

4 **Members Present:**

5 Doug Knott, Chairman
6 Janet Langdell, Vice Chairman
7 Tim Finan, Selectmen’s Rep
8 Pete Basiliere, Member
9 Elaine Cohen, Member
10 Paul Amato, Member
11 Susan Robinson, Member
12 Susan Smith, Alternate

Staff:

Camille Pattison, Temporary Planner (NRPC Assistant)
Darlene Bouffard, Recording Secretary
Andrew Kouropoulos, Videographer

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14
15 **1. Call to order:** Chairman Knott called the meeting to order at 6:30 p.m. indicating that tonight is
16 for the public hearing of one Planning Board application continued from 9/20/22 and one new
17 Planning Board application. Planning Board members and staff were introduced by D. Knott who
18 also indicated that Susan Smith is an Alternate member to the Planning Board and will not vote
19 tonight unless a member chooses to recuse themselves, but she is able to participate in the
20 discussions.

21
22 **2. Public Hearings:**
23

24 **a. Case SP2022-08 Sooner Transportation, LLC for the property located at Tax Map 12,**
25 **Lot 11, 754-756 Elm Street.** Public Hearing for a Major Site Plan Application to construct a
26 two-story, 7,200 s.f. auto sales and repair facility with associated parking, stormwater
27 management/drainage, landscaping, and lighting improvements on the subject property located
28 in the Commercial ‘C’ Zoning District and West Elm Overlay District. Request for Waivers
29 from the Development Regulations, Section 6.05.4 to allow a reduction of required off-street
30 parking spaces; Section 6.08.5(B)1 and 6.08.7(A)1 involving required landscaping along the
31 periphery of the property and parking areas/access; Section 6.05.6.E for Parking within 10’ of
32 the Right of Way; Section 6.05.5.E & Section 6.05.3.A.4 from Accessible Parking Space
33 Dimensions for a reduction in length. Request for Waivers from the Zoning Ordinance from
34 Section 6.07.6.E.5.a – Parking Lots Should be Located on Side or Rear of Buildings and
35 Section 6.07.6.E.1.a – Proposed Buildings Shall Maintain an Appropriate Street Edge to
36 Adjacent Structures for the location of the proposed building and parking. **Continued from**
37 **9/20/22 PB Meeting.**
38

39 D. Knott indicated this is an application continued from the September 20, 2022 meeting. Katie
40 Weiss is representing the applicants and briefly reviewed the comments in the staff report
41 noting there is a fire hydrant 100’ from the building on the property. A waiver request was
42 submitted asking for a waiver from the 12’ from the adjacent property and a waiver from the
43 West Elm Overlay District requirements. A notice that the applicant will purchase the adjacent
44 parcel came to Katie today at 4:30 pm and was forwarded to Camille Pattison for her records.
45 C. Pattison pointed out the number 6 comment from the Milford Fire Department requiring a
46 hydrant within 100’ of the building and the access easement for fire trucks which should be
47 20’ wide. Katie indicated that the hydrant is identified on the plan and is on the owner’s
48 property, the permanent easement will be 20’ wide for fire trucks. K. Weiss presented the
49 architectural plan rendering noting that awnings will be above both doors but are not shown
50 on this plan, but she would like to know the thoughts of members. The windows will also have
51 a wider frame trim around them, also not shown on this plan.
52

53 P. Amato asked how this architectural rendition meets the West Elm Overlay District? K.
54 Weiss said there are two roof lines and two different sidings used for architectural interest and
55 details were also added. E. Cohen asked what will the building be made of? K. Weiss
56 answered it will be a metal building with a metal roof; there will be gutters because that is part
57 of the drainage plan. J. Langdell asked if there is actually a second floor? K. Weiss said there
58 is. P. Basiliere asked about landscaping. K. Weiss said the front will have mostly cars with
59 the landscaping along the site. S. Robinson asked if trees and shrubs will be used? K. Weiss
60 answered yes both will be used. D. Knott said the applicant is asking for a waiver from some
61 of the landscaping requirements but not all. There is already some landscaping on the site but
62 the applicant is asking for relief from some of the requirements. S. Robinson asked about the
63 landscaping in the front along the highway, that is on DOT property, but who will take care of
64 it? K. Weiss said this business owner will take care of it. The landscaping in the Right of Way
65 (ROW) will be maintained by this business. The landscaping waiver is for the East and North
66 sides of the property. D. Knott said for the Dollar General application, the Planning Board
67 asked them to do more landscaping.
68

69 P. Amato said this applicant has done some additional items to reflect the West End Overlay
70 District; this is a garage so some of the items in the West Elm Overlay District cannot be done
71 on this type of site. P. Amato would rather see this type of building 145' away from the road
72 than up near the road. S. Robinson said the only item we could still ask for with what is shown,
73 is to have the roof peaked a little more. D. Knott said this is in the West Elm Overlay District
74 for which they are asking for a lot of waivers and this is a new building. J. Langdell said if
75 this was a stick structure, she would ask for some different features.
76

77 Robert Baskerville, Bedford Design Consultants, said he has seen additional features done
78 above garage doors that he could look at, to soften the garage doors a bit more. Jerry Johnson,
79 applicant, said that Sooner Transportation has no issues with changing the service doors to
80 soften them, he would be okay as long as the vehicles fit into the shop, the metal can be
81 fabricated differently for the doors. S. Smith asked how tall are the service doors? Jerry
82 responded they are 14' high.
83

84 D. Knott asked what will be provided in order to meet the West End Overlay (WEO) district
85 requirements? P. Amato said they have added the different siding elements and roof pitches,
86 and can only do so much, it is still a metal building. D. Knott stated the Planning Board pushed
87 for the West End Overlay District to be met with other businesses in that part of town, we
88 cannot design the building, but the applicant is asking for a lot of waivers; changing the garage
89 doors is a good step. T. Finan said it is a trade off to have the building in a certain area with
90 the architectural features being asked for. J. Langdell asked if there is a weathervane on the
91 existing building? That might be a nice feature for that district; to have a cupola with a
92 weathervane on the roof. Bob Baskerville asked if that could be placed on the higher roof? J.
93 Langdell answered it could be. K. Weiss asked what is the height limit is in the district. C.
94 Pattison responded it is a 40' height limit for the structure, not including a cupola. T. Finan
95 noted a recent application did include the cupola for its height, we want to check that.
96

97 Jerry Johnson would like to have glass doors on the garages, would that be allowed? P. Amato
98 said yes with a very good grade of glass. J. Johnson wants it to allow people to see the work
99 being done because it looks classier. J. Johnson indicated the owner of the adjacent lot is
100 willing to sell the lot to Jerry or to lease it. K. Weiss received that response just before tonight's
101 meeting and sent it to C. Pattison. K. Weiss added that if the adjacent lot is purchased, the two
102 lots will not be merged at this time. J. Johnson added that the biggest hurdle to be helped with
103 the purchase of the adjacent lot is the Fire Lane and fire requirements for passage. The adjacent

104 lot owner is willing to sell or lease it to Jerry, so that current business will stop when
105 construction for Sooner begins. P. Amato stated the Fire Department wants a Fire Lane,
106 whether or not it goes into that adjacent lot. K. Weiss would like to continue with the existing
107 plan.

108
109 P. Amato said with that new piece of information (possible sale or lease of the adjacent lot)
110 that was just shared with the Planning Board, the plan could require modification. K. Weiss
111 explained that the current plan could continue with the lease of the adjacent lot. P. Basiliere
112 noted there are two separate lots, but you still need to stay in accordance with setbacks, which
113 does not allow cars to be stored in the setback; he is concerned with setting a precedent with
114 this. J. Langdell said they want approval for this use, but want to spill onto the adjacent lot,
115 but it would be great if the two lots were merged if owned by the same owner. Bob Baskerville
116 said this has come up very quickly, he would like to talk to the Planning Board about the
117 different options being considered. B. Baskerville reviewed the different scenarios and
118 options. J. Langdell indicated the Board understands that context needs to be given in planning.
119 B. Baskerville stated that no precedent is being set with this, this is a new use on an existing
120 lot, and this is a really old existing building.

121
122 P. Amato asked specifically what will be the use on this parcel, it seems there are more than
123 one use being proposed? J. Johnson explained the primary use would be to sell used cars; there
124 is also a mobile car service that will be run out of this site; he is also trying to get a contract to
125 service 6-8 Amazon fleets. Once the corporate office in Bedford releases the contract, he will
126 be providing service to 60-70 Amazon vehicles in Milford. There are three business that will
127 operate out of this location: 1-used car dealership (Horseless Carriage); 2-intermittently service
128 Amazon fleet vehicles; 3-mobile car service (mobile tires and oil changes by Pittcrew). S.
129 Smith asked if Amazon vehicles will be stored on this site? J. Johnson answered no, they will
130 continue to be stored in Nashua but receive service there.

131
132 P. Basiliere indicated the best situation would be to merge the two lots. P. Amato asked if this
133 might be easier for the applicant if the two lots were merged? Bob Baskerville responded that
134 in order to close on the sale of the lot being purchased, there would need to be an approval on
135 this application. L. Daley said the abutting lot would be affected, as the easement will affect
136 that lot in a negative way. K. Weiss also noted there is a swale on the abutting site which is
137 technically a wetland. L. Daley said there has not been any activity on that lot yet. C. Pattison
138 indicated, that L. Daley may have missed that portion of tonight's meeting, that the applicant
139 is going forward to purchase the adjacent property. P. Amato understands why they would
140 like a decision on the application and right now interest rates are going up. J. Langdell wants
141 to finish the discussion, she has concerns about the Fire Department fire lane. Also, J. Langdell
142 asked if there are any other hydrants located on private property in town? L. Daley could not
143 confirm nor deny that, so at this point, if the hydrant is located on private property, he indicated
144 it would be maintained by the property owner. P. Amato asked about the East Ridge
145 apartments, do they have hydrants on private property? If there are rules that have changed,
146 he would like to know if there is a change in the Fire Department requests or is there a
147 difference in interpretation of the Fire Code? C. Pattison recommended there being a
148 discussion between the Fire Department and K. Weiss on the Fire Department requirements to
149 clear that all up. J. Langdell questions who will maintain the hydrant? B. Baskerville said the
150 property owner would maintain it.

151
152 J. Johnson previously worked at a paper mill in another state and they had fires everywhere,
153 and the owner of the property maintained the hydrants. J. Langdell just wants to check with
154 the Fire Department to understand that process. P. Amato said the owner just has to keep up

155 with the inspection schedule. The most recent comments from the Fire Department indicate
156 there needs to be 20' of clearance for the fire trucks. C. Pattison asked if a hammerhead or
157 tomahawk turnaround has been looked at on the adjacent property? That is what needs to be
158 discussed with the Fire Department; to make sure they are in agreement with that. J. Langdell
159 said once the adjacent property is under contract, the applicant should come back to the
160 Planning Board to get all these details worked out.

161
162 P. Amato agreed the applicant needs to come back with the additional information discussed.
163 E. Cohen noted they are looking for a conditional approval tonight. C. Pattison indicated it is
164 not ready, the applicant needs to request an extension of the application since we are at the
165 point of 90 days and that extension will give them time to get what is needed from the Fire
166 Department. Some of the comments that were raised tonight could get addressed at the next
167 meeting.

168
169 B. Baskerville indicated the applicant wants to know if they are near the end of this process?
170 C. Pattison said that can be worked out with Milford Fire and all the details could be worked
171 out. J. Langdell said the Board wants to find a way to make this work. P. Amato added that
172 we are moving forward at each meeting. Seeing no further comments or questions from the
173 Board, D. Knott opened the hearing to the public, requesting that speakers state their name and
174 address for the record. There were no comments or questions, therefore D. Knott closed the
175 public portion of the meeting.

176
177 C. Pattison stated the applicant needs to request a continuance at this time so they may come
178 back with further information, followed up with a written request for same. K. Weiss requested
179 a continuance of this application. E. Cohen moved to continue this application to the
180 November 15, 2022 meeting. P. Basiliere seconded. All were in favor. Motion passed.

- 181
182 **b. Case SP2022-09 371 Elm Street, LLC, for the property located at Tax Map 16, Lot 1, 371**
183 **Elm Street.** Public Hearing for a Minor Site Plan for a change of use from motel to a multi-
184 family apartment building and relate site improvements on the subject property located in the
185 Integrated Commercial Industrial zoned property. Waiver of Development Regulations,
186 Section 6.05.4 Table of Off-Street Parking to allow 1 parking space per unit where 2 spaces
187 are required. Waiver of Development Regulations, Section 6.08.5.A and B and Section 6.08.6
188 from requiring landscape buffers on/along the periphery of the property. Waiver of
189 Development Regulations, Section 6.08.6 from requiring landscaping along the frontage of the
190 existing building.

191
192 A request was received from the applicant on October 11, 2022 to continue this application to
193 November 15, 2022. P. Amato moved to continue this application to the November 15, 2022 Planning
194 Board meeting. J. Langdell seconded. All were in favor. Motion passed.

195
196 **3. Other Business:**

- 197 a. **CIP Draft.** P. Basiliere presented the Draft CIP which will be finalized in the next couple
198 of weeks and presented to the Planning Board for approval. He asked that members review
199 and provide any comments to him. P. Basiliere thanked L. Daley for all his work and
200 assistance in this process, pointing out this is a very labor-intensive document. There are
201 five projects identified for 2023: 1-WWTF upgrade; 2-Library restroom additions; 3-Fire
202 Department Engine 1 replacement; 4-Water Utilities improvements; 5-Ambulance
203 replacement.

204

205 Janet Langdell asked if the WWTF upgrade is part of the MS-4 requirements? P. Basiliere
206 responded if the MS-4 requirements are not met, there is a significant fine that will be put
207 on the town, but that is for stormwater. L. Daley clarified there are also elements at the
208 Water Utilities that are at the end of their life, so this is a combination of replacement of
209 parts due to end of life of those parts and also to meet water quality requirements. P. Amato
210 also noted there are ARPA funds being applied to the WWTF project. L. Daley agreed and
211 stated the BOS and Water Commissioners are working on a grant and loan forgiveness to
212 bring down the cost of upgrades. T. Finan asked if it is assumed that 50% will be taxed to
213 water users and 50% to residents of Milford? P. Basiliere said that is correct but that
214 determination has yet to be made.

215
216 P. Amato said the water users will ask why their water rates just went up and now with this
217 coming forward, they will go up again. L. Daley said that the recent rate increase was
218 based on the Water Commissioners' decision. The additional project costs will be borne
219 by the rate payers; L. Daley understands that the water rates have been lower as compared
220 to other communities in the area and they were brought up recently to be more in line. P.
221 Basiliere indicated the Water Commissioners review user rates every three years. The
222 number of buildings the town has that are handled through that operation are numerous. P.
223 Amato indicated the rates for capital projects will go up about 25% soon. J. Langdell said
224 if there were a delay in the town approval process, could we be at risk of losing those
225 funds? P. Basiliere has not asked that question. L. Daley said the 2% administration fee
226 is part of the \$24 million cost, it is not in addition. S. Smith raised the issue of the rate
227 payers getting increased already and this now coming down the line; there should be
228 information regarding this posted on social media to let people know this is coming.

229
230 S. Smith brought up the school costs coming down the line; she attended the recent ATC
231 proposed improvements meeting. The School District is focused on the ATC
232 improvements because of the State aid available to the Town. P. Basiliere added that the
233 school district is not planning on having anything on the ballot in 2023 because they are
234 staying focused on the ATC improvements for 2025.

- 235
236 b. **Energy Advisory Committee** – C. Pattison noted that the town is putting together an
237 Energy Advisory Committee for a two-year term for which they would like one or two
238 Planning Board members to be a part of.
239
240 c. **Town Planner** – L. Daley shared that a new town Planner has been hired, the start date
241 will be mid to late November 2022.

242
243 **4. Meeting Minutes:**

244 T. Finan moved to approve the minutes of September 6, 2022 as presented. P. Amato seconded.
245 All were in favor. Motion passed.

246
247 **5. Upcoming Meetings:**

248 11/1/22 – Planning Board Work Session (Master Plan)
249 11/15/22 – Planning Board Public Meeting

250
251 **6. Adjournment.** The meeting was adjourned at 8:30 p.m. on a motion made by J. Langdell and seconded
252 by S. Robinson. All were in favor. Motion passed.

253
254
255 _____ Date: _____
256 Signature of the Chairperson/Vice-Chairperson:

257

258

The Planning Board minutes of 10-18-22 were approved _____

DRAFT