

TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620

WEB: WWW.MILFORD.NH.GOV

STAFF MEMO

Date: March 21, 2019

To: Planning Board

From: Lincoln Daley, Community Development Director

Subject: **SD2019-02 - Milford DG Series, LLC, for the property located at Tax Map 6 Lot 14.** Minor Subdivision Application to subdivide Tax Map 6 Lot 14 to create one additional lot totaling approximately 1.22 acres within the Integrated Commercial – Industrial Zoning District.

BACKGROUND

The applicant, Milford DG Series, LLC., is before the Board seeking approval of a minor subdivision plan to subdivide Tax Map 6, Lot 14 (totaling approximately 7.6 acres) into two total lots, Lot 6-14 and Lot 6-14-1. The subdivision application was submitted concurrently with a major site plan application to construct a 9,000 square foot retail facility and related site improvements on the proposed new lot. This will be the second public hearing for the application.

ADDRESS:

Tax Map 30, Lot 109, 61 Webster Street.

APPLICATION STATUS:

The application was accepted on January 22, 2019. At that meeting, the Board determined that the subdivision did not have a regional impact.

NOTICES:

Notices were sent to all property abutters on January 10, 2019.

PROPOSAL:

Minor subdivision to subdivide Tax Map 6, Lot 14 (totaling approximately 7.6 acres) into two total lots, Lot 6-14 and Lot 6-14-1. Both properties will be serviced by municipal water and sewer with curb cuts on Wilton Road. The proposed acreage is as follows:

	<u>Existing</u>	<u>Proposed</u>
Map 6, Lot 14	7.577 acres (330,054 sq.ft.)	6.354 acres (276,773 sq.ft.)
Map 6, Lot 14-1	-----	1.223 acres (53,289 sq.ft.)

EXISTING USE/CONDITIONS:

Tax Map 6, Lot 14 consists of approximately 7.577 acres (330,054 sq.ft.) acres with 1,118 linear feet of frontage on Wilton Road. The property is located adjacent to the Pine Valley Mill property to the north, the Pan Am Railway and Souhegan River to the south and east, and residential homes to the northwest and west. The eastern portion of parcel contains 7 self-storage buildings with the remainder being undeveloped. The property is divided by 2, 48 inch diameter underground penstock pipes that provide a water source for the Pine Valley Mill and a dirt access/maintenance roadway to rear of the property across the Pan Am Railway.

Based on the application, a wetland delineation was not performed as part of the submittal. However, in reviewing the past site plan application for the self-storage facility, no wetlands exist on the property. The topography for the proposed subdivided lot is primarily flat with a slight upward slope from west to east. The subject area is primarily comprised of open field space.

ZONING:

The parcels lay within the Integrated Commercial – Industrial “ICI” zoning district. The intent of the Integrated Commercial-Industrial District is to provide an area for sales and service activities, both wholesale and retail, as well as industrial activities. This District is intended to be the area in which vehicular oriented business can occur. Both properties meet the 20,000 square foot minimum size for lots serviced by municipal water and sewer and contain at least 150 linear feet of frontage on Wilton Road.

The properties also fall within the West Elm Street Gateway Overlay District. The intent of this District is to encourage economic development in the West Elm Street Gateway District by enhancing, preserving and protecting the natural, historic and cultural resources of the Town. The purpose of this Ordinance is to implement the Town of Milford’s vision for the future as set forth in the Community Character Chapter of the Master Plan 2007 Update: Goal No. 2: Foster the traditional character of Milford’s neighborhoods by encouraging a human scale of development that is similar in setbacks, size and height, and that is comfortable and safe for pedestrians and non-motorized vehicles while allowing for an efficient and safe roadway network.

The properties falls outside of the groundwater protection district and the 100-year flood hazard area.

INTERDEPARTMENTAL REVIEWS:

Assessing: No comments.

Zoning Administrator: No comments.

Police Department: No comments submitted.

Fire Department: No comments.

Public Works: No comments submitted.

Building: No comments.

Environmental Programs/Stormwater: The stormwater and drainage design has been reviewed by the Town Engineering Consultant, KV Partners. See attached.

Water Utilities: No comments submitted.

Heritage Commission: No comments submitted.

Conservation Commission: See comments dated 1/18/19.

Community Development/Planning:

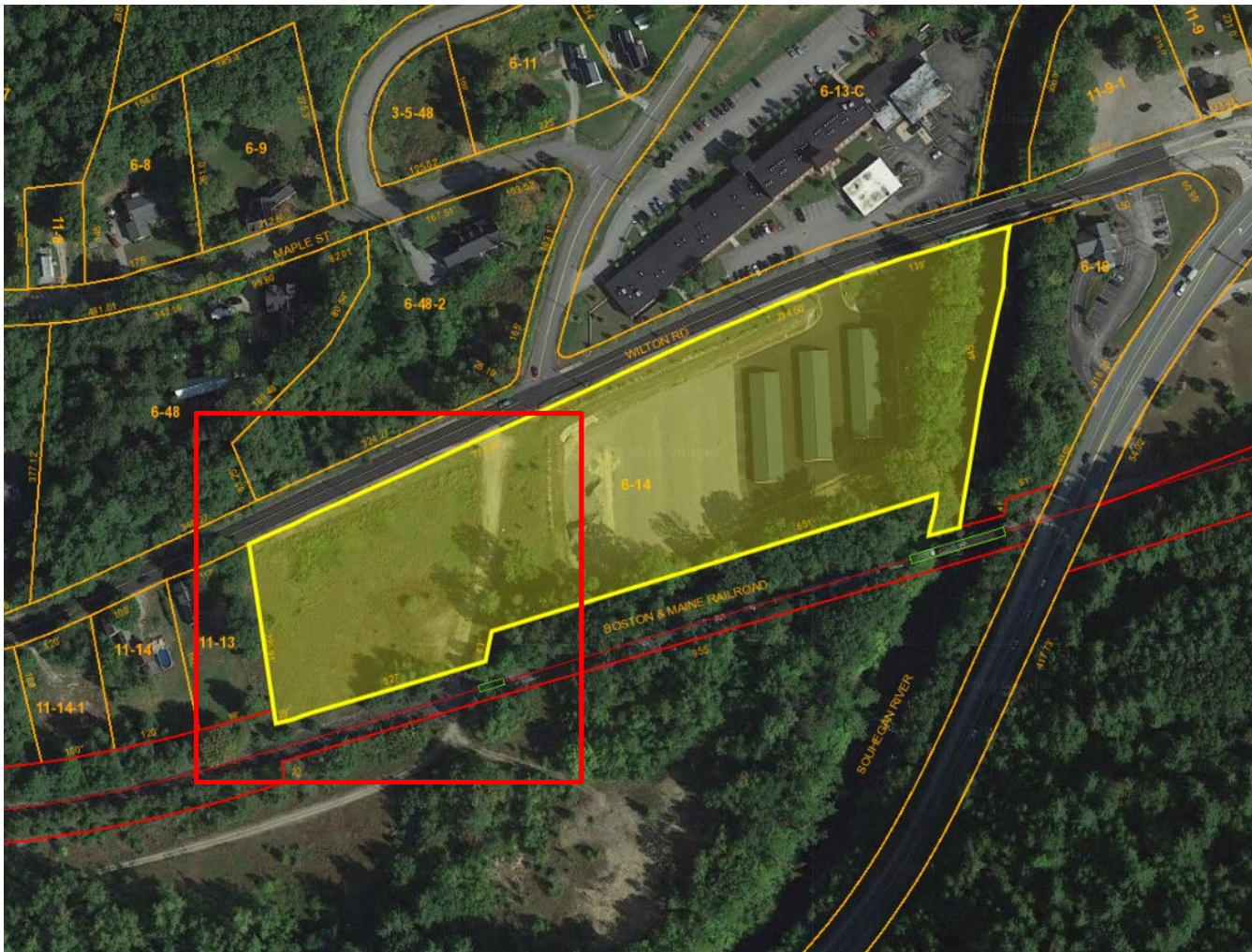
1. Subdivision Plan, Sheet 1. A note shall be added to the plan stating that prior to the signing of the plan, all monumentation shall be set and noted on the plan or a security be provided to the Town to cover the cost of monumentation.
2. Subdivision Plan, Sheet 1. The plan should be revised to identify/label both Map 6 Lot 14 and the proposed lot. Staff recommends labeling the proposed new subdivided lot, Map 6, Lot 14-1.
3. Subdivision Plan, Sheet 1, Note 9. Please relabel Note 9 to Note 1 and insert as first note and renumber accordingly.
4. Subdivision Plan, Sheet 1, Note 2. Please revise note to read as follows:
Milford Tax Map 6, Lot 14 = 330,062 Square Feet Or 7.577 Acres
Proposed Parcel Tax Map 6 Lot 14-1 = 53,289 Square Feet Or 1.223 acres
Proposed Remaining Parcel, Tax Map 6, Lot 14 = 276,773 Square Feet 6.354 Acres
5. Subdivision Plan, Sheet 1, Note 7. Please confirm that no wetlands exist on the property. If yes, please revise said note to state that no wetlands were observed on the property.
6. Subdivision Plan, Sheet 1. A note shall be added to the plan stating that Map 6, Lot 14-1 is subject to applicable Police impact fees.

7. Subdivision Plan, General Comment. As the subdivision relates to the concurrent site plan application, please explain the rationale for subdividing a parcel that requires relief from the Development Regulations to support the proposed scope and intensity of the retail development. What considerations were made to determine the size of the property?

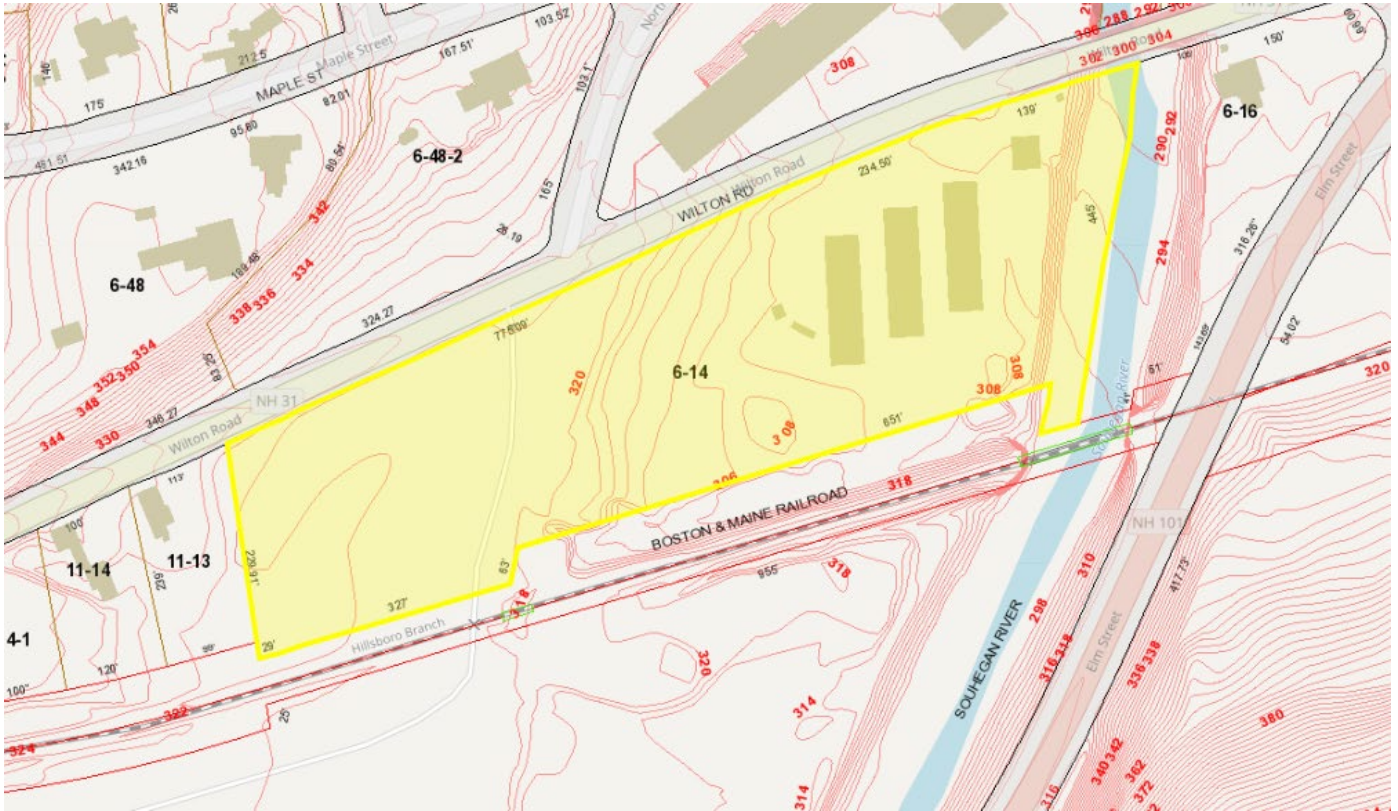
STAFF RECOMMENDATIONS:

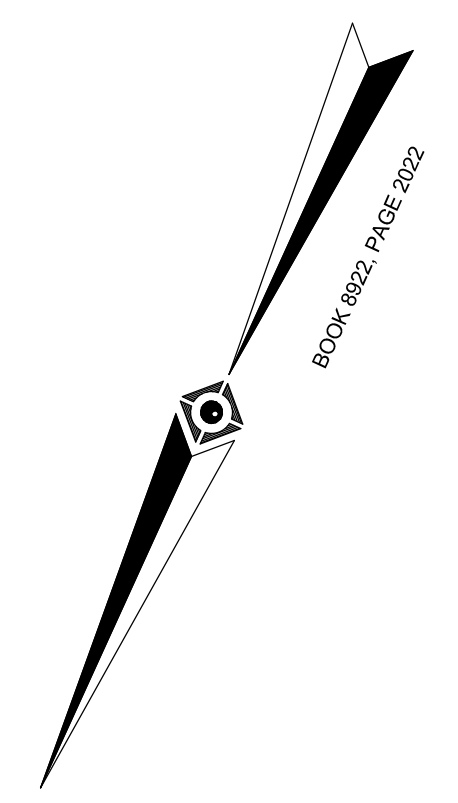
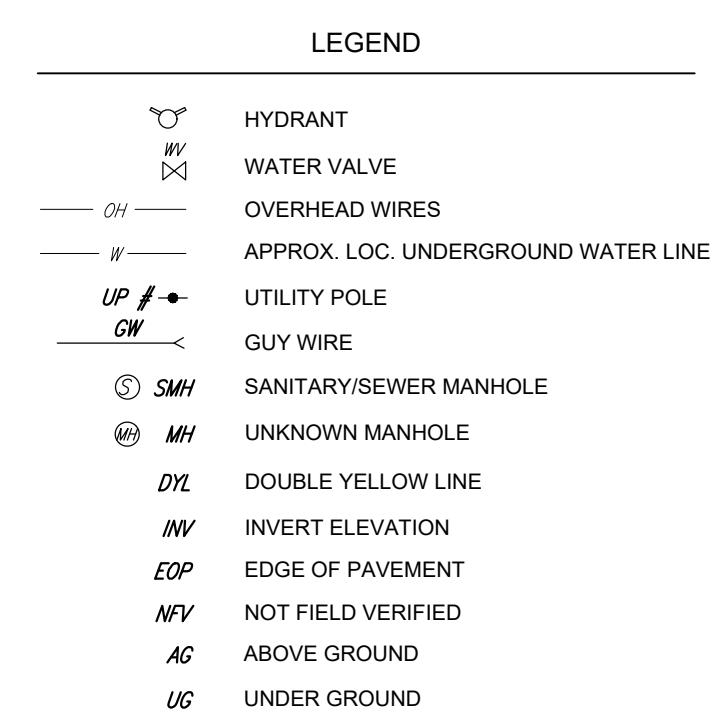
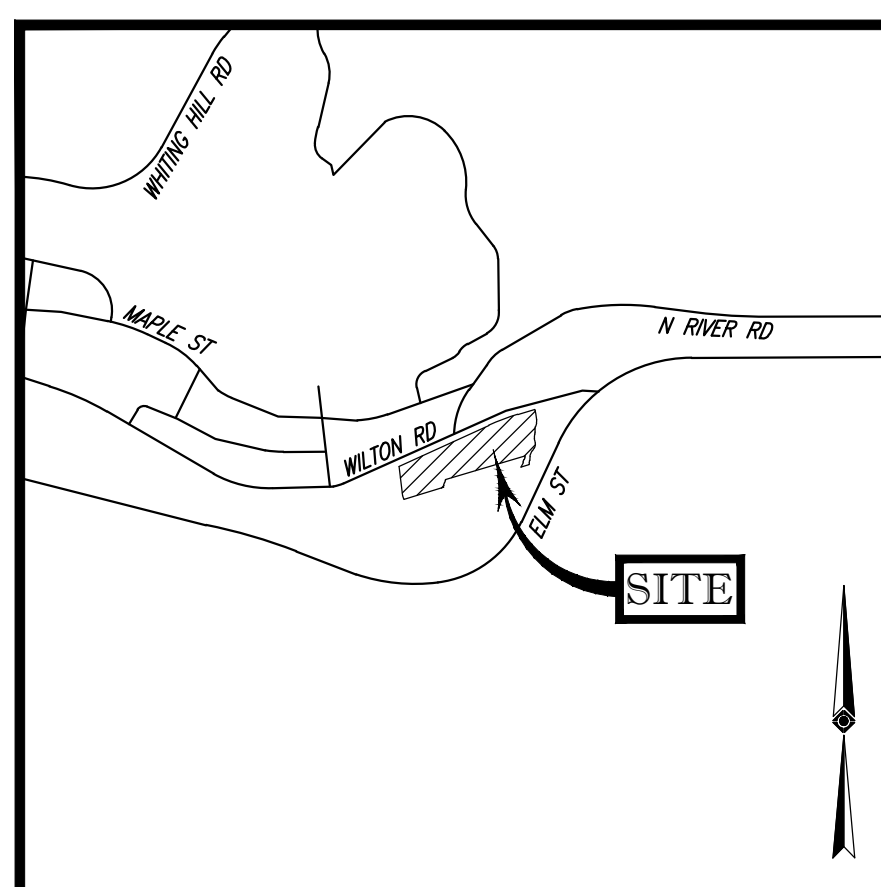
The applicant should be prepared to address all of the comments raised by the Planning Board, Town Consultants, Staff, and public. Staff would recommend continuing the application to the next scheduled meeting to allow the Board and Applicant the opportunity to further discuss the two concurrent and interconnected subdivision and site plan applications and overall project design

Aerial Photograph of the Subject Property:



Tax Map of the Subject Property (includes elevations):





- NOTES: 1. PROPERTY KNOWN AS PARCEL 6-14 AS SHOWN ON THE TOWN OF NEW HAMPSHIRE, HILLSBOROUGH COUNTY, STATE OF NEW HAMPSHIRE TAX ASSESSOR MAP D1. 2. PROPOSED OUT PARCEL LAND = 53,289 SQUARE FEET OR 1.223 ACRES. PROPOSED REMAINING LAND = 276,773 SQUARE FEET OR 6.354 ACRES. TOTAL AREA = 330,062 SQUARE FEET OR 7.577 ACRES. 3. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE AS-BUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES, BEFORE ANY EXCAVATION IS TO BEGAIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES, CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED. 4. THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON. 5. BY GRAPHIC PLOTTING ONLY THE MAJORITY OF THE PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, TOPOGRAPHIC SURVEY AREA IS LOCATED IN FLOOD HAZARD ZONE X) AND PARTIALLY IN FLOOD HAZARD ZONE AE (SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - BASE FLOOD ELEVATIONS DETERMINED - VARIES BETWEEN ELEVATIONS 296-300 ALONG THE SOUHEGAN RIVER; APPROXIMATE GRAPHICAL LOCATION SHOWN) PER REF. #2. 6. THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC. 7. THIS SURVEY DOES NOT SHOW THE EXISTENCE OF WETLANDS, IF ANY. 8. NO PARKING SPACES WERE OBSERVED. 9. THE PURPOSE OF THIS PLAN IS TO DIVIDE EXISTING PARCEL 6-14 INTO TWO SEPARATE TAX LOTS.

- REFERENCES: 1. THE TAX ASSESSOR'S MAP OF MILFORD, HILLSBOROUGH COUNTY, NEW HAMPSHIRE, SHEET D1. 2. MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, HILLSBOROUGH COUNTY, NEW HAMPSHIRE (ALL JURISDICTIONS), PANEL 453 OF 701, MAP NUMBER 33011C0453D, EFFECTIVE DATE: SEPTEMBER 25, 2009. 3. MAP ENTITLED "PLAN OF TAX PARCELS 7-27, 7-33, & 7-34, HILLSBOROUGH MILLS, MILFORD, N.H.," PREPARED BY THOMAS F. MORAN INC., DATED JULY 17, 1979, RECORDED IN THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NO. 12421. 4. MAP ENTITLED "EXISTING CONDITIONS PLAN, TAX MAP LOT 6-14 - 30 WILTON ROAD, MILFORD NEW HAMPSHIRE," PREPARED BY FIELDSTONE LAND CONSULTANTS, DATED JUNE 27, 2016. 5. MAP ENTITLED "RIGHT OF WAY AND TRACK MAP - WILTON R.R. CO., OPERATED BY THE BOSTON AND MAINE R.R., STATION 733+40 TO STATION 789+20," DATED JUNE 30, 1914, VAL MAP 17 SECTION 15. 6. PLAN SET ENTITLED "PLANS OF PROPOSED TRUNK LINE RECON PROJECT, NO. 14185, N.H. PROJECT NO. P-2225, SOUTH SIDE ROAD," PREPARED BY THE STATE OF NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, DATED MARCH 11, 1992. 7. MAP ENTITLED "ALTA/NSPS LAND TITLE SURVEY, LISCIOTTI DEVELOPMENT CORP., 30 WILTON ROAD, PARCEL 6-14, TOWN OF MILFORD, HILLSBOROUGH COUNTY, STATE OF NEW HAMPSHIRE," PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED NOVEMBER 13, 2018, LAST REVISED NOVEMBER 16, 2018.

ZONING INFORMATION
INTEGRATED COMMERCIAL INDUSTRIAL (ICI) DISTRICT
SOURCE: TOWN OF MILFORD ZONING ORDINANCE SECTION 5.08 - ICI DISTRICT

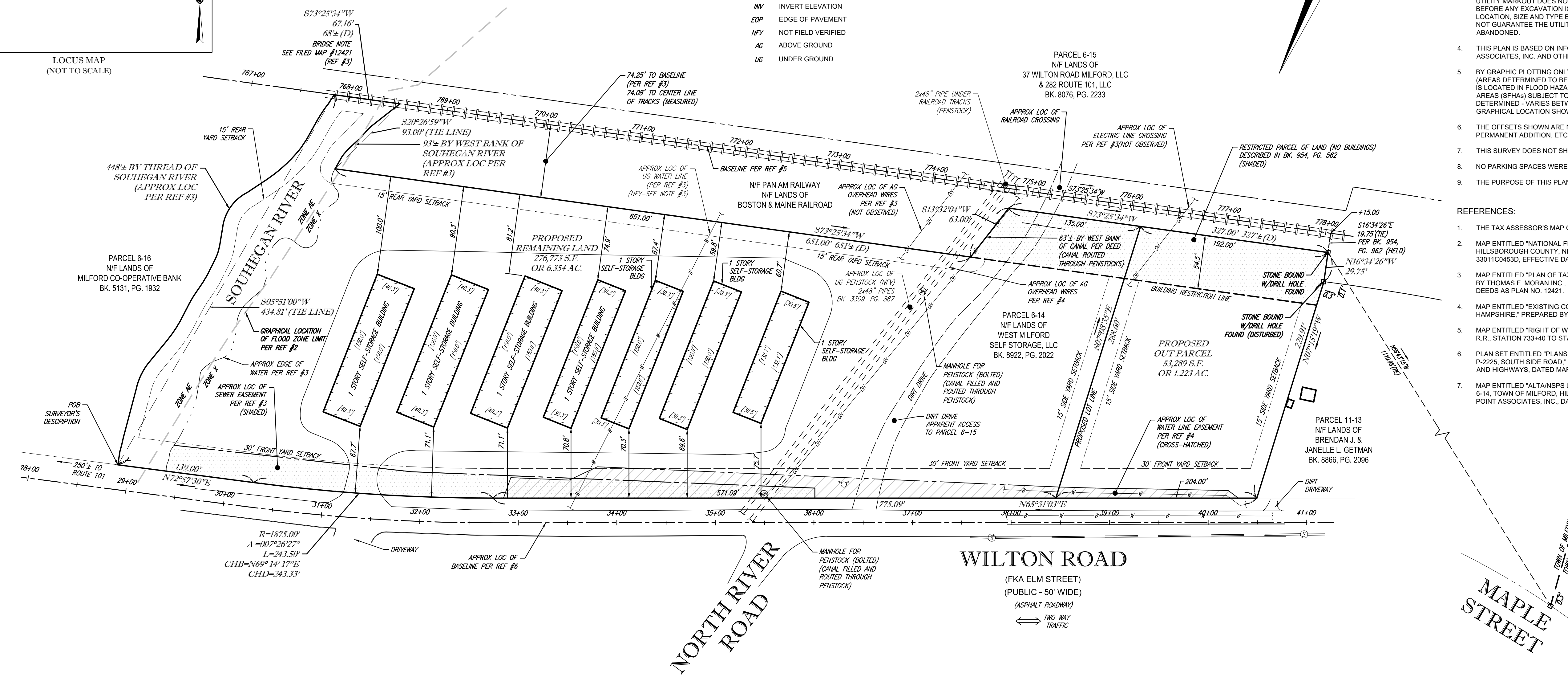
ITEMS	REQUIRED
MIN LOT AREA	-
MIN FRONTAGE	150 FT
MIN FRONT YARD	30 FT
MIN SIDE YARD	15 FT
MIN REAR YARD	15 FT
MAX BUILDING HEIGHT	40 FT

PER SECTION 5.08 4 - LOT SIZES AND FRONTAGES. THE MINIMUM LOT SIZE FOR AREAS SERVICED BY BOTH MUNICIPAL SEWERAGE AND WATER SYSTEMS SHALL BE 20,000 SQUARE FEET AND THE MINIMUM LOT SIZE FOR AREAS NOT SERVICED BY MUNICIPAL SEWERAGE AND WATER SYSTEMS SHALL BE 40,000 SQUARE FEET.

NOTE: ZONING CRITERIA IDENTIFIED HEREON ARE BASED UPON PRELIMINARY RESEARCH AND PRESENTED FOR REFERENCE ONLY. SAME MUST BE CONFIRMED WITH LOCAL ZONING OFFICIAL AND LEGAL COUNSEL TO CONFIRM VALIDITY.

OWNER
WEST MILFORD SELF STORAGE, LLC
5 CIARDELLI CROSSING
MILFORD NH, 03055

APPLICANT
LISCIOTTI DEVELOPMENT CORPORATION



PROPERTY OWNER MAILING ADDRESSES

PARCEL 6-14	WEST MILFORD SELF-STORAGE, LLC	5 CIARDELLI XING, MILFORD NH 03055
PARCEL 6-15	37 WILTON ROAD MILFORD, LLC & 282 ROUTE 101, LLC	100 ELM ST, NASHUA NH 03037
PARCEL 6-16	MILFORD COOPERATIVE BANK	380 WELLINGTON ST 12TH FLOOR, LONDON, ON N6A 4S4
PARCEL 11-13	BRENDAN J. & JANELLE L. GETMAN	74 WILTON RD, MILFORD NH 03055

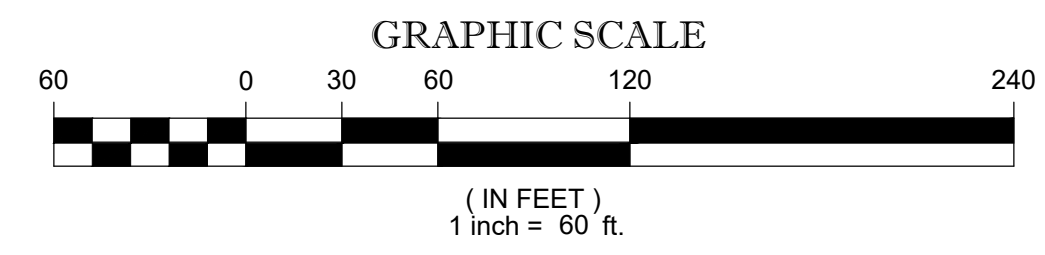
APPROVED BY THE
MILFORD PLANNING BOARD

UTILITIES:
THE FOLLOWING COMPANIES WERE NOTIFIED BY NEW HAMPSHIRE ONE-CALL SYSTEM (1-888-344-7233) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER: 20184201383

UTILITY COMPANY	PHONE NUMBER
CONSOLIDATED COMMUNICATIONS	844-968-7224
EVERSOURCE - ELECTRIC	800-592-2000
PENNICHUCK WATER WORKS	603-882-5191
COMCAST	800-934-6489
WILTON DPW	203-563-0152
TDS TELECOM - WILTON	866-571-6662



THE STATE OF NEW HAMPSHIRE REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE.



THIS IS TO CERTIFY THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND NO NEW STREETS OR WAYS ARE SHOWN.
NOT A VALID ORIGINAL DOCUMENT UNLESS STAMPED WITH AN INK SEAL.

JOHN P. LYNCH
NEW HAMPSHIRE LICENSED LAND SURVEYOR #899

FIELD DATE 11-7-18	SUBDIVISION PLAN LISCIOTTI DEVELOPMENT CORP.			
FIELD BOOK NO. 18-14MA	30 WILTON ROAD PARCEL 6-14			
FIELD BOOK PG. 62	TOWN OF MILFORD, HILLSBOROUGH COUNTY STATE OF NEW HAMPSHIRE			
FIELD CREW T.M./T.O.	CONTROL POINT ASSOCIATES, INC. 352 TURNPIKE ROAD SOUTHBOROUGH, MA 01772 508.948.3000 - 508.948.3003 FAX ALBANY, NY 5182175010 CHALFONT, PA 2157129880 MANHATTAN, NY 6467800411 MT LAUREL, NJ 6098572099 WARRREN, NJ 9086680099			
DRAWN: A.M.M.	REVIEWED: S.P.P.	APPROVED: J.P.L.	DATE 12-20-18	SCALE 1"=50'
			FILE NO. 03-180300	DWG. NO. 1 OF 1



January 30, 2019

Town of Milford Planning Board
1 Union Square
Milford, NH 03055

Attention: Lincoln Daley, Community Development Director

**Re: Proposed Retail Building Development
30 Wilton Road, Milford, NH – Map 6, Lot 14
Response to Minor Subdivision Application Community Development / Planning Comments**

Dear Members of the Board:

Below please find our response to Community Development / Planning comments noted within the Staff Memo from the Office of Community Development, dated January 15, 2019. An updated Subdivision Plan is enclosed with this response reflective of modifications noted within the below responses. For clarity, the original comments are in italics, while our responses are directly below in bold font.

- Comment 1:** *Subdivision Plan, Sheet 1. A note shall be added to the plan stating that prior to the signing of the plan, all monumentation shall be set and noted on the plan or a security be provided to the Town to cover the cost of monumentation.*
- Response 1:** **A note will be added to the Subdivision Plan stating that proposed boundary monumentation is to be set prior to signing of the plan or a security provided.**
- Comment 2:** *Subdivision Plan, Sheet 1. The plan should be revised to identify/label both Map 6 Lot 14 and the proposed lot. Staff recommends labeling the proposed new subdivided lot, Map 6, Lot 14-1.*
- Response 2:** **The Subdivision Plan will be updated to identify the proposed lot and remaining land as requested.**
- Comment 3:** *Subdivision Plan, Sheet 1, Note 9. Please relabel Note 9 to Note 1 and insert as first note and renumber accordingly.*
- Response 3:** **The Subdivision Plan will be updated to renumber the notes as requested.**
- Comment 4:** *Subdivision Plan, Sheet 1, Note 2. Please revise note to read as follows:
Milford Tax Map 6, Lot 14 = 330,062 Square Feet Or 7.577 Acres
Proposed Parcel Tax Map 6 Lot 14-1 = 53,289 Square Feet Or 1.223 acres
Proposed Remaining Parcel, Tax Map 6, Lot 14 = 276,773 Square Feet 6.354 Acres*
- Response 4:** **The Subdivision Plan will be updated to modify Note 2 as requested.**



Comment 5: *Subdivision Plan, Sheet 1, Note 7. Please confirm that no wetlands exist on the property. If yes, please revise said note to state that no wetlands were observed on the property.*

Response 5: **The Subdivision Plan will be updated to modify Note 7 as requested.**

Comment 6: *Subdivision Plan, Sheet 1. A note shall be added to the plan stating that Map 6, Lot 14-1 is subject to applicable Police impact fees.*

Response 6: **A note will be added to the Subdivision Plan stating that Map 6, Lot 14-1 is subject to applicable Police impact fees, as requested. Please provide requisite fees such that same can be coordinated with Applicant.**

Comment 7: *Subdivision Plan, General Comment. As the subdivision relates to the concurrent site plan application, please explain the rationale for subdividing a parcel that requires relief from the Development Regulations to support the proposed scope and intensity of the retail development. What considerations were made to determine the size of the property?*

Response 7: **As discussed with the Planning Board at their January 22, 2019 hearing, the site layout has been designed to allow for on-site circulation of traffic and delivery vehicles while respecting encumbrances associated with the existing land, including limited lot depth and a portion of land at the rear of the parcel restricted by the railroad. Alternative layouts were considered, however they necessitated additional depth that was unavailable to the project or large areas of land on Map 6, Lot 14 that were not practicable for the overall development of same.**

We trust the above is sufficient for your needs at this time. Should you have any questions or require additional information, please do not hesitate to contact either of us at (508) 480-9900.

Sincerely,

BOHLER ENGINEERING

Matthew Bombaci, P.E.

W181203
Staff Memo Response to Comments Letter.docx