



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

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STAFF MEMORANDUM

Date: July 28, 2023

To: Planning Board

From: Terrence Dolan, Community Development Director & Town Planner

Subject: August 1st Planning Board Work Session Discussion on General Construction Work Hours & Days of Construction

BACKGROUND

The town receives several complaints per month regarding excessive construction work noise "before hours and after hours" from neighboring property owners.

The Planning Board should discuss how to improve the existing language pertaining to acceptable general construction work days & hours within the town limits. As of now, the only "work hours restriction" references are solely contained within the attached pages excerpted from the Dept. of Public Works' "Infrastructure Design, Construction & Administrative Standards Ordinance. (please review)

PROPOSAL

The Planning Board should discuss any potential revisions for both hourly or daily restrictions that would apply to general construction activities for residentially-zoned properties, at a minimum. The residential areas of the town are where the current problem areas are greatest.

Editing is clearly warranted for the Ordinance language to more clearly state the intended work hours permitted for all construction activities, and not solely for roadway construction, etc., where there is ongoing confusion over the present language, as written.

There should also be carry-over from the language existing in the *Infrastructure Design/Construction/Administration Standards Ordinance* to further reiterate the established **Work Hours/Days of Construction** into the Town of Milford's *Zoning Ordinance*, under *Article VIII, Administration/Enforcement Section 8.01.0*.

DEPARTMENT OF PUBLIC WORKS
TOWN OF MILFORD, NH

INFRASTRUCTURE DESIGN,
CONSTRUCTION & ADMINISTRATION
STANDARDS



April 5, 2010

- C. Written notice to, and consent of, authorities with underground structures/utilities in the vicinity of the work.
- D. Approval by Police Department for traffic control and warning devices, and a suitable traffic maintenance plan as necessary.
- E. Payment of the permit fee.
- F. Certificates of insurance and contact persons for ALL contractors working in the street ROW.
- G. Inspection and testing fees for installation and restoration (see 1.010 CONSTRUCTION MONITORING for amount determination process).
- H. Plan of Street Opening project.

No excavation or other construction will be allowed in the Town roadway, ROW or easement until a Roadway Opening Permit has been issued.

Note: No trenching is allowed in existing roadways after November 1st or before April 15th unless prior approval is given by the DPW Director.

No excavation, open trenches or other construction are allowed in a Town ROW before 7:00 am and after 5:00 pm, or dusk, whichever is earlier, at the discretion of the DPW Director.

1.014 DRIVEWAY PERMIT

An approved Driveway Permit by the DPW, is required for all proposed driveways prior to construction and issuance of Building Permit. Residential driveways must comply with the Residential Driveway Permit Regulations (See Appendix VII).

All driveways must be field inspected and approved by the DPW prior to issuance of a Certificate of Occupancy (CO).

1.015 ROADWAY CONSTRUCTION

On all roads, gravel base must be tested for compaction and meet the minimum compaction rate as set by the NH DOT and reported to the Town prior to paving. All buried utilities and drainage infrastructure must be in place prior to placement of the roadway gravels.

For new roadways, final pavement will not be allowed until the binder course has been in place for one winter season.

No permanent paving will be allowed on existing Town roads or new roadways after November 1 and prior to April 15. If trenching is necessary and approved by the DPW Director, temporary hot bituminous pavement is required.

Construction shall not be permitted on weekends or holidays within 1,000 ft of residential dwellings without approval from the DPW Director. Construction hours shall be limited to 7:00 am to 5:00 pm within 1,000 ft of residential dwellings unless otherwise determined by the Planning Board at the time of approval, or by DPW Director. No equipment may be started or operated outside the designated construction hours. Blasting shall take place in accordance with the Fire Department's Blasting Regulations (See Appendix V).

may be extended, with permission from the applicant if outstanding weather, design or other circumstances require more time for the decision to be rendered.

ARTICLE II: ROADWAY AND TRENCHING CONSTRUCTION

2.01 GENERAL CONSTRUCTION

2.01.1 DESCRIPTION OF WORK

Work in this section comprises general construction, including but not limited to, excavation, backfilling, grading, seeding, paving, construction of storm drain systems and guard rails.

2.01.2 REFERENCES AND STANDARDS

- A. No work shall begin prior to approval of proposed plans by the DPW Director or Town of Milford Planning Board, as appropriate, and a preconstruction meeting is held, as necessary.
- B. The contractor, developer and/or owner is responsible for obtaining any approvals or permits from other federal, State or local authorities, as applicable.
- C. *The State of New Hampshire Department of Transportation Standard Specifications for Road and Bridge Construction*, as amended latest edition, shall be used as the standard for any work not addressed in these specifications.
- D. All work shall conform to OSHA approved practices.
- E. The contractor, developer and/or owner is responsible for contacting Dig-Safe (1-888-DIG-SAFE or 1-888-344-7233).

2.01.3 WORK SEQUENCE

The Contractor, developer and/or owner shall:

- A. Coordinate construction schedule and performance with the DPW or designated representative during construction.
- B. Not close off usage of or access to existing facilities and roadways.
- C. Limit work to between the hours of 7:00 am and 5:00 pm. No work shall be permitted on weekends or holidays, unless days and times are specified otherwise on approved plans or by the DPW Director. Start of construction shall be defined as starting of any equipment at the construction site.
- D. Be allowed blasting in accordance with the Town of Milford Blasting Regulations and Permit (see Appendix V).