

4 **Members Present:**

5 Doug Knott, Chairman  
6 Tim Finan, Vice Chairman  
7 Janet Langdell, Member  
8 Paul Amato, Member  
9 Laura Dudziak, Selectmen's Rep  
10 Pete Basiliere, Alternate Member  
11

**Staff:**

Lincoln Daley, Community Development Director  
Kellie Shamel, Planner  
Darlene Bouffard, Recording Secretary  
Tyler Berry, Videographer

12 **Excused:**

13 Susan Robinson, Member  
14 Jacob LaFontaine, Member  
15

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17  
18 **1. Call to order:**

19 Chairman Knott called the meeting to order at 6:30 p.m. Introductions were made of Board members and  
20 staff. It was noted that Pete Basiliere as an Alternate member will sit with the Board as part of the discussions  
21 and will vote in the absence of Susan Robinson.  
22

23 **2. Approval of Minutes:** 6/25/19, 7/10/19  
24

25 T. Finan moved to approve the minutes of June 25, 2019 as presented. P. Amato seconded. T. Finan, J.  
26 Langdell, P. Amato, P. Basiliere and L. Dudziak were in favor, with D. Knott abstaining. Motion passed 5/0/1.  
27 T. Finan moved to approve the minute of July 10, 2019 as presented. P. Basiliere seconded. T. Finan, P.  
28 Basiliere, J. Langdell, P. Amato were in favor, with D. Knott and L. Dudziak abstaining. Motion passed 4/0/2.  
29

30 **3. Public Hearing:**  
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32 **a. Meridian Land Services (applicant) and Richard Keogh (owner)** – Continued review for final  
33 approval of a major subdivision application to subdivide the existing lot of record into eight (8)  
34 residential lots. The parcel is located at 118 Amherst Street in the Residence A District. Tax Map 23, Lot  
35 2. ***Request for continuance.***

36 D. Knott indicated that the applicant, Meridian, has requested a continuance to August 20, 2019 for this  
37 application. J. Langdell confirmed with K. Shamel that a written request has been received. K. Shamel  
38 said that is correct. P. Amato moved to accept this request. J. Langdell seconded. All were in favor of  
39 this request. ***Continuance granted to August 20, 2019.***

40 **b. Frank Kling (applicant) and Mengyuan Property Management, LLC (owner)** – Conceptual  
41 discussion of a potential major site plan to raze an existing building and construct a six (6) unit  
42 condominium and associated site improvements. The parcel is located at 159 Elm Street in the  
43 Commercial, Nashua Elm Street Overlay and Milford 79-E Districts. Tax Map 19, Lot 5.

44 D. Knott indicated this application is for a conceptual discussion only, for which there will be no  
45 decisions made. Tom Carr, representing the applicant Frank Kling, explained this application is for the  
46 property at 159 Elm Street which has 1.19 acres in the Commercial District. There are no wetlands on the  
47 site that would affect the buffer. There is an existing multi-family unit building on the lot with a small  
48 parking lot. Water utilities service will be by town water and sewer. Frank Kling has met with  
49 Community Development Director Lincoln Daley several occasions to discuss options for this property  
50 along this corridor. This application will be for a six-unit condominium building. The property record  
51 card for this lot shows it is 4-6 units. The restoration of the existing building was considered, however  
52 the cost was beyond its worth and it was determined the existing structure would be razed. There would  
53 be a 24' egress with parking in the back with a garage under each unit. All lighting and landscaping will  
54 be presented at the time of site plan presentation. Frank Kling would like to keep as much of the existing  
55 landscaping. Tom Carr indicated the lot size of 1.19 acres would yield 5.95 units, almost 6; Frank Kling

56 wonders if that can be rounded up to the 6 units? K. Shamel said the Town would not be rounding up to  
57 the 6 units. Tom Carr wants to talk to the Planning Board about that, we are aware of that limit. The  
58 building elevation was shown with 6 units. Landscaping will be in the front of the building, which is  
59 what will be visible from Elm Street with parking in the back. P. Amato asked if the front doors are on  
60 the front of building? Tom Carr responded that they are, and the mailboxes would be out front but guests  
61 would go around back for parking and entry. Tom Carr asked for questions from the Planning Board.  
62 This is just to show the Planning Board the conceptual plan. D. Knott asked for specifications of the  
63 intent of the overlay. Kellie Shamel said it would fall under the intent of the Overlay District, this is an  
64 acceptable use (multi-family). K. Shamel spoke with Lincoln about the density and he advised a  
65 variance from the ZBA (for 6 units). The architecture shown would be acceptable for that corridor and  
66 also the performance standards for that district. K. Shamel indicated comments were received only from  
67 the Ambulance Department regarding the ability to turn around on site for Fire and Ambulance with only  
68 the one entrance. The back of the building has a total width of 42'.

69 Tom Carr explained the garage is for two cars under the unit with 18' of stacking cars for guests behind  
70 the garage. K. Shamel said the concern raised was the turning around for an ambulance (for fire truck)  
71 because there does not appear to be any area for turn around. J. Langdell asked if the ambulance could  
72 use the front door instead of the back door when responding? Tom Carr said there could be an ambulance  
73 service in the front yard but we could only use pavers to allow that. K. Shamel said it was not realized  
74 there were actual front doors at the time of review. D. Knott asked if the set back is too far? P. Amato  
75 said it is set back 30' which is what we require. P. Amato asked if there is living space on the garage  
76 level? Frank Kling responded there is not. T. Carr said we would need a front access for ambulance;  
77 from the garage there will be stairs going up to the living area. P. Amato said if the building was moved  
78 back 20' would that give a little more space in the front for access? Tom Carr said he is trying to balance  
79 the cut and fills. J. Langdell said there is a significant drop in back. Tom Carr agreed if the parking area  
80 were full with guests, it would be hard for an ambulance to turn around. P. Amato suggested dropping a  
81 unit on the plan so there are 5, not 6, and then have that extra space for a turn around. P. Amato thinks if  
82 the building were moved back a little, that would allow people (guests) to go in the front door instead of  
83 the back. J. Langdell said we need a safe place for people to cross. The sidewalks in that area have some  
84 gaps. D. Knott said there is no side walk going into the Granit Town Plaza which is in this area.

85 P. Amato asked if Frank Kling has gone to the Heritage Commission about razing the existing structure?  
86 Frank responded that he has and an agreement was reached. D. Knott asked Dave Palance of the Heritage  
87 Commission if he had any input. Dave Palance, Chairman Heritage Commission, talked with Frank and  
88 asked if the oldest portion of the building toward the southern portion could be preserved; they talked  
89 about different ideas. There was a well that has been removed but there is another dug well inside the  
90 building built with small river stones, the Heritage Commission would like that well somehow preserved,  
91 to which Frank agreed to move that well from the inside to the outside of the structure. Further, the  
92 Commission concluded that the only benefit to the town heritage would be to request that the new  
93 building when built, would carry the name of the original owners, Frederick and Freeman Crosby.  
94 Mr. Kling has offered the beams for reuse on another location and the stone lined well could be  
95 moved outside to be included in the new concept. Dave Palance did not see any of these ideas on the  
96 lplan and he would like to see those.

97  
98 J. Langdell said if the planned building were moved back away from the road could any of these be  
99 done? Tom Carr said we would be losing some buffer in the back if we do that. P. Amato said there  
100 is room for the building to move back and then the land levels out and is flat. It would still be at the  
101 level and would require fill to be brought in. P. Basiliere said emergency vehicle access is important,  
102 we should make sure they can get in and then out of the property. T. Carr agreed and will discuss  
103 this with Frank Kling about going to five units (instead of 6) to allow for turnaround area. J.  
104 Langdell wants to be sure in an emergency they can access the units through the front doors. J. Carr  
105 believes the Fire Department would react badly to having only one egress for fighting fire in the front  
106 and back of the building. K. Shamel said she did not hear from the Fire Department, only from the  
107 Ambulance Department. J. Langdell said this building has been vacant for many years and if we get  
108 some more market rate affordable housing in the area, that is a good thing.  
109

- 110 c. **2C Builders, LLC (applicant) and John J. Franks and William Franks (owners)** – Review for  
111 acceptance and consideration of final approval for a minor site plan for a change of use to permit the  
112 conversion of a 10,000 square foot facility (previously used as a bowling alley) to a machine and  
113 fabrication shop. The parcel is located at 244 Elm Street in the Commercial and West Elm Overlay  
114 Districts. Tax Map 18, Lot 9.

115  
116 D. Knott said this application is substantially complete according to staff. J. Langdell asked what is  
117 “substantially complete”? Kellie Shamel explained it is a general term and is meant to be that the  
118 application is recommended to be accepted. There is a waiver request that has now been signed and is in  
119 the file to be acted on tonight. P. Basiliere moved to accept the plan for review. T. Finan seconded. All  
120 were in favor. Motion passed unanimously. J. Langdell moved there is no potential regional impact. P.  
121 Amato seconded. All were in favor. Motion passed unanimously. Abutters were read into the record, the  
122 following abutters were present: NPC Inc., John Franks, 2C Builders LLC (Chris & Christina Brown) and  
123 Town of Milford.

124 K. Shamel explained the waiver request is for relief from the performance standards of the West Overlay  
125 District because it is a minor site plan and nothing is being done to the exterior including parking land  
126 landscaping and it would be impractical for the applicant to meet the requirements of the district for this  
127 site plan. It is up to The Planning Board to decide whether they wish to waive all or part of the standards.  
128 Staff recommends waiving all the standards. J. Langdell said 6.07.4 spells out where this would come  
129 into the process, is it assumed that this falls under 6.07.4A? K. Shamel said yes because it is a site plan.  
130 J. Langdell asked if there have been other re-use of an existing facility in a Commercial zone that has  
131 come in for a change of use in this corridor? P. Amato thinks there has been. J. Langdell could not  
132 remember ever being asked to waive the entire requirement.

133 P. Amato said when this is with a site plan, we can talk about how the use fits into the neighborhood and  
134 how it works within the neighborhood. P. Amato would like to think about how the front of this building  
135 could be made more attractive. Chris Brown said they do have plans to improve the aesthetics of the  
136 building. This is a big step for them, our goal is to get some good landscaping, paint the building and  
137 make it fit into the area. D. Knott asked if the green area out front could be widened between the parking  
138 lot and the road. J. Langdell said the Planning Board has encouraged that with the last few applicants.  
139 Chris Brown said we want it to look nice too. P. Amato asked if the building is right on the property line?  
140 Chris Brown thinks it is pretty close. He thinks the bowling alley and Trelleborg buildings were built  
141 around the same time. P. Amato said the Planning Board would be happy to work with Chris on the  
142 improvement to the building and agrees that the waiver is applicable for now. Pete Basiliere said by  
143 approving the waiver in its entirety, that would waive the entire overlay district requirement. Why would  
144 we do that? P. Amato responded that is because it is not a new building, it has been there since the  
145 1960’s. P. Basiliere asked why the Planning Board doesn’t just waive the section? P. Amato asked what  
146 does that get for the town? P. Basiliere said the Board should only be waiving what is necessary, let’s  
147 just waive that. K. Shamel said 6.07.06 gets into the actual requirements, if the Planning Board wants to  
148 call out certain sections (to waive), they can. J. Langdell said the spirit and purpose is still there. She is  
149 comfortable waiving the whole thing, but does not want it to go with the land. They are showing that  
150 their thoughts are in line with this ordinance even though it is an existing building.

151  
152 D. Knott asked if we are looking at the performance standards being waived? Chris Brown is looking to  
153 make this into manufacturing space inside the building, we are trying to make it work, the business  
154 machines small parts and works on protocols for its customers. Right now, there are three employees and  
155 he would like to expand his current 2200 square foot business into this space, he is currently turning away  
156 work. His goal is to get one or two more employees once they are moved into this building and purchase  
157 some new pieces of equipment, but he does not anticipate growing much more than that. Christina said  
158 the business has been open since 2009. The economy is doing well right now and they plan to section off  
159 some of the space and use it for storage, but will not be renting out any portions of the building. J.  
160 Langdell said there are currently 17 parking spaces, asking staff if that is sufficient. K. Shamel said based  
161 on the square footage it is sufficient. J. Langdell thanked Chris Brown for the outline of his business and  
162 asked if the food truck will stay? Chris Brown responded yes he will keep the food truck, there is no

163 reason to let it go. K. Shamel said there are 33 existing parking spaces, which J. Langdell said some of  
 164 that parking is used by the food truck for their truck and set up. K. Shamel said if the food truck stays,  
 165 she thinks there is still enough space. There are some spaces along the side of the building as well, that  
 166 were not included in her count. Chris Brown noted there is a delivery each week. P. Amato said there is  
 167 an existing right of way on both properties (bowling alley and Trelleborg). Christina said they have  
 168 talked to the rep at Trelleborg about sharing that right of way. P. Basiliere asked about any shipments.  
 169 Chris Brown said typically they deliver the parts by driving to the customer, some items are sent UPS.  
 170 Down the road, we may need more trucks for deliveries but we do not send any parts. P. Basiliere asked  
 171 about any by-products of the manufacturing process. Chris Brown responded that they do not have any  
 172 by-products, it is all water based, there is no by product produced. There were no further questions from  
 173 the Board. D. Knott opened the public portion of the meeting.

174 Rob Rockway, representing Trelleborg, met with Chris Brown and talked with him; he is pleased that the  
 175 building appearance will improve going forward. We can probably work something out about the trailer  
 176 delivery. Dave Palance said it is nice to see businesses coming to town; noting that candlepin bowling  
 177 came to Milford in the 1800's, to the oval and then later moved to this location. The Historic Society is  
 178 interested in taking some pictures and in getting a few artifacts from the alley. Ralph Valentine,  
 179 representing John Franks indicated if there is anything the town wants from the bowling alley building,  
 180 you might want to reach out to get it before everything is removed from the building. K. Shamel asked  
 181 about noise. Chris Brown said all noise is contained inside the building, the bowling alley probably made  
 182 more noise than this will, it is actually pretty quiet. Christina Brown is hoping to put a door in on the  
 183 back side of the building. J. Langdell said there are residents on the other side of the railroad tracks.  
 184 Chris Brown is also interested in having some car shows in the parking lot eventually, if that is something  
 185 the town is interested in. Hearing no further comments. D. Knott closed the public hearing.

186 P. Basiliere moved to approve the Performance Standards (6.07.06) waiver request. T. Finan seconded.  
 187 All were in favor. Motion passed. P. Basiliere asked about there being no curb cut on the plan. Does the  
 188 Planning Board need a more current plan than this? P. Amato said if they were looking to change things,  
 189 there would be a new plan drafted, but this is just a change of use without having an engineered plan  
 190 drafted, which is a big cost. J. Langdell asked if they know where the exact curb cut is? K. Shamel said  
 191 staff will work with the applicant on getting a more exact location and will ensure the conditions are  
 192 added to the plan. J. Langdell moved to grant a conditional approval to the application including staff  
 193 recommendations:

- 194 1) Final plans to be signed by all property owners. The appropriate professional endorsements and  
 195 signatures shall also be added to the final plans as applicable;
- 196 2) The applicant shall obtain all required State approvals/permits as may be applicable, note the  
 197 approvals/permits on the plan and provide copies to the Community Development Office;
- 198 3) Any waivers granted (including Section and date granted) and/or any changes requested by the  
 199 Planning Board shall be listed and fully described on the final plan, as applicable;
- 200 4) The applicant shall provide draft copies of any applicable legal documents for review, at the  
 201 applicant's expense, by the Town's Legal Counsel;
- 202 5) The applicant shall address the following Planning Staff technical comments:
  - 203 a. The applicant shall obtain appropriate relief from the Zoning Board of Adjustment;
  - 204 b. The applicant shall add Planning Board signature blocks on appropriate sheets of the plan set;
  - 205 c. The applicant shall add the following plan notes to the plan:
    - 206 i. The purpose of this plan is to permit a machine and fabrication shop in the existing building
    - 207 ii. The property description: Tax Map 18, Lot 9, 244 Elm Street, Milford NH 03055
    - 208 iii. Property Zoning: Commercial "C" District; West Elm Street Gateway District;
    - 209 Groundwater Protection District;
    - 210 iv. The property is serviced by municipal water and sewer;
    - 211 v. Hours of operation will be Monday through Friday from 8 a.m. – 5 p.m.;

- 212 vi. Required parking for the proposal is 17 spaces; 33 spaces are provided;
  - 213 vii. All signage will comply with the Town regulations and be properly permitted;
  - 214 6) The applicant shall address any conditions made by the Planning Board during the public hearing;
  - 215 7) Any proposed easements and/or applicable legal documents shall be recorded at the Hillsborough
  - 216 County Registry of Deeds at the expense of the applicant;
  - 217 8) Add Special Exception information to the plan after the ZBA hearing;
  - 218 9) Demarcation of curb cut on plan set.
- 219 P. Amato seconded the motion. All were in favor. Motion passed unanimously.

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221 **3. Other Business:** There was no other business discussed this evening.

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223 **4. Adjournment.** The meeting was adjourned at 7:50 p.m. on a motion made by P. Amato and  
224 seconded by T. Finan. All were in favor. Motion passed unanimously.

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228 \_\_\_\_\_ Date: \_\_\_\_\_  
229 Signature of the Chairperson/Vice-Chairperson:

230  
231 **MINUTES OF THE \_\_\_\_\_ MEETING WERE APPROVED**  
232 \_\_\_\_\_