereon, that this site plan application has been completed and submitted in conformance with all applicable Town of Milford regulations, and that I am the designated representative for the property owner on matters relative to this site plan application.

Applicant's Signature Date

Agent's Signature (someone other than the Owner or Applicant who is representing the project):
I acknowledge, as the agent stated hereon, that this site plan application has been completed and submitted in conformance with all applicable Town of Milford regulations, and that I am the designated representative for the property owner on matters relative to this site plan application.

Agent's Signature Date

Business Plan Narrative

The Art of Learning Child Development Program

100 Elm St

A. Child Care Operations

- Number of Employees- One to two depending on the time of day and number of children. Employees will be fingerprinted and the State licensing unit will be aware and monitor professional development and eligibility yearly.
- Hours of Operation- 7:00 AM to 5:30 PM, Monday through Friday.
- Maximum number of children- There will be a maximum of twelve children in the Childcare meeting with state ratios and fire code square footage per child.
- As depicted in the interior building layout, 500 square feet will be utilized for the childcare operations. Approximately 480 to 490 square feet will be used to meet required licensing and fire code regulations for a child care
- A dedicated fenced outdoor play area will be located adjacent to a portion of the single family residence and in the rear back yard.
- The business will be a fully licensed and insured childcare facility.

B. Off-street Parking and Circulation

- The property is served by two driveways (one on either side of the residence) that will provide sufficient parking for both employees and clients.
- As depicted in the site plan and image there are seven or more total parking spaces available on the property. The left of the house has the two required at up to four parking spaces when the driveway retractable fence is closed. An additional spot could be made when the retractable gate is not closed. The secondary driveway to the right of the house contains a maximum of three spaces. Employees will park on this side. Further, this area can accommodate any parents that need to go into overflow should an emergency arise.
- Parents will be directed to the larger driveway for drop off and pick up primarily with the option for the driveway on the right should there be an emergency. Drop off times will range from 7:00 AM to 9:30 PM giving a two hour window for parents to drop off. The likelihood for all parents dropping off at the same time is small due to varying start times and occupations of the parents.
- Children's hours will range from 7:00 AM to 3:30 PM to 9:30 AM to 5:30 PM. This is also why there will not be congestion during late hours because all parents will get out of work at varying times and pick up between 3:30 PM or earlier and 5:30 PM at the latest.

- Parents will be informed that drop off and pick up times need to be short and safe to ensure children are where they need to be and no one occupies the spots for too long. During enrollment the hours of each child will be determined and pick up times will be discussed which will also help in my being able to accommodate needs and prevent congestion of the road during these times. Unlike public school there is a window for pick up and drop off and no issues should arise with the number of spaces and typical process of a childcare day.
- There is a space in the front yard which will be designated to turning around so parents will be able pull forward onto Elm st with no issues and allow for easy circulation in and out. This space will be stoned or paved to make it easier for clients and marked for easy use.

C. Signage:

A sign approximately two and a half feet by one and a half feet will be displayed from the front porch on the right side facing the street. It will provide visibility from Elm st and depict the name of the business.

ABUTTERS LIST

TAX MAP-LOT	NAME & ADDRESS
20-44	ROLAN D LAPLAN TE 15 WEST ST. MILFORD, NH 03055
20-82	MICHAEL CON LEY 102 ELM ST. MILFORD, NH 03055
20-47	DAN IEL KAMIN ERNEST PO BOX 3165, HARRISBURG, PA 17105
20-60	SCOTT PEN DELTON PO BOX 65, BROOKLIN E, N H03033
20-81	SSIG PROPERTIES LLC 6 BRACKEN WOOD DR, N ASHUA, N H03062
20-80	LOUIS J. GARGASZ 127 N. PEPPERELL RD. HOLLIS, NH 03048
20-45	ROBERT & MARY LOUISE NICHALOWSKI P.O. BOX 248, MILFORD, BOSTON & MAINE R.R. TAX DEPT. IRON HORSE PARK, NORTH BILLERICA, MA

ABBR. TABLE

NOT ALL NEED APPLY TO THIS DRAWING

ABBR	ABBREVIATION
DH	DRILL HOLE IN STONE
IP	IRON PIPE OR PIN
IR	IRON ROD
GB	GRANITE BOUND
CB	CONCRETE BOUND
DCB	DRAINAGE CATCH BASIN
PK	HARDENED NAIL
HS	HOUSE
GA	GARAGE
PL	PROPERTY LINE
MH	MAN HOLE
UP	UTILITY POLE
FT	FEET
SF	SQUARE FEET
AC	ACRES
N/F	NOW OR FORMERLY
CRD	COUNTY REG. OF DEEDS
BK/PB	DEED BOOK AND PAGE
cfnd	CALLED FOR, NOT FOUND
fnf	FOUND
mt	MADE
tbs	TO BE SET

LEGEND

NOT ALL NEED APPLY TO THIS DRAWING

- STONE WALL
- PROPERTY LINE/CORNER
- FENCE
- CONTOUR LINE
- SOIL BOUNDARY
- EDGE OF WET
- DRAINAGE FLOW
- TREE LINE
- SILT FENCE
- HAY BALE BARRIER
- TRAVELED WAY
- BUILDING SETBACK LINE
- BUILDING
- CULVERT
- SANITARY SEWER MAN HOLE
- STORM SEWER MAN HOLE
- 4000 SF LEACH FIELD REF AREA
- UTILITY POLE
- FIRE HYDRANT
- CATCH BASIN
- TEST PIT
- PERC HOLE
- WELL



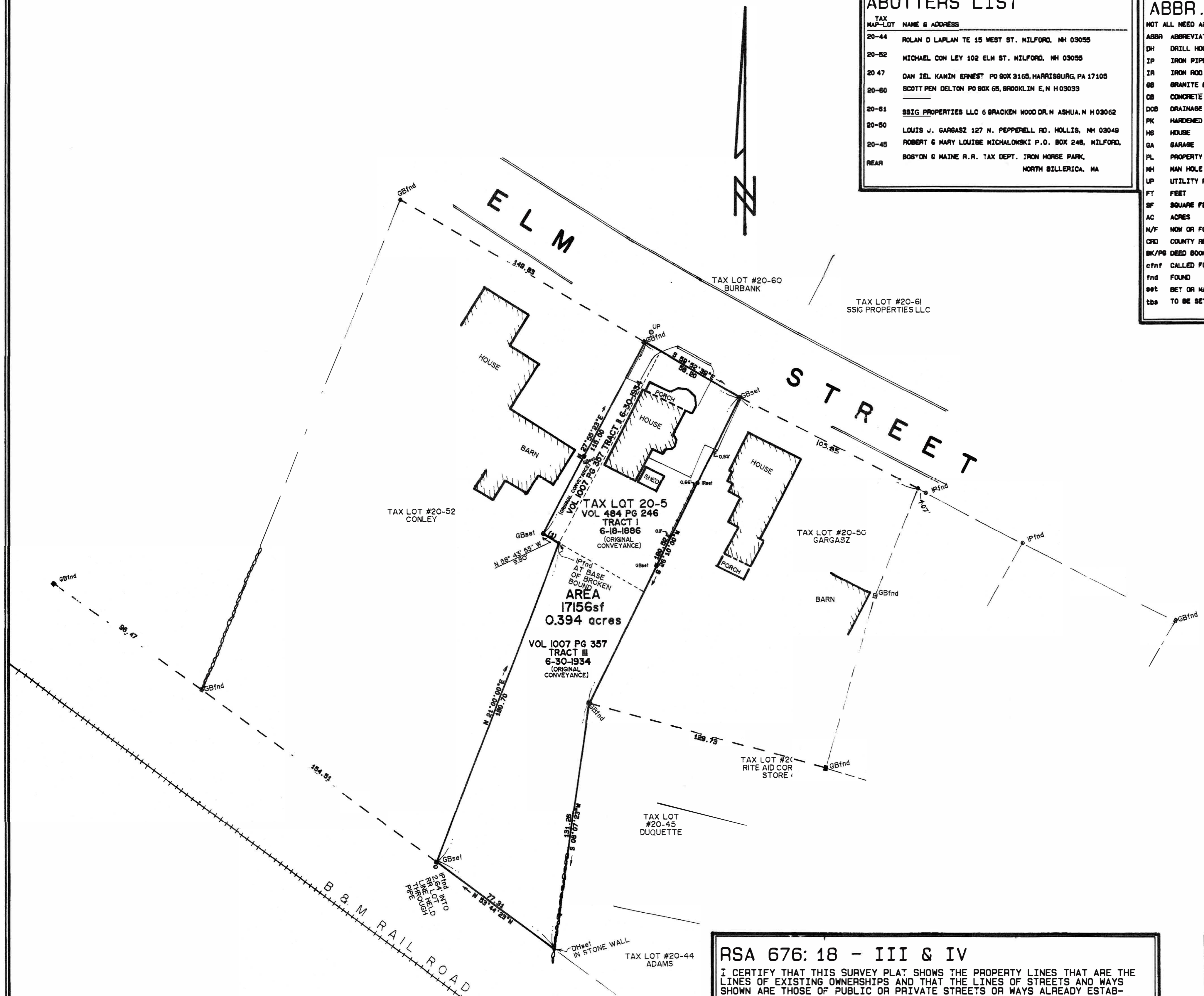
LOCATION MAP
(NOT TO SCALE)

REFERENCE PLANS

- "PLAN OF LAND OF A. M. GIBBONS MILFORD, NH 1947" BY: F. M. CHAPMAN REG. C.E. SCALE: 1"=30' H.C.R.D. PLAN VOL. 1282 PG. 126
- "RIGHT-OF-WAY AND TRACK MAP WILTON R.R. CO., OPERATED BY THE BOSTON AND MAINE R.R. STATION 575+0 TO STATION 627+80" DATED: JUNE 30, 1914, SCALE: 1"=100' VAL 17 SHEET 12.

GENERAL NOTES:

- AREA ZONED COMMERCIAL SETBACKS: 30' FRONT
MIN AREA 20,000 sf 15' SIDE
MIN FRONTAGE 150' 15' REAR
- SITE PRESENTLY CONTAINS SINGLE FAMILY DWELLING WITH .
- OWNER OF RECORD: KAILEY BEMTO, 100 ELM STREET, MILFORD, NH 03055 MILFORD TAX MAP 20 LOT 51
- THE PURPOSE OF THIS SITE PLAN IS TO PRESENT A CHANGE OF USE TO OPERATE A CHILD DAY CARE FACILITY (TWELVE CHILDREN MAX.) WITHIN A PORTION OF THE EXISTING HOME TOTALING 500 SF. WITH OUTSIDE PLAY AREA.
- FIELD SURVEY WAS CONDUCTED WITH A LEITZ SET4 TOTAL STATION WITH A TRAVERSE ERROR OF CLOSURE OF 1 IN 20,000 OR BETTER. BOUNDARY IS BASED ON EXISTING PHYSICAL EVIDENCE. DEED DIMENSIONS WERE HELD ONLY WHERE PHYSICAL EVIDENCE WAS NOT MEASURED TO.
- BASIS OF BEARINGS IS THAT OF SUBJECT DEED TRACT 3.
- NO KNOWN EASEMENTS OR ENCROACHMENTS OTHER THAN SHOWN ON PLAN.
- PARKING; 1 SPACE PER EMPLOYEE AND 2 SPACES PER 1,000 SF -- 2 SPACES



RSA 676: 18 - III & IV

I CERTIFY THAT THIS SURVEY PLAT SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIPS AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OR FOR NEW WAYS ARE SHOWN.

6-19-1991 EARL SANDFORD L.S. #700
DATE

A COPY OF THIS PLAN HAS BEEN MAILED OR DELIVERED TO THE TOWN PLANNING BOARD FOR INFORMATIONAL PURPOSES. CHECK OFF WHEN COPY HAS GONE OUT

REVISIONS

DATE	ITEM

SCALE: 0 30 60 90 120

SITE PLAN OF KAILEY BEMTO
TAX LOT 51 MAP 20
100 ELM STREET
MILFORD, NEW HAMPSHIRE

By **SANDFORD SURVEYING & ENGINEERING**
597 NEW BOSTON ROAD / BEDFORD, N.H. 03102
BOUNDARIES-SUBDIVISIONS-SITE PLANS-STRUCTURAL DESIGN (803) 478-3888

DRAWN BY: EARL SANDFORD SHEET 1 OF 2
TREMBLAY SCALE: 1" = 30' FIELD BOOK NO.:
HP71 DATE: DECEMBER 20, 2020 PLAN NO.: 9117

Child Care Facility Exterior Layout

