

MILFORD PLANNING BOARD WORK SESSION MINUTES
September 3, 2019 Board of Selectmen's Meeting Room, 6:30 PM

Members Present:

Doug Knott, Chairman
Tim Finan, Vice Chairman
Janet Langdell, Member
Paul Amato, Member
Susan Robinson, Member
Pete Basiliere, Alternate Member
Jacob LaFontaine, Member
Laura Dudziak, Selectmen's Rep.

Staff:

Kellie Shamel, Planner
Darlene Bouffard, Recording Secretary

1. Call to order:

Chairman Knott called the meeting to order at 6:30 p.m. Introductions were made of Board members and staff, it was noted that Pete Basiliere is an Alternate member and will sit with the Board as part of the discussions but will not vote this evening.

2. Work Session:

- a. Community Commerce Overlay District.** K. Shamel explained that she and Lincoln Daley along with Planning Board members have discussed the possibility of removing this overlay district from the Zoning Ordinance. This section of the ordinance was written for large industrial type businesses. The Town currently is working with a Solar company with potential of building a solar farm on the Brox property; this project has been advancing with the town and would use more than $\frac{3}{4}$ of the overlay district, so the Planning Board is trying to be proactive to handle that and to be able to handle the list of overlay requirements. K. Shamel explained she and L. Daley are looking for Planning Board feedback about the original intent of this section of the ordinance. P. Amato asked when that section of the ordinance was approved? K. Shamel said in 2012. J. Langdell asked what will replace this section if we decide to remove it? K. Shamel said that area would just revert back to industrial use as it was before. D. Knott asked if staff will recommend removing the overlay district if the project falls through? K. Shamel said the purpose of tonight is to just have a discussion.

P. Amato said the town had a Purchase & Sales for part of the Brox property years ago for a business for which this ordinance was needed. The Town Planner at the time wanted to have this overlay district in the ordinance. J. Langdell said that was the way to go for form-based-zoning. P. Amato said it was to have an area that is zoned, instead of a space that is zoned. J. Langdell said it is a little more flexible than regular zoning. P. Amato added that at the time the Town Planner was envisioning another oval downtown area out on the west side of town. K. Shamel said at that time, the purpose was to guide that type of development. P. Amato said they did a letter of intent and the town had to do some things and they had to do some things, one of the things the town had to do was create the Commerce Overlay District. J. Langdell said it was for the town to have tools to be able to keep the conservation land out there. We wanted to have connections between the campus and the conservation lands. J. Langdell said the town did not want it to look like Continental Boulevard in Merrimack or South Willow Street in Manchester. Instead of assuming we will just have it go back to Industrial zoning, could we talk about what might be better zoning out there? K. Shamel said that might be what we look at to pick what the Planning Board wants in that area. The solar project will take up $\frac{3}{4}$ of the Industrial site. D. Knott asked how many acres will be used for that? K. Shamel was not sure of the exact acreage.

D. Knott thought that the Planning Board could go through the districts and identify what type of zoning the abutters would be interested in for their neighbors. J. Langdell said the town knows where the solar farm is proposed and what makes sense for what is left over. What else do we think a solar plan needs out there? J. Langdell said the message is this is probably going to happen and we need to accommodate it. The job of the Planning Board is to say what does the town need for land use? P. Amato said the Brox property was bought for Industrial use, there are very few places for industrial businesses in Milford. J.

Langdell said we do not need to promote the old Industrial land use. P. Amato said if someone wanted to build a 40,000 square foot Industrial building to bring jobs to Milford, where can they put it? J. Langdell said the Planning Board also needs to consider what types of buildings and landscaping etc. P. Amato said in order to put in industry, there needs to be water and sewer and it gets more and more expensive to do that.

J. Langdell asked if Milford still has the TIFF district? P. Amato said there is still a TIFF district. J. Langdell indicated if we remove the TIFF district, the town loses a source of funding for the rest of that land (for water & sewer). K. Shamel said that was something mentioned to her for discussion tonight. P. Amato said it was a time when the BOS would have sold the land in exchange of having water and sewer put in. T. Finan said that was what the deal was ten years ago and it fell through. J. Langdell said the old police station was part of that deal. K. Shamel outlined the overlay district for members. J. Langdell indicated the solar farm will be on the northern side of 101. The zoning map was brought in to show members where the Commerce Overlay District is located. P. Amato said the amount of land the town owns out there has enough for a solar farm, but is not enough for more because of the high tension lines out there. P. Amato asked if the solar farm has to go to a town vote? L. Dudziak said it does not, the BOS has the ability to sign that lease.

K. Shamel said the Planning Board may consider certain criteria of the overlay requirements to remain or may decide to remove the entire overlay district. P. Amato said it is very cumbersome. J. Langdell suggested looking at the land and decide what the best use is for the rest of it after the portion is used for the solar farm. P. Amato noted the land that is left has wetland and is fragmented; it is very difficult to develop. P. Amato thinks it should go back to Industrial; getting a solar farm out there is a great use of the land, and it does not hurt anyone; but what is left is very fragmented and if it is Industrial someone can put in a 5,000 sf building. The current overlay district has a lot of requirements to put something out there. P. Amato would be against taking it out of Industrial use because we need places for industrial use. D. Knott feels there is not a use for the overlay district. T. Finan asked if this solar project is a sure thing that will be done before March? L. Dudziak said that Mark Bender with Lincoln Daley assisting is negotiating and this is going to happen. P. Amato said the solar farm will not hurt anything if we leave the zoning the way it is. J. Langdell has no problem with keeping it or with going back to Industrial and get rid of the overlay, but wants to ask some questions. P. Amato said if the BOS works out an agreement with the solar people and they come in with a site plan, the Planning Board cannot expect them to meet the Commerce Overlay District requirements. J. Langdell said this issue was brought up before Kellie started with Milford; with the detail in the Commerce Overlay District, they would not want to move forward with it. K. Shamel said the point is, if they do come in for a site plan will the remainder of the property still has the overlay district? D. Knott said we could just revert the section back to Industrial and then look at the remaining land and put something on that. J. Langdell said we only need a little time to get this done, staff can come back with visuals and suggestions for what we can replace it with. All concurred.

K. Shamel will take this information back to Lincoln and put together more information for the Board based on tonight's feedback. D. Knott asked if there is a sense of urgency on that change? P. Basiliere asked if that goes on the Town Warrant for the vote? J. Langdell said it would be in the zoning amendments at the town vote in March.

- b. Food Truck Regulations.** K. Shamel indicated that Food Trucks are becoming more and more popular, right now we have an administrative process for a temporary food truck. Handling the temporary food trucks is okay, but we will soon be approached by people that want to use vacant sites for a food truck. The question is how should Milford regulate that use? Her initial thought was to look at it like a restaurant use. Where should the regulations go and what would the Planning Board be looking for in an application? P. Amato would like to see the State Health requirements for bathroom, running water, etc. K. Shamel said that is the question, would it fall under the development regulations? Some towns have it in their Health Code, but how will Milford handle this if there is a vacant site with nothing on it? Currently if a restaurant use is permitted on an existing parcel with an existing site plan and a food truck wants to be on the same site, it can done administratively and the property owner signs off on a seasonal temporary use.

P. Basiliere asked if the Town would want a temporary food truck to operate differently than any other land owner? S. Robinson said the State would have to be involved. P. Basiliere asked what other towns are doing? K. Shamel responded that not a lot of towns are doing much at this time. P. Amato said if the lot is vacant, there would need to be a site plan. J. Langdell asked about the guy that wants to sell hot dogs at the ball park? It might be that a food truck is an accessory use at the site. K. Shamel responded that the taco truck on Elm Street currently operates seasonally, if they just want to park the truck and keep a shed for storage would that be an accessory use for? P. Amato said if it is a vacant lot it would need a site plan and the Planning Board would need a site plan; but the town needs to be careful with the Health Department piece. What is required by the State for the food truck licenses? P. Amato would think a health department inspection is required by the State. J. Langdell is interested in how food trucks are regulated at the State level. K. Shamel indicated Portsmouth has some regulations on food trucks and they restrict parts of the city to be used for them. The city is allowing them to operate in an area of the city where they will do well. K. Shamel asked if the regulation should state how far off the road a food truck needs to be? P. Basiliere stated it is one thing if the food truck is next to the old police station or next to the Boys & Girls Club, but being near residential would be different. K. Shamel said they would have to establish if they will provide seating as well. All members concurred that a site plan should be used to regulate these food trucks for general guidance. J. Langdell said that consideration for abutters should also be part of that.

3. Discussion / Possible action regarding other items of concern: J. Langdell indicated the RFP for Oval Improvements finish work needs to be looked at.

4. Other Business: CIP meetings start Wednesday September 4 at the Police Station conference room. Lincoln Daley should let the Planning Board know who the members are of the CIP for this year. P. Amato indicated the CIP has done a great job in the last ten years preparing the information for the Planning Board. He also stated that ultimately what is put on the Warrant is decided by the Board of Selectmen.

5. Adjournment. The meeting was adjourned at 8:03 p.m. on a motion made by P. Amato and seconded by T. Finan. All were in favor. Motion passed unanimously.

Signature of the Chairperson/Vice-Chairperson: Date: _____

MINUTES OF THE _____ MEETING WERE APPROVED _____