

1 MILFORD PLANNING BOARD MEETING MINUTES ~ **DRAFT**

2 March 26, 2019 Board of Selectmen's Meeting Room, 6:30 PM

3  
4 **Members Present:**

5 Doug Knott, Chairman  
6 Tim Finan, Vice Chairman  
7 Janet Langdell, Member  
8 Susan Robinson, Member  
9 Pete Basiliere, Alternate Member  
10 Paul Amato, Member  
11 Jacob LaFontaine, Member

**Staff:**

Lincoln Daley, Planning  
Darlene Bouffard, Recording Secretary  
Videographer, Tyler Berry

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16 **1. Call to order:**

17 Chairman Knott called the meeting to order at 6:30 p.m., introductions were made of Board members and  
18 staff, it was noted that Pete Basiliere is an Alternate member and will sit with the Board as part of the  
19 discussions but will not vote this evening. It was felt that the election of officers should be held prior to  
20 hearing any applications. J. Langdell nominated T. Finan for the position of Vice Chairman and for D. Knott  
21 for the position of Chairman of the Planning Board. Both members accepted the nomination. J. Langdell  
22 moved to elect T. Finan as Vice Chair and D. Knott as Chairman for the Planning Board. S. Robinson  
23 seconded. All were in favor. Motion passed unanimously.

24  
25 **2. Review/Approval of Meeting Minutes: 2/26/19, 3/5/19.** J. Langdell asked if the minutes of 2/26/19 were  
26 included in the packet sent to Board members? L. Daley said they were not. J. Langdell moved to table the  
27 review of minutes of 2/26/19 to the next Planning Board meeting. J. Langdell asked for one amendment to  
28 the minutes of January 22, 2019. J. Langdell moved to approve the minutes of January 22, 2019 as amended.  
29 T. Finan seconded. All were in favor with P. Basiliere abstaining. Motion passed unanimously.

30  
31 **3. Public Hearings:**

32 a. **Burbee Sand & Gravel, 35 North Mason Road, Tax Map 58, Lots 1, 2 and 3.** Major site  
33 plan application and Gravel and Earth Removal Permit for an earth and sand removal operation to  
34 excavate and regrade approximately 4.7 acres within the Residential R district. This discussion was  
35 continued at the February 26, 2019 Planning Board meeting when it was decided that an amended site  
36 plan would be required; those amended plans were submitted outside of the timing for tonight's  
37 meeting, so the application will be heard at the April 2, 2019 Planning Board meeting. P. Amato  
38 asked if the plan is complete? L. Daley said it is, the changes include that the unpermitted section of  
39 Phase 8 modification and it is ready to be heard. T. Finan moved to continue this application to the  
40 April 2, 2019 Planning Board meeting. J. Langdell seconded. All were in favor. Motion passed  
41 unanimously.

42  
43 Agenda items b) and c) will be discussed concurrently after the Subdivision plan for Map/Lot 6/14 is  
44 presented in the public hearing.

45  
46 b. **Milford DG Series, LLC for the property located at Tax Map 6 Lot 14.** Minor Subdivision  
47 Application to subdivide Tax Map 6 Lot 14 to create one additional lot totaling approximately 1.22  
48 acres within the Integrated Commercial – Industrial Zoning District (Continued from February 26,  
49 2019). L. Daley recommended the subdivision plan go through its public hearing and then move to  
50 the Site plan application and talk about them together. L. Daley explained one lot with 1.22 acres  
51 would be created in order to create a lot for retail use.

52  
53 c. **Milford DG Series, LLC, for the property located at Tax Map 6 Lot 14.** Minor Site Plan  
54 Application to construct a 9,320 square foot retail store with associated parking, drainage, and site  
55 improvements within the Integrated Commercial – Industrial Zoning District. Waiver request from  
56 Section 6.05.6(E) Parking and Loading Area Standards seeking relief requiring the separation of off-

57 street parking and loading/unloading spaces from any public street right-of-way and separation from  
58 such right-of-way by a granite curb and landscaping (Continued from February 26, 2019).  
59

60 At the February 26, 2019 meeting regional impact for Wilton was identified; the information was sent  
61 to NRPC and the Town of Wilton was notified of regional impact. There was a discussion with  
62 NRPC regarding traffic impact brought up at the February meeting. Tonight, it is hoped this can  
63 move forward and discuss the site plan, building layout and conditions. J. Langdell asked if anyone  
64 from the Town of Wilton is present tonight. L. Daley communicated with Wilton but there were no  
65 commitments from the town. D. Knott asked for the abutters to be read. L. Daley indicated this  
66 application has already been accepted and abutters were read at that time.  
67

68 Austin Turner and Matt Bombaci, representing the applicant, were presenting this evening. A. Turner  
69 indicated at the last meeting the site walk was not talked about; based on the site walk and the staff  
70 comments, the plans were updated. The buffering and landscaping along Wilton Road and abutters  
71 was enhanced. Visual screening has been added to extend across the site on the banking. The fence  
72 screening to the rear of the property has been extended as far as it can, up to the easement. New  
73 plantings were added, including evergreen trees in front of the fence. It was asked that the fence be  
74 six feet tall, it will instead be eight feet tall. L. Daley said the zoning ordinance states any fence over  
75 six feet requires a building permit, however it does not require a permit if it is six feet or under; he  
76 feels there are strong merits for an eight foot fence considering the size of the building and he can  
77 work with the applicant on this. Mr. Turner wants to be sure an 8' fence does not cause another issue  
78 with permitting, so rather than add another element of approval, they may go with the six foot fence.  
79 To increase the pedestrian connectivity, the applicant has added a sidewalk in the Wilton Road Right  
80 of Way for future potential expansion. It is difficult when you do not know what could be in the  
81 neighboring parcel, but they will add a sidewalk to connect to a future development. A \$5,000  
82 donation to the town of Milford relative to sidewalks in order to improve the sidewalks toward Wilton  
83 has been discussed. Mr. Turner reduced the parking space dimensions to 9x18' instead of the original  
84 proposed size.  
85

86 L. Daley met with NRPC about three weeks ago, in response to the last meeting and the regional  
87 impact decision. The initial reaction of NRPC was that it did not cause regional impact to the  
88 neighboring community. They did additional research and wrote that a couple of other locations were  
89 looked at for this use and the trip generations. NRPC found the trip generations provided were  
90 consistent with other facilities. J. Langdell said one of the facilities was part of a plaza and one was  
91 freestanding. Mr. Turner said there are between 6,000-7,000 vehicles per day; in Concord that was  
92 looked at, but that facility is located on a highway, the same as the facility in Merrimack. At NRPC  
93 they agreed with the methodology used for traffic for a facility like this. NRPC did not feel it  
94 warranted a traffic count. J. Langdell noted that NRPC did establish that there could be 100 vehicles  
95 for the peak pm visit. She felt it was higher than what was presented at the last meeting; J. Langdell  
96 indicated that most of the traffic to be generated will be the pass-by trips. The road in Concord has a  
97 higher volume because of the roadway. P. Basiliere asked what time of the year was the traffic  
98 studied? Did they allow for peak holiday hours? A. Turner responded the study was reflective of a  
99 physical count, and is highly variable. P. Basiliere asked if the trees will remain? A. Turner  
100 responded the tree line will be cut back to allow for the fence along the abutter's property line. A.  
101 Turner asked if any further information needs to be reviewed. D. Knott responded that he wants to go  
102 through all of the issues raised by staff. T. Finan asked where did the \$5,000 come from? A. Turner  
103 explained the applicant came up with the number based on the cost per linear foot. T. Finan asked if  
104 the applicant feels that should be enough to pay for a side walk? J. Langdell asked if information  
105 from DPW was provided? L. Daley said the cost from DPW is \$45 per linear foot for curbing and  
106 sidewalks. A. Turner said he is talking about curbing, once curbing is introduced, the storm water  
107 will not be able to drain properly and a curb cut introduces other complications.  
108

109 D. Knott asked about the West End Overlay District regulations. L. Daley said those regulations rely  
110 on the standards, which include sidewalks and curbing. Without sidewalks and curbing, D. Knott said  
111 this plan is not in compliance with those regulations. J. Langdell said there are alternative types of

112 sidewalks and curbing. D. Knott said let's find out the minimum of what the town requires. L.  
113 Daley said it is dictated by the amount of traffic to allow pedestrians the ability to walk safely. T.  
114 Finan asked if the sidewalks farther down towards Wilton have curbing? L. Daley checked on  
115 Google Earth which showed that those sidewalks are in disrepair. P. Amato said if you put the  
116 sidewalk at the same level as the road, it makes sense. J. Langdell noted the Dollar General in  
117 Swansea has that type of curbing. S. Robinson asked if there is room to do this? L. Daley said 13' is  
118 there, in the right of way. There is room within the right of way, they could keep the landscaping and  
119 have the curbing and sidewalk. If the sidewalk is built within the right of way, the town maintains it,  
120 he feels working with the applicant, a design could be agreed to that will work for both the applicant  
121 and the town. A. Terner said there is sufficient room for a sidewalk in the right of way and we would  
122 design the drainage appropriately. L. Daley said it is not just the Planning Board wanting the  
123 sidewalks, this is part of the connectivity design, this area is part of the West Elm Overlay District, it  
124 is a requirement and is a high priority area. S. Robinson asked if the \$5,000 would cover that? L.  
125 Daley said the existing sidewalk is 400' from the lot being discussed, we have to be realistic and only  
126 expect a sidewalk in front of this business which would be enough for the town to extend eventually.  
127 P. Basiliere said what is being discussed is sidewalk on the same side as this business, but he feels  
128 what is needed would be a sidewalk across the street for people to walk from the apartments. The  
129 offer of \$5,000 for sidewalks is generous, but shouldn't the sidewalk be farther than just in front of  
130 this building? P. Amato said the sidewalk improvements would be better in places where people  
131 walk, not just in front of the building. P. Basiliere agreed, stating people need a way to get to the  
132 business. J. Langdell said in other plans, there was a fund for sidewalk improvements and the  
133 connecting sections so it is part of a larger plan. A. Terner said we know it is a municipal project, we  
134 want to figure out what would be a good contribution to that effort and he would be happy to engage  
135 in conversation with Lincoln to strike a balance for that.

136  
137 L. Daley asked the preference of the Planning Board regarding sidewalks. S. Robinson said a  
138 sidewalk of some sort needs to be done, it has to be finished in front of this parcel. T. Finan agreed, it  
139 seems to meet the requirements of the West Elm District with a sidewalk in front of the building.  
140 Down the road, the sidewalk could be connected. J. Langdell said there might be 400' of sidewalk  
141 down the road, people do walk and bike right there on the road, even without a sidewalk. A. Terner  
142 said the \$5,000 contribution is toward the bigger sidewalk plan, it will slowly become a connected  
143 sidewalk system through the Master Plan. We can work with the Town on the design for the  
144 sidewalk. P. Amato said we do not want a patch work on sidewalks, the town has the responsibility  
145 to maintain the sidewalks and the stop and go does not work well. L. Daley asked if it is possible in  
146 addition to the contribution, could a sidewalk be engineered in front of the building, and be designed  
147 so we know it could be connected in the future? A. Terner said he could do that and get a financial  
148 agreement with Bohler to work with the Town for a collaborative sidewalk design for this area of  
149 town.

150  
151 P. Amato has concern with the driveway entrance, precluding the lot to the west. He feels one  
152 driveway should access both parcels. If the owner comes back and expects a driveway for that parcel,  
153 it will not work. J. Langdell said this was brought up previously, but this is where the driveway is  
154 proposed. P. Amato said it might be short-sited and the other lot could not be accessed. J. Langdell  
155 said there is a gravel road there now. A. Terner said there is about 150 feet between where this  
156 driveway will be and where the next lot driveway could be, but he cannot design a driveway for  
157 something that he does not know what it might be. L. Daley said there is an access easement for  
158 access to the railroad and Penn Stock, it is a dedicated easement. P. Amato said if a site plan is  
159 submitted in the future with heavy driveway usage, the Planning Board could tell that applicant that  
160 no heavy traffic use would be allowed. L. Daley said there is a requirement for cross access in the  
161 West Elm District, to reduce access points, it is very important on a well-travelled roadway. J.  
162 Langdell said none of this is new, this has been talked about at every meeting thus far. The Planning  
163 Board asked for a Master Plan for the connectivity at the start of this project. L. Daley asked if the  
164 applicant could create an opportunity to create pedestrian access to connect the two properties  
165 together? A. Terner said if there is connectivity with the sidewalk in the future, we can design to  
166 have the infrastructure and a driveway will be ready to connect. P. Amato said that connector would

167 act as connectivity for that curb cut. M. Bombaci said if the adjacent use were compatible, we would  
168 require that another access drive be used for heavy truckloads, but if it made sense, we could have it  
169 connect. D. Knott said there would still be a curb cut for deliveries. A. Turner said he can control  
170 getting the sidewalk to the boundary on the proposed site plan. S. Robinson said when the easement  
171 is created, it would identify what uses could share that driveway. J. Langdell said it is in the  
172 requirements for the West Overlay District to have cross access. A. Turner can put in the framework  
173 to accommodate the future use. L. Daley said this would meet the intent.  
174

175 J. Langdell said the road is tight and not made for trucks to come in and out. A. Turner said he was  
176 adding things for that, but does not know what the future use of the abutting property is. That  
177 property will need to go through this same process at some point. A. Turner is trying to work with the  
178 Town to maintain the regulations and can put in the framework for cross access. He would rather  
179 design the framework now. P. Basiliere asked about including a driveway apron 24-30 feet wide for a  
180 future connection? J. Langdell asked the total acreage of this parcel including the railroad? A. Turner  
181 said it is a total of 1.22 acres and we can use one acre of that. J. Langdell likes the Swansey store set  
182 up. A. Turner said this store fits nicely on this parcel.  
183

184 Items noted for conditions on the plan include: pedestrian connection points; pedestrian crossing  
185 between two properties; apron for a future driveway – 24 feet with flares; \$7650 (\$45 multiplied by  
186 170 linear feet). Truck turning radius – A. Turner said the turn radius will allow a 73 foot truck  
187 entrance, that is the worst possible case. L. Daley said the delivery truck turn radius is shown in the  
188 exhibit of the plan. A. Turner said trucks pull down the driveway and back into the loading area. The  
189 parking lot is about 130' long; the largest truck will fit with no problem. J. Langdell said the parking  
190 regulations state handicapped spaces are 20 feet long and it looks like the truck is pretty close to those  
191 spaces. A. Turner said the numbers were run conservatively, the frequency of these deliveries is one  
192 per week in off peak hours. If it becomes a problem they can do restricted deliveries.  
193

194 P. Basiliere asked if customers can enter or leave the parking lot when a truck is maneuvering? A.  
195 Turner responded that the maneuver takes just a minute to do. One of the biggest problems for these  
196 trucks, according to P. Basiliere is maneuvering into the small lots on a busy street. People cannot get  
197 into the parking lot during these maneuvers. A. Turner said the deliveries will be during off-peak  
198 hours. L. Daley indicated the handicapped space regulation is 20 feet, the plan shows smaller spaces.  
199 A. Turner can pull the parking area into the buffer to have it a little wider. D. Knott asked how the  
200 maneuvering pattern is created? A. Turner said he uses a program to determine the turning and how  
201 the turns get done. P. Amato does not think the problem is backing the truck in, it is more that  
202 customers might be in the parking lot, and a truck is backing into the loading area. A. Turner said  
203 small retail places have trucks backing in all the time. We will accommodate the turn movements in a  
204 parking lot.  
205

206 D. Knott said from a safety standpoint, the truck just starts to back up and there is possibly a customer  
207 coming out of the store walking, maybe with a child, that's not safe. J. Langdell said other retail  
208 stores that are local are able to go around the building and access the dock in the rear. A. Turner said  
209 we cannot drive around the building because of the easement. J. Langdell said unless it was a smaller  
210 building. A. Turner said DOT requires that they can move around the property without impacting the  
211 parking spaces. When a driver is approaching the store, the truck will be in the way, according to P.  
212 Basiliere. A. Turner responded they can add a 6' rumble strip down the middle to help. P. Amato  
213 said that does not solve the problem of pedestrians crossing the lot; most strip malls or shopping  
214 centers have truck access around back. A. Turner said in Swansey it is this exact same layout. L.  
215 Daley went by the Loudon store which is similar to this one, asking what are the traffic counts and are  
216 there any issues with circulation? Their ROW is substantially wider than this. A. Turner said the  
217 truck maneuver is the same as this one. S. Robinson asked what DOT requires for truck maneuvers?  
218 A. Turner answered its fine as long as the truck does not go into the parking spaces. L. Daley  
219 indicated the plan instructs trucks to back up on Wilton Road, what is the time for deliveries and  
220 hours of operation? A. Turner said the deliveries are determined by the shipping methods; they make

221 sure it is minimally disruptive. L. Daley said this model uses the largest trucks, could this store use a  
222 smaller truck? A. Turner cannot tell them what trucks to use.  
223

224 There is a letter from the Getman's about this development. DPW will work with the applicant for  
225 the entrance design to improve the access. Water and sewer questions have all been addressed. The  
226 major points needing to be addressed include signage; gooseneck lighting could be added to the plan.  
227 Lighting is required as part of the overall design. Snow storage needs to be identified. A. Turner said  
228 snow storage will be around the edge of the property, but protect the growth cover. The cross  
229 movement will be part of that area so snow storage will be modified. Snow cannot be put in the  
230 stormwater basin and will be taken off site if needed. GreenPro snow cannot be maintained unless it  
231 is in the ordinance. L. Daley asked if the 24x30' curb cut could be used for snow storage and once it  
232 is developed, have a snow storage area for both? A. Turner responded that snow storage note is on  
233 the plan so that it can be enforced by the town by the site plan, he can also add snow storage in the  
234 parking spaces. L. Daley asked if diversity could be added with the plantings? A. Turner responded  
235 that DES requires pea stone to allow infiltration and to have plantings as appropriate. M. Bombaci  
236 said the stormwater requirements are very specific. Outside of the stormwater infiltration area,  
237 Austin can have some diverse plantings. J. Langdell asked about lighting after business hours.  
238 Austin responded there will be small lights over the front entrance down to the parking area and the  
239 loading door after business hours. The sign (light) will be off except one hour after business hours.  
240 L. Daley said the hours of operation are until 10 p.m., so the sign light will go off at 11 pm? Adam  
241 said the lights will be on a timer and will go off at 11. Austin said there is no lighting in the back of  
242 the building, there is only a light at the door. P. Amato said the emergency exit door has to have a  
243 light. P. Basiliers asked if there is any lighting in the back of the building, if not that is unsafe for  
244 emergency personnel. J. Langdell said asked why are there light fixtures in the back of the building?  
245 If lighting is not required, why are there fixtures? P. Basiliere said if emergency staff goes out there,  
246 it seems unsafe; maybe have motion sensor lighting.  
247

248 L. Daley asked how the applicant arrived at the orientation of the building on the lot? A. Turner said  
249 that Matt Bombaci discussed that in January, it was established that this was most appropriate and  
250 provided an opportunity for landscaping buffers and truck movements. This was the orientation that  
251 was arrived at. L. Daley said the size of the store and lot dictates the position of the building. The  
252 building should be the same orientation as other buildings, the lot is restricted, but he asked if any  
253 other designs were considered? In the West Milford Gateway Regulations, it states the orientation  
254 shall be similar to others in the area. D. Knott said the regulation states that the design shall be met, if  
255 you do not meet it, a waiver should be requested. L. Daley said the Planning Board needs to  
256 determine if 115' from the street is in accordance with the neighboring structures. J. Langdell asked  
257 if it is appropriate, that is the question. P. Amato said the adjacent structures (storage units) could be  
258 considered too close to the road. L. Daley said the district encourages the building to be closer to the  
259 road for pedestrian connectivity. J. Langdell noted the connectivity could be done in other ways like  
260 the sidewalks; she understands the comment and with the regulations, it would have been nice to do a  
261 Master Plan of this. It is not an easy road to work with, it is just the regulation; a smaller building or  
262 a bigger lot would be better.  
263

264 P. Amato said if the parcel had 20,000 more square feet, there would have been more flexibility but  
265 meeting the ordinance the town has, it will be hard to meet. T. Finan thinks it is better to have the  
266 building further back from the road because it is further from the house. P. Amato said if it was  
267 closer to the road, there would be less parking. D. Knott said because of the regulations, should there  
268 be a waiver? L. Daley said the Planning Board needs to decide if it is appropriate. The front door  
269 orientation is on the street side. It sounds like the Planning Board feels it is adequate. A. Turner said  
270 the regulation does say "if appropriate" so it is felt we meet it. If the front door were facing the side,  
271 J. Langdell said the Planning Board would want a waiver, but the front door is on the road side of the  
272 building. L. Daley asked for the elevations to be discussed. A. Turner indicated the upgrades  
273 incorporated include the peaked roof and upgraded building materials including clapboard style  
274 siding which is more versatile and faux windows. There was a general consensus of the Planning  
275 Board in January and additional landscaping was requested and has been added. Mr. Turner has not

276 received much feedback on the elevations, this is the design from January and what he got back was  
277 more buffer and landscaping. J. Langdell knows that in the discussions about this project years ago,  
278 they did discuss more than what was brought forward in January. The biggest issue brought up by the  
279 Planning Board at that time was the flat roof, which was changed. Six pages of other Dollar General  
280 Stores in New England were provided by the Planning Board, based on the regulations in those  
281 communities, the pictures showed other architectural features. D. Knott asked if the proposed design  
282 meets the requirements of the West Milford Gateway Regulation requirements? L. Daley said it  
283 meets certain elements, but the proposed structure could be improved. D. Knott said the residential  
284 abutter's side of the building could have utilities and does that meet the standards? L. Daley said the  
285 guideline is that flat roofs are strongly discouraged. J. Langdell said we have three walls on this  
286 proposed building that are just flat. Three sides of this building should meet the guidelines of the  
287 overlay district; L. Daley indicated there is room for flexibility here with the overall design. In Wells  
288 Maine there is one example, the Pine Valley Mill theme could be used. S. Robinson asked what is the  
289 square footage of the Wells store? L. Daley said it is 7000 sf. S. Robinson said the Swansea store  
290 has a pitched roof. J. Langdell has seen landscaping on the sides of buildings; that might help break  
291 up the wall. M. Bombaci said in January it was determined that landscaping and plantings would  
292 shield the building sides. Landscaping was also added to the front of the building.  
293

294 P. Amato said to meet the spirit of the ordinance, they have not done it with the design of the  
295 building, but have shielded the building enough that it would meet the spirit of the ordinance. M.  
296 Bombaci said the intent of the proposal was to meet the regulation. A. Ternier suggested the Board to  
297 focus on the area with the most problems. What he is hearing is to look at other options available for  
298 this. P. Amato said the shielding of the building is appreciated but the Board wants to hold to the  
299 regulations to improve as new development comes to West Milford. P. Basiliere feels the design does  
300 not meet the spirit of the regulation and the developer has agreed to go back to see what else might be  
301 available for the building. L. Daley continued through his comments in the staff report. He asked  
302 why there are faux windows on the building? A. Ternier explained that is for safety since there will be  
303 stock right inside the windows and also for aesthetics from the outside to appear as though there are  
304 windows. It gives the appearance of a window. Seeing no further comments from the Planning  
305 Board, D. Knott opened the hearing to the public for comments or questions.  
306

307 Becky McCloud, North River Road, has a concern with the intersection of North River Road and  
308 Wilton Road – there is a blind spot and what about traffic backups? Natalie Watson, North River  
309 Road is concerned about traffic on North River Road and it being used as a bypass to Route 101A.  
310 People drive too fast, it could be a big issue. The gateway district is to retain this as a nice part of  
311 Milford. People will cut through North River Road to get to this store and Ms. Watson feels it will  
312 increase the traffic. She hopes the town holds to the look that is in this part of Milford.  
313

314 Brendan and Janelle Getman, abutters, talked to the Fire Chief about a fire lane in that area and that it  
315 is not required but would make it safer. Also, a pine fence is being proposed but there are other types  
316 of fences that can hold back fire. If Wells Maine can have a 7500 sf store, why can't Milford?  
317 Janelle Getman said one item brought up is that a truck cannot cross the double yellow line when  
318 pulling in or out of the driveway, she wonders what the turn radius is for the truck.  
319

320 Lauren Tedford, neighbor of the Getmans, feels there should be a fire lane, she would appreciate that  
321 it be strongly considered. Every safety measure taken would mean a lot to her. Seeing no further  
322 questions or comments from the public, D. Knott closed the public hearing  
323

324 J. Langdell asked if Dollar General will own this property or be a tenant to the owner? Matt Bombaci  
325 said they will be a tenant. P. Basiliere indicated when a truck pulls in off 101A, will its lights shine  
326 into the Getman's home? P. Amato said all cars pulling into the parking lot will shine into their  
327 windows. A. Ternier said the 5' fence will go all the way down the property line and should reduce  
328 those lights shining into windows.  
329

330 P. Amato moved to continue this application to the April 23, 2019 Planning Board meeting; at that  
331 time mostly to look at any new architectural design and other items discussed tonight. J. Langdell  
332 seconded. All were in favor. Motion passed unanimously.  
333

- 334 **d. Station 101 Tap Room, 193 Union Square, Map 25, Lot 19.** Minor Site Plan Application  
335 for a change of use from an auto repair/service building to a restaurant use with site,  
336 landscaping and parking improvements.  
337

338 J. Langdell moved to accept the application for review. P. Amato seconded. All were in  
339 favor. T. Finan moved no potential regional impact. J. LaFontaine seconded. All were in  
340 favor. Motion passed unanimously.  
341

342 Chip Pollard and Gage Perry, applicants, were presenting the plan. Mr. Pollard and Mr.  
343 Perry live in Merrimack and are very interested in history and preserving the past, Mr. Perry  
344 is the head of Conservation in Merrimack. This proposal is to re-purpose the building at 193  
345 Union Square into a 1940's style gas station and have a Tap Room, serving local brew and  
346 small food items. Old gas stations are being restored all over the country in this way.  
347 Milford has a beautiful downtown and this will add to the town and add value to bring people  
348 to Milford. An overhang will be added to the building and old-fashioned (inoperative) gas  
349 pumps will decorate the site, along with non-functioning air machines. The building built in  
350 the 1950's will be completely cleaned out. The business name is Station 101 since it is  
351 located on a portion of the old Route 101, which came right through downtown before the  
352 bypass came in.  
353

354 Everything will remain the same, including the two existing (town) lights on the sidewalk,  
355 the porcelain panels on the building will be restored, no additional lights are required. The  
356 existing 8' sign will be changed to a 6x6' round sign, 6 feet in diameter. There will be  
357 outdoor seating and plantings around the site. There are 10 existing parking spaces, the lot  
358 has two means of entry/exit, the entrance will remain and the exit on the west side of the lot  
359 will be enter and exit but with one-way traffic on the site. The dumpster will be shared with  
360 the Riverhouse restaurant once they have moved next door. Landscaping will be kept low  
361 because of site distance for cars traveling through the oval.  
362

363 J. Langdell asked about the landscaping. Mr. Pollard said all the landscaping will be in  
364 movable pots because of required clearing of snow. The site plan will be amended so that if  
365 there is excessive snow, it will be taken off site and that will be noted on the plan; no salt will  
366 be used on the site. Mr. Pollard's goal is for nothing to change as far as the current traffic  
367 flow. The plans have been submitted to the Fire Department for indoor capacity (35-40  
368 people). S. Robinson asked what will be offered? Mr. Pollard said they will sell wine and  
369 beer and very basic food items. Mr. Perry indicated hot and cold appetizer type food,  
370 nothing prepared on site, as there is no kitchen. S. Robinson anticipates people would make  
371 a quick stop, or is it anticipated that people will hang around? Mr. Pollard feels people will  
372 stop in to try a new beer or two and he is not expecting people to come to stay for a while.  
373 D. Knott asked if there will be music? Mr. Pollard indicated maybe a guitar player. P.  
374 Basiliere asked how many employees there will be and where will they park? Mr. Pollard  
375 answered 2 or 3 and they will be asked to park off site. He anticipates people coming here  
376 that might walk not drive. S. Robinson asked if this will be a pub? Mr. Pollard said there  
377 will be high end beer brought in from local brewers. P. Amato said parking on the oval does  
378 not matter for businesses on the oval, there are no requirements for parking. Mr. Perry said  
379 they will not be preparing food on site. Mr. Pollard agreed, stating they plan to cooperate

380 with the surrounding restaurants for some of the food provided and people can bring in their  
381 own food as well.

382  
383 P. Amato said there are rules for food being brought in from other restaurants. Mr. Pollard  
384 responded that they will follow those guidelines from the Health Department. L. Daley  
385 asked if the property will have one way or two way traffic? Mr. Pollard answered one way.  
386 P. Basiliere does not think it is legal to cross the double yellow lines to enter this property. J.  
387 Langdell indicated the double yellow lines on Route 101A are crossed all the time to enter  
388 businesses. P. Basiliere suggested the applicant research that to see if it is legal. L. Daley  
389 indicated the Traffic Safety Committee could be contacted to look at that as well, noting  
390 there should be something more permanent to identify the entrance and exit locations. P.  
391 Amato thinks this will be a great addition to the oval area. Mr. Pollard noted the sign  
392 illumination will be facing downward but he would like to leave the pump lights on all night.  
393 Seeing no further comments or questions from the Board, D. Knott opened the hearing to the  
394 public for comments or questions.

395  
396 Paul Joyce, Annand Drive, thinks this is great addition and the applicant seems to have a  
397 handle on the requirements and has a sense of humor. There were no further public  
398 comments.

399  
400 P. Amato thinks the entrances are too wide and the island (on the lot) might need to be  
401 extended, he wants to see the driveways restricted to either enter or exit. P. Basiliere said it  
402 looks like on the plan the enter and exit are too wide, the applicant should work with staff on  
403 the planters and entrance and exist. P. Amato moved to grant conditional approval to the site  
404 plan with the conditions: excessive snow removed to off site location; requirement to include  
405 landscaping island; accurate location for snow storage on the plan; work with staff regarding  
406 entrance/exit and double yellow line. S. Robinson seconded. All were in favor.

407  
408 **e. Keogh Design Review Subdivision Plan, Amherst Street, Tax Map 23, Lot 2.** Major  
409 Subdivision Design Review Application to subdivide Tax Map 23, Lot 2, 118 Amherst Street  
410 into nine (9) total residential lots on a proposed 800 foot subdivision roadway and related  
411 stormwater/drainage improvements.

412  
413 J. Langdell moved to accept the plan for review. P. Amato seconded. All were in favor. Motion  
414 passed unanimously. P. Amato moved no potential regional impact. T. Finan seconded. All were in  
415 favor. Motion passed unanimously. Abutters were read into the record with the following abutters  
416 present: Stephen Currie, Ross Maclaren, Norman & Jennifer Fisk, Bartlett Common Condo  
417 Association, Martin Family Revocable Trust, Meridian Land Services, Inc., Town of Milford.

418  
419 L. Daley indicated power utilities, water and sewer will come from Milford but water and sewer will  
420 not be provided to the abutting property in Amherst.

421  
422 At this point, L. Daley indicated at this time (10:00 pm), the Planning Board typically will end their  
423 meetings, given the time, and the fact that the applicant has waited, he suggested at least hear their  
424 plan and go from there.

425  
426 Sam Ingram, Meridian Land Design, presenting for the applicant, explained this is a Design Review  
427 for Residence A zone with 800 feet of public road and nine lots with public water and sewer. This  
428 plan exceeds Residence A requirements and is still a work in progress. Mr. Ingram indicated with the  
429 proposed road, the storm water is shown on the plan to be dealt with through catch basins and  
430 channeled off the road from the crown and recharged into the ground. Uncontained water will go on



431 to Amherst Street. The flow is what it is and will be slightly more than what exists now. J. Langdell  
432 would think there will be quite a bit more sheet flow. She asked what is directly across the street?  
433 Mr. Ingram said a condominium complex is directly across; Amherst Street is paved, so it sheds off  
434 towards Milford. This is the best option to maintain water run off. The drainage will contain the  
435 water from that section. The regulations require a bridge right off the road. There is a catch basin to  
436 the West of the site on Merrimack Road. J. Langdell suggested adding another catch basin. Mr.  
437 Ingram said there is a manhole cover in the road; if it is a drainage system right there, we could tap  
438 into that for the run off. D. Knott said or the water will run into the road and that will not work. L.  
439 Daley suggested Sam talk to Rick at DPW about the run off. P. Amato asked where the water table is  
440 depicted on the plan? Sam Ingram same it is on a separate plan. J. Langdell asked that the water  
441 table be transferred on to the town copy of the plan? Mr. Ingram stated this is a conventional lay out  
442 subdivision. He will not be coming in for an open space subdivision. The sense he got was for a  
443 conventional subdivision. J. Langdell said we make that decision through this process. S. Robinson  
444 asked how large are these homes? Mr. Ingram answered 1200-1500 sf. S. Robinson asked if they  
445 have a garage? Sam has not worked through the details of each home yet. J. Langdell does not see  
446 lot 23-8 as a buildable lot. Sam responded that it is a tight building lot. P. Amato said if it was an  
447 open space subdivision, it would look pretty close to this. L. Daley said we have had other similar  
448 developments in the past, are we setting up future owners to have issues with maximizing the use of  
449 their properties?

450  
451 D. Knott referenced notes A-I on the staff memo, have they all been addressed? L. Daley put the staff  
452 memo out to determine if the parcel would be better as an open space subdivision or conventional  
453 design. J. Langdell said the detention pond on the lot has wetlands, what is the usable dry land on  
454 that parcel? Sam Ingram said on lot 23-8 there is 21 feet between the detention basin and the location  
455 of a proposed home. L. Daley is not convinced that the lot meets the purpose and intent. Sam said he  
456 could reconfigure the lot line between lots 7 and 8 to give it more space. D. Knott asked why can't  
457 you combine lots 7 and 8 into one lot? J. Langdell does not remember a detention basin ever being on  
458 private land. Sam said that will be done with an easement. J. Langdell indicated the Spaulding Street  
459 development has a detention pond. L. Daley said that open space is on the common land. This is  
460 burdening the property owner with the detention basin on the lot. P. Amato said the easement would  
461 be for the town to maintain the basin; this lot comes with wetlands and wetland buffers and a  
462 detention basin. J. Langdell suggested increasing lot 7 and get rid of lot 8 and put some of lot 8 into  
463 lot 7 and make lot 8 into just wetland. Sam said for a conventional plan, we came up with 11 lots;  
464 using the formula, it actually comes up with 11.5 lots. P. Amato said you have to show that with a  
465 conventional subdivision.

466  
467 P. Basiliere asked how close is the detention basin to the closest abutter? Sam Ingram said about 40  
468 feet; they are designed to handle a certain amount so that overflow does not happen. L. Daley asked  
469 how large is this, Milford Conservation Commission would prefer that no lots include wetland  
470 resources areas and requested a site walk. J. Langdell said with a better design, you can put the  
471 detention basin elsewhere. P. Amato indicated if there is a total of 8 lots, he can design it with 8 lots  
472 and he can design it as an open space subdivision or we can say we do not like lot 2-8. L. Daley said  
473 if the design review process is continued, the Planning Board can decide the type of subdivision at the  
474 next meeting, the potential access and viability of the road without additional authorization from  
475 Milford. An easement does not constitute frontage, therefore it is not a buildable lot and a variance  
476 would be needed. Sam Ingram responded that lot 3-8-5 is a lot of record, with the proposed access  
477 easement, that does not require frontage it just requires access for an existing lot of record. L. Daley  
478 clarified that the lot in Amherst is a part of a lot that extends from Milford into Amherst. The Milford  
479 Planning Board needs to grant the easement and allowance from the Board of Selectmen to allow the  
480 access to Amherst. The access creates a burden to Milford and it is up to the Milford Board of  
481 Selectmen to allow Milford to bare the burden for emergency services to another town. P. Amato  
482 said Milford did that in other areas to Amherst. L. Daley indicated it requires more design from the  
483 applicant and this can only be used to service one home in Amherst. P. Amato said it is an access  
484 easement which is a driveway. L. Daley said the lot in Amherst is land locked and they are asking for  
485 an easement from a Milford town road in order to provide access to the driveway in Amherst. P.

486 Amato said if the road went to the Amherst town line, then Amherst could do this, but it does not so  
487 the applicant is asking Milford to allow this access for the lot. It was asked if Bartlett Commons can  
488 grant access to the Amherst lot from their road? The Bartlett Commons Condominium representative  
489 said they cannot, due to the language in the deed. L. Daley asked if it is good Planning to extend the  
490 Milford road right up to the town line? If Amherst extends the road, they can have two buildable lots.  
491 If the road is extended to the line, that provides proper frontage then Amherst can do what they want  
492 with the Road; the easement is more restrictive. There is a 1000 linear footage limit on a cul-de-sac  
493 road in Milford. P. Amato said we need to determine if all the lots presented are viable. J. Langdell  
494 asked if a site walk can be set up prior to the next Planning Board meeting. P. Amato said the  
495 Planning Board needs to decide the type of subdivision: conventional or open space.

496  
497 Hearing no other comments or questions from the Planning Board, D. Knott opened the hearing to the  
498 public.

499  
500 Steven Currie, Amherst Street, asked for possible screening for abutters. Bartlett Commons  
501 Condominium representative, asked if Mr. Keogh is going to develop this himself? Tom Martin,  
502 Amherst Street, is concerned with storm water, right now storm water comes onto his side of the road;  
503 he ends up with 6" of water when there are snow banks. He has a culvert under the driveway and it  
504 gets full of water and branches. The property will be sold to a developer, can they change the  
505 development or are they subject to these plans? Are they staying single family homes? J. Langdell  
506 said they would have to come back to the Planning Board if they want to change what is approved. L.  
507 Daley said this development will have underground utilities, asking if there are plans for sidewalks  
508 down Amherst Street? It might be good to provide sidewalk information to the applicant to include in  
509 the design. Debbie Dunn, abutter, asked that her friend Paul Joyce ask on her behalf about her farm  
510 located downhill from this development, and asked about the ribbons marking on her property. Sam  
511 Ingram said he is not familiar with ribbons marking anything but will ask about it.

512  
513 Dave Palance, Heritage Commission Chairman, said this area is full of stone walls and used to be  
514 pasture land, noting that the Heritage Commission expects about 60% of the stone walls to be affected  
515 and asked if there is any provision to preserve the walls as part of the history of Milford? J. Langdell  
516 indicated the Heritage Commission contact NRPC regarding the stone walls. Dave Palance  
517 responded UNH has maps of the stone walls in NH, but none of Milford stone walls are mapped. J.  
518 Langdell asked if the Heritage Commission could look at that. L. Daley said there is a way to add  
519 that to the town's overlay. Sam Ingram said we could re-use some of the stones in the stone walls  
520 that are disturbed. Norman Fisk said these lots will be challenging, the apartment on the corner of  
521 Merrimack Road and Amherst Street had problems with water in the basements so the developer  
522 might want to check with them before any work is started. This is challenging land to work with, the  
523 water is going to end up in someone's basement, this would be a nice piece of property to leave as  
524 open space, it is the last piece of open land in that area. Every time there is building, it affects his lot.  
525 D. Knott closed the public comments portion of the meeting.

526  
527 A site walk for the Keogh property was set up for April 16 at 4:30, at which there will be no decisions  
528 made. P. Amato moved to continue this design review to April 23, 2019. J. Langdell seconded. All  
529 were in favor. Motion passed unanimously.

530  
531 **4. Adjournment:** The meeting was adjourned at 11:30 p.m. on a motion made by P. Amato and  
532 seconded by T. Finan.. All were in favor. Motion passed unanimously.  
533

534  
535  
536 \_\_\_\_\_ Date: \_\_\_\_\_  
537 Signature of the Chairperson/Vice-Chairman:  
538

539  
540 MINUTES OF THE \_\_\_ MEETING WERE APPROVED \_\_\_