

3  
4 **Members Present:**

5 Doug Knott, Chairman  
6 Tim Finan, Vice Chairman  
7 Paul Amato, Member  
8 Janet Langdell, Member  
9 Pete Basiliere, Member (Via Zoom)  
10 Susan Robinson, Member (initially Via Zoom, arrived 6:35 p.m.)  
11 Dave Freel, Selectmen's Rep

**Staff:**

Jason Cleghorn, Town Planner  
Darlene Bouffard, Recording Secretary  
Nate Addonizio, Videographer

12  
13  
14 This meeting was conducted pursuant to the State of New Hampshire Emergency Order #12 pursuant to  
15 Executive Order 2020-04. As such, the meeting was conducted both online and in person.

16  
17 **1. Call to order:**

18 D. Knott called the meeting to order at 6:30 p.m. indicating that tonight there are two applications to be heard.  
19 This meeting is being conducted as a hybrid, both in person and via zoom. Chairman Knott introduced  
20 Planning Board and staff members.

21  
22 **2. Public Hearing(s):**

23  
24 **a) Case SP2021-18 Duncan Solar Array/All Energy Solar (owner/applicant).** Minor Site Plan and  
25 Conditional Use Permit review for a 540 s.f. ground mounted solar array. The parcel is located at 47 Ball  
26 Hill Road in the Residence "R" zoning district. Tax Map 47 Lot 63-2.

27 T. Finan moved to accept the application for review. P. Amato seconded. All in person members were in  
28 favor, P. Basiliere was in favor. Motion passed.

29 P. Amato moved no potential regional impact on this application. J. Langdell seconded. All in person  
30 members were in favor, P. Basiliere was in favor. Motion passed.

31 J. Cleghorn read the abutters list. J. Cleghorn explained this application is for a solar array connected to a  
32 single family residence in the Residence R zone, to power the house. The solar ordinance is very good  
33 and thorough. In this instance for residential use, the solar table only allows up to 500 square feet. After  
34 a lot of discussions, Lincoln Daley and Jason Cleghorn came up with the process to have the applicant file  
35 a minor site plan with Conditional Use Permit because it is slightly larger than the ordinance allows. J.  
36 Cleghorn has looked at the photos and does not see any impact to the abutters. The applicant is here  
37 tonight and his solar representative is here tonight via Zoom.

38 S. Robinson arrived at 6:35 p.m. D. Knott invited S. Robinson to join the Board. J. Langdell feels the  
39 regulation has allowance for a Residence R solar array. This is a different size, but could the applicant  
40 just have requested relief through Zoning? J. Cleghorn explained that he and L. Daley discussed that and  
41 decided to go this route. J. Langdell asked why is it called a commercial unit? J. Cleghorn said it is not  
42 commercial solar, but it is because it is returning power to the grid. J. Cleghorn said the applicant can  
43 explain that to the Board.

44 Chris Duncan, applicant, said the size is what they said was acceptable for the amount of power his  
45 residence uses per year. 28 panels would be installed; the solar representative has been out there four  
46 times and told Mr. Duncan to remove 100 trees for good access and said abutters will not see the panels  
47 unless in the backyard. D. Freel said whatever power you do not use will go back to the grid. Chris  
48 Duncan said if we use more than what is produced, it gets credited back to him.

49 Colin Buechel, All Energy Solar representative, indicated that is correct. D. Knott asked if the 500 square  
50 feet is the maximum, but is that adequate for an average house in New England or is that too small? C.  
51 Buechel responded the residential panels are this size. We have 28 panels for one single array. There are  
52 some larger houses where we get closer to 1000 square feet. D. Knott said this is a residential use so is  
53 the Milford regulation size too small? C. Buechel responded it is a tad restrictive but it is not uncommon  
54 to have a smaller system with 9 panels, but it depends on the customer usage. This is a middle of the road

55 size for a residential system. P. Amato asked what is the panel size proposed? C. Buechel responded,  
56 after calculating the size from metric, that it is 21.5 square feet for each panel. D. Freel asked if 500  
57 square feet is the size of the array or can a person have two separate 500 sf arrays on their property? Or is  
58 it limited to only one, it seems like it should allow more than one array on a person's own property. J.  
59 Cleghorn believes it is a maximum for 500 square feet per residential parcel. J. Langdell said when the  
60 regulation was developed, there was a lot of time and research put into it and it was reviewed by staff. D.  
61 Freel thinks maybe we just need to review it again. D. Knott said it is a new regulation and maybe we are  
62 being too restrictive. S. Robinson said it sounds like it is off by just a bit; we are learning ourselves, this  
63 is a new regulation. D. Freel said the goal is to satisfy the residents' needs and any leftover can allow a  
64 better rate. D. Freel does not see any problem with having two 500 square foot solar arrays. P. Amato  
65 said it is not that they cannot do over 500 square feet, it is that they need to do a Conditional Use Permit  
66 and each application is different. Conditional Use Permits are also new to Milford.

67 J. Cleghorn noted that this array is both a ground-mount and roof-mount. C. Buechel said this array is  
68 under the regulation kilowatt power, we are here because it is over 500 square feet, it is 540 square feet.  
69 But that is from a birds eye view, not the measurement of the panel. T. Finan read from the regulation on  
70 the requirements. D. Freel said the measurement is the overall panel dimension, not the birds' eye view.  
71 D. Freel has no problem with this. J. Langdell is concerned about the process, she thinks it could have  
72 been relief granted through Zoning. P. Amato said we are still trying to figure out the whole CUP  
73 process. J. Langdell said it is clear in the regulations that this is allowed in Residence R, but other types  
74 are by CUP. J. Langdell said they could have gone to the ZBA for the extra 40 square feet. J. Cleghorn  
75 said we could do this through Zoning the next time. D. Knott asked for any further comments.

76 P. Basiliere, via Zoom, asked if it is possible to reduce the array to under 540 square feet by pulling out  
77 two of the panels? Colin Buechel said the racking system would still be there, but panels could be  
78 removed, we got to this number based off the customer's usage. P. Amato thinks the system should be  
79 designed by their need, not by the ordinance. P. Basiliere agrees, he was just asking if it is possible, if  
80 not, then we cannot do that. His only other reservation is that from the road, he could see through the  
81 trees to this area, but if the abutters have no problem then he has no problem. D. Knott opened the public  
82 portion of the meeting, asking for abutters to identify themselves and speak first followed by interested  
83 parties.

84 Mike Thornton, 561 North River Road, is a ZBA member, and asked if any issue like this comes up in the  
85 future, that it be handled by the ZBA and that a training session be held for both ZBA and Planning Board  
86 members. Seeing no further comments, D. Knott closed the public hearing.

87 P. Amato moved to approve the Minor Site Plan and Conditional Use Permit. D. Freel seconded. T.  
88 Finan, D. Freel, P. Amato, S. Robinson were in favor, P. Basiliere was in favor. J. Langdell and D. Knott  
89 were opposed because of the process. Motion passed 5/2.

90  
91 **b) Case SD2021-07 Bentley Management Group (owners/applicants).** Lot Line Adjustment review. The  
92 parcels are located on Federal Hill Rd. just before the Hollis town line in the Residential "R" zoning  
93 district. Tax Map 59 Lots 4 and 4-2.

94 J. Langdell moved to accept the application for review. T. Finan seconded. All in person members were  
95 in favor, P. Basiliere was in favor. Motion passed.

96 P. Amato moved no potential regional impact. J. Langdell seconded. All in person members were in  
97 favor, P. Basiliere was in favor. Motion passed.

98 J. Cleghorn read the abutters list.

99 Craig Francisco, representing the applicant, was present via Zoom. J. Cleghorn provided the electronic  
100 plan as it currently exists and how it is proposed to change with a Lot Line Adjustment. This LLA is to  
101 better lay out the two parcels to allow both lots to meet frontage requirements. J. Cleghorn pointed out  
102 that the applicant has enough frontage for a Single Family Residence on each lot, but not for a multi-  
103 family residence. P. Amato asked if there are currently any buildings on the lot? C. Francisco said there  
104 are no buildings on the existing lot. P. Basiliere does not have a problem with this. There were no other  
105 comments from members. D. Knott opened the meeting to the public asking for abutters to identify

106 themselves and speak first followed by interested parties. There were no public comments. D. Knott  
107 closed the public hearing.

108 J. Langdell moved to approve the application as presented. P. Amato seconded. All in person members  
109 were in favor, P. Basiliere was in favor. Motion passed.

110

111 **3. Other Business:**

112 **a. Potential Planning Board Alternate Member.** Elaine Cohen was present for this meeting. D. Knott  
113 asked Elaine to step up to the Planning Board table and asked why she would like to volunteer for the  
114 Planning Board. E. Cohen said she worked for a builder in Florida for many years and recently retired and  
115 moved back to Milford. She felt her background might be of interest and be helpful to the Planning Board.  
116 She has seen over the years that happens when there are a lot of developments and has seen the outcome. D.  
117 Freel asked if this is a Full or Alternate Member position? J. Langdell said we only have the Alternate  
118 position open. D. Freel asked how many full members are there? J. Langdell answered by statute the  
119 Planning Board has 7 members, it is all spelled out in the Planning Board handbook.

120

121 D. Knott thinks it would be good for Elaine to attend a couple of Planning Board meetings. Elaine responded  
122 that she has attended a few via Zoom. P. Amato said in a Work Session, the Alternate can actually participate  
123 in the discussions, which is different than a regular meeting. The Planning Board usually has one Work  
124 Session and one regular meeting per month. D. Knott explained that an example of a Work Session would be  
125 for the Planning Board to talk about the town ordinances and possibly consider amendments. For a regular  
126 meeting, the Alternate would only vote in the absence of a regular member. J. Langdell said that the Nashua  
127 Regional Planning Commission is a great resource for new members.

128

129 P. Amato asked how many homes would typically be built and sold in Florida in a year? Elaine responded  
130 about 2200. D. Knott explained the Planning Board meetings are held every first and third Tuesday of each  
131 month. J. Langdell asked that the link to the Planning Board handbook be sent to Elaine so she can become  
132 familiar. After attending a couple of in-person Planning Board meetings, the Planning Board can make a  
133 recommendation to the Board of Selectmen to appoint Elaine as an Alternate to the Planning Board. After the  
134 recommendation goes before the BOS, they would request an interview with Elaine, as they do for any first  
135 time member of any town Board. If she is approved for appointment the last step would be to get sworn in.  
136 P. Amato indicated there are two sides to every story for applicants that come before the Planning Board.  
137 Elaine said she is in process of re-familiarizing herself with the way things are done in NH and a town versus  
138 a city. The smaller towns sometimes do not have their own planning office and NRPC can always help those  
139 smaller towns. D. Knott thanked Elaine for her interest in serving on the Planning Board and said we will be  
140 in touch on this.

141

142 **b. The Reserve Development Agreement Update and Amendment.** J. Cleghorn explained the applicant  
143 is present via Zoom this evening, to discuss the development agreement with the Reserve and that it is going  
144 to expire in August of this year. They would like to move the end date out to 2022. The status of bonding  
145 was presented. Eric Jackson, representing Stabile for The Reserve development agreement was present via  
146 zoom, explaining this is a private road, so there is no bond remaining. J. Langdell thinks that Eric is correct,  
147 Robert Courage, Town Water Commissioner came to the Board a couple years ago indicating there is no bond  
148 on that road, as it is private. P. Amato does not understand why there is a cost table as Exhibit A if there is no  
149 remaining bond. J. Cleghorn said he had followed that process for the last amendment and noted the items  
150 that are complete, but the only thing that changes is the end date being changed from August 2021 to August  
151 2022. Eric said the top coat of the road is the only item remaining for the road and that will most likely be  
152 done this summer.

153

154 D. Freel moved to amend this third development agreement for The Reserve to extend the end date to August  
155 2022. P. Amato seconded. All in person members were in favor, P. Basiliere was in favor. Motion passed.

156

157 **4. Meeting Minutes:** The Planning Board minutes of 6/1/21 were reviewed. T. Finan moved to approve  
158 the 6/1/21 minutes as presented. P. Amato seconded. All were in favor. All in person members were in  
159 favor, P. Basiliere was in favor. Motion passed.

160 The Planning Board minutes of 6/15/21 were reviewed. T. Finan moved to approve the 6/15/21 minutes as  
161 presented. P. Amato seconded. All were in favor. All in person members were in favor, P. Basiliere was in  
162 favor. Motion passed.

163 **5. Upcoming Meetings/Discussions:**

164 8/3/21: J. Langdell asked if potential CIP members have been notified and/or identified as of now. J.  
165 Cleghorn will check with Lincoln on that. T. Finan indicated he would like to step down from CIP this year.  
166 J. Langdell asked that a follow up be provided to Planning Board members once this has been confirmed. The  
167 CIP process is a development tool available to the Board of Selectmen during town planning and budgeting.  
168 P. Basiliere indicated he would like to remain on the CIP committee for this coming year. For the August 3,  
169 2021 Work Session, the topics include CIP Committee; Town meeting Zoning Ordinance or Development  
170 regulation amendment(s); Town Counsel – ZBA and Planning Board introductions (John Ratigan).

171 8/17/21: There are currently three new Planning Board applications for consideration: 3-lot subdivision off  
172 Wheeler Street; LLA on Ponemah Hill Road and Scenic Road hearing for Mason Road to allow construction  
173 of a second driveway.

174 **6. Adjournment.** The meeting was adjourned at 7:39 p.m. on a motion made by P. Amato and seconded by  
175 D. Freel. All were in favor. Motion passed unanimously.

176  
177  
178  
179 \_\_\_\_\_ Date: \_\_\_\_\_  
180 Signature of the Chairperson/Vice-Chairperson:

181  
182  
183 **MINUTES OF THE 7/20/21 MEETING WERE APPROVED** \_\_\_\_\_