

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: May 23, 2019

To: Planning Board

From: Lincoln Daley, Community Development Director

Subject: **KGL Landscape Construction, LLC, Tax Map 8, Lot 73, 211 Mont Vernon Road.** Public hearing for a Minor Subdivision application to subdivide the existing lot of record into three total parcels within the Residential A Zoning District.

BACKGROUND

The applicant, KGL Landscape Construction, LLC., is before the Board seeking approval of a minor subdivision plan to subdivide Tax Map 8, Lot 73 into three total lots, Lot 8-73, Lot 8-73-1, and Lot 8-73-2 within the Residential A Zoning District. A single-family house will be located on the newly created lots, Lot 8-73-1 and 8-73-2 while the parent lot, Lot 8-73 will remain a legal, non-conforming commercial use (outside storage of vehicles, boats and recreation vehicles, an automotive repair/maintenance garage, and related office occurring in the existing building. This will be the first public hearing for the application.

ADDRESS:

Tax Map 8 Lot 73, 211 Mont Vernon Road.

APPLICATION STATUS:

The application is complete and ready to be accepted. The Board will need to make a determination of regional impact.

NOTICES:

Notices were sent to all property abutters on May 17, 2019.

PROPOSAL:

Minor subdivision to subdivide Tax Map 8, Lot 73 (totaling approximately 14.062 acres) into three total lots, Lot 8-73, Lot 8-73-1, and Lot 8-73-2. The proposed acreage is as follows:

<u>Lot #</u>	<u>Existing</u>	<u>Proposed</u>
Map 8, Lot 73	14.062 acres (612,560 sq.ft.)	2.000 acres (87,120 sq.ft.)
Map 8, Lot 73-1	-----	0.918 acres (40,000 sq.ft.)
Map 8, Lot 73-2	-----	11.144 acres (485,440 sq.ft.)

- Each of the lots meets the minimum 40,000 square foot lot size requirements for lots not serviced by both municipal water and sewer. The lots will be serviced by municipal water and individual septic systems. The plans show the approximate location of the 4,000 s.f. septic reserve areas and related test pit information required for State septic approval.
- Frontage for each of lots will be provided on Mont Vernon Road. Each lot technically meets the minimum 150 linear foot frontage requirement for lots in the Residential A zoning district.
- According to the plans, the three properties will be accessed via a shared driveway located on Lot 8-73-2. The proposal calls for the creation of a 25' access and utility easement for the benefit of Lot 8-73 and 8-73-1. Access to Lot 8-73 will also be provided by an existing curb cut on Mont Vernon Road. The plan shows a proposed access easement across Lot 8-73 for the benefit of Lot 8-73-2.

EXISTING USE/CONDITIONS:

Tax Map 8-73 has been a commercial use since 1984 when the Town approved a site plan for a transportation company. This approval consisted of the construction of a 3,600 s.f. automotive service garage with office space. For approximately 30 years, the site was occupied by a school bus transportation company. Since 1984, the site was rezoned from Industrial to Residential ‘A’ which has made the operations onsite a legal, non-conforming use. Upon the departure of the bus company in 2015, the property applied for and received a Variance in 2016 (Case #2015-19) *“to permit a commercial use self-service storage facility (including units, outside storage of vehicles, boats and recreation vehicles) and an automotive repair and maintenance garage and related office occurring in the existing building within the Residence “A” District, the same not being on the list of enumerated permitted uses for that district...”*

No action was taken to exercise the 2016 Variance approval within the 2 year time limit and as such, became null and void. The pre-existing, legal, non-conforming automotive service garage (with office) and outdoor storage of service vehicles continues to operate.

Map 8-73 is primarily an undeveloped, wooded lot that is diagonally bisected by a delineated wetland resource area. The majority of the upland area to the west of the delineated wetland has been developed and used as part of the commercial operations over the years. The topography for the proposed subdivided lot is primarily flat with a gradual downward slope from west to east. The north and east of the subject property lies the Quarry Wood Circle multi-family development and established single-family development. In addition to the Single-family residences that lie to the south and west. West of the subject property are the self-storage units.

ZONING:

The parcels lay within the Residential ‘A’ zoning district. The intent of the Residence "A" District is to provide for low-density or low-intensity uses, primarily single-family residential on individual lots. As stated above, each of the lots meet the minimum dimensional requirements for properties in the Residential “A” District. The properties falls outside of the 100-year flood hazard area, but are within the Groundwater Level 1 protection district and

INTERDEPARTMENTAL REVIEWS:

Assessing: No comments.

Zoning Administrator: No comments.

Police Department: No comments.

Fire Department: No comments.

Public Works:

1. Expressed concerned over the portion of access and whether the access would be town owned or maintained.
2. Lot 8-73-2 incorporates creative frontage. Does this constitute a private drive?
3. What happened to the pipe on 8-73, behind the building that was shown on existing plan

Building: No comments.

Environmental Programs/Stormwater: No drainage plan has been incorporated/submitted to address the management of the stormwater and drainage from the commercial operations. Please clarify if the existing drainage area and pipes shown in the aerial and plan below are being removed. Please explain how the stormwater and drainage from the commercial property are being managed.

Water Utilities: The comments submitted to the Department involve the further information detailing the layout and design of the water line to the properties.

Heritage Commission: No comments submitted.

Conservation Commission: See attached comments dated 5/21/19.

Community Development/Planning:

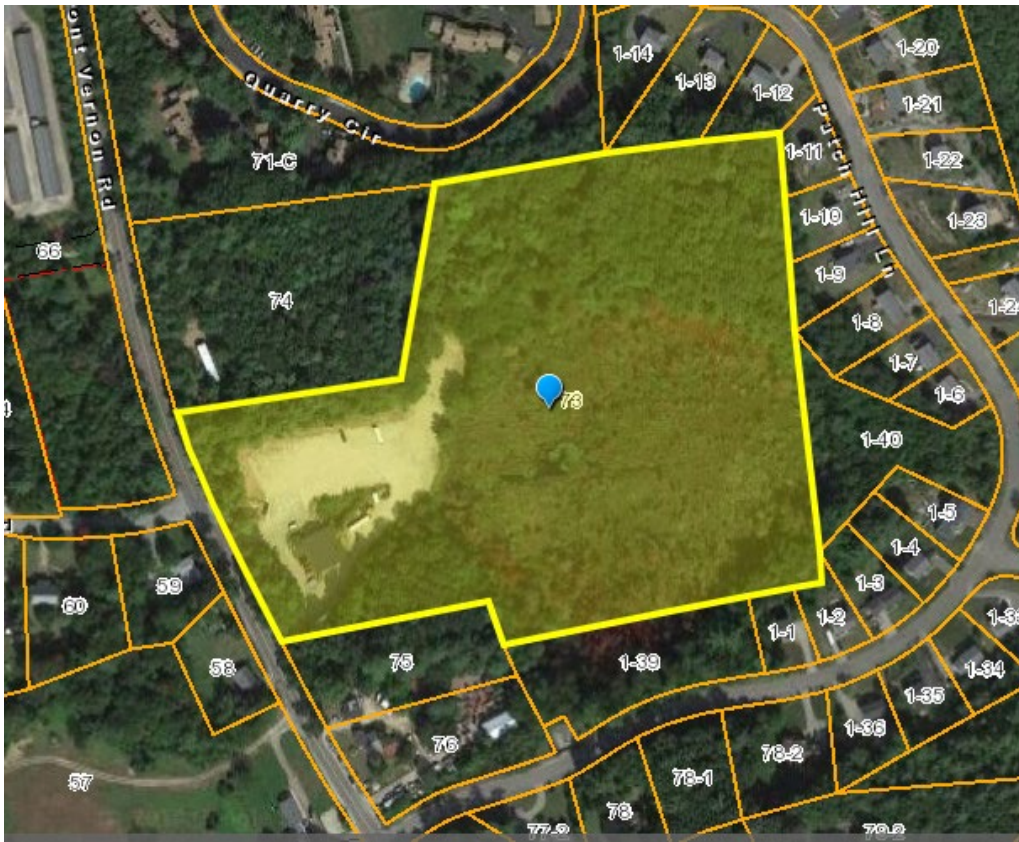
1. Milford Development Regulations, Section 1.1. Please explain how the layout of Lot 8-73-2 meets the purpose of the Development Regulations involving the harmonious and aesthetically pleasing development of the municipality and its environs. Further, please explain how the lot configuration could be reasonably interpreted to be an orderly

- layout of the land and insure that proper description of ownership or ease of identification will carry forward in time. **Partially Addressed**
2. Subdivision Plan, Sheet 1. Please show the approximate locations for the homes on Lot 8-73-1 and 8-73-2. **Addressed**
 3. Subdivision Plan, Sheet 1. Please show the approximate location for the driveways servicing each lot. Given the extent and location of the wetland resource areas, please include the conceptual final grading plan for the properties. **Partially Addressed.** *The existing drainage structure serving the commercial use on Lot 8=73 is now located on an adjacent property and will require the creation of a drainage and maintenance easement for the benefit of the parent lot.*
 4. Subdivision Plan, Sheet 1. Please clarify if the 30 ft wide Right-Of-Way Access Easement cited in the Reference Plans: Note 2 is connected to the Right-Of-Way Access shown on north east corner of Lot 8-73-2 to the border of Lot 8-71. It is hard to distinguish the boundaries/limits of the northerly easement. **Addressed**
 5. Subdivision Plan, Sheet 1. Please update Notes: #2 by organizing the lots and dimensional requirements into a chart. **Addressed**
 6. Subdivision Plan, Sheet 1, Note 9. Please clarify the discrepancy involving the date the wetlands were delineated. Said note states February 2015 while the Certification Note states December 2016. **Addressed**
 7. Subdivision Plan, Sheet 2. Please explain if the unpermitted berm/grading along the frontage of the property will be returned to its pre-disturbed state or incorporated in the layout and design of the proposed subdivided lot. **Addressed**
 8. Subdivision Plan, Sheet 1, Sheets 1 and 2. Please clarify if the existing drainage area and pipes shown in the aerial and plan below are being removed. If yes, please explain how the stormwater and drainage from the commercial property are being managed. extent and location of the wetland resource areas, please include the conceptual final grading plan for the properties. **Partially Addressed.** *The existing drainage structure serving the commercial use on Lot 8=73 is now located on an adjacent property and will require the creation of a drainage and maintenance easement for the benefit of the parent lot.*
 9. 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.
 10. Subdivision Plan, Sheet 1. Please amend the plan to show the snow loading areas for the commercial lot.
 11. Subdivision Plan, Sheet 1. A note shall be added to the plan stating that Map 8, Lots 73-1 and 73-1 are subject to applicable Library and Police impact fees.
 12. Subdivision Plan, Sheet 1. According to the subdivision plan, the proposed access and utility easement is for the benefit of Lots 8-73 and 8-73-1. The Zoning Ordinance, Article IV, Definitions defines a common residential driveway as a “single driveway that provides access between a road and not more than two (2) conforming residential lots.” Adding an additional access from the shared driveway to the commercial lot, Lot 8-73 (if that is the intent) would be contrary to the ordinance. Staff recommends that access to Lot 8-73 be solely from the existing driveway servicing the lot and that Note 17 be modified to clarify the type of benefit and benefactor (e.g. lot) of the access and utility easement.
 13. Subdivision Plan, Sheet 1, Note 10. Please revise said note by providing the open space calculations for each of the three proposed lots.

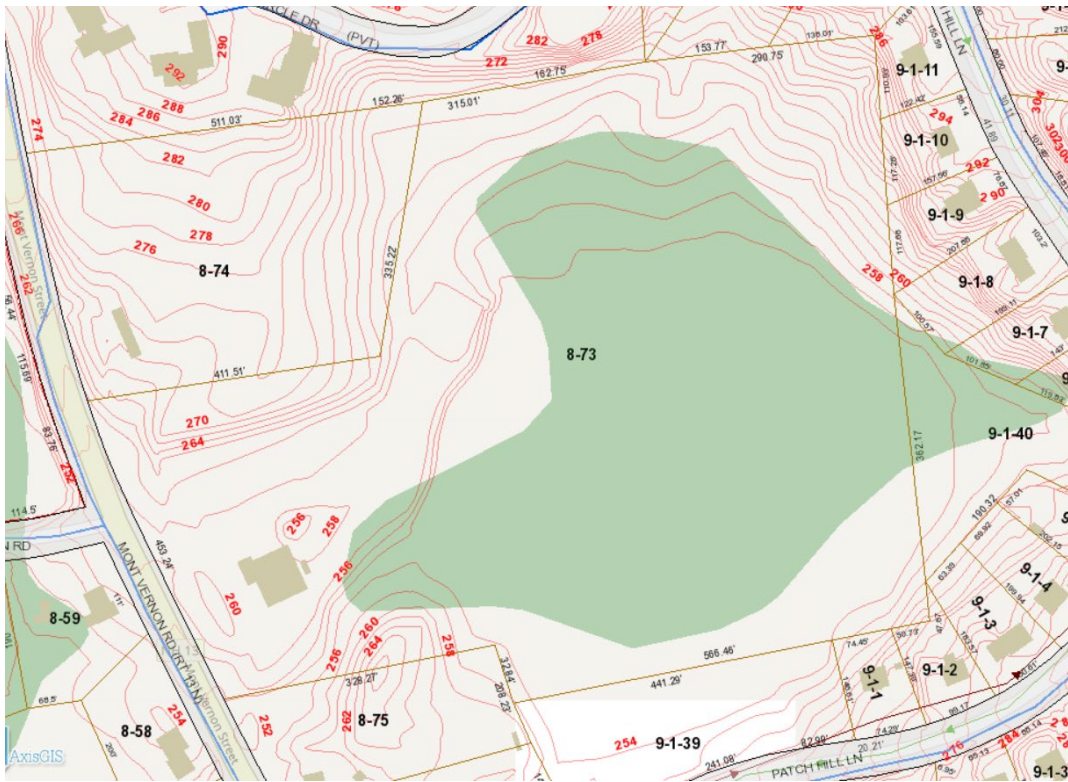
STAFF RECOMMENDATIONS:

The applicant should be prepared to address all of the comments raised by the Planning Board, Town Consultants, Staff, and public. Unless the Board determines that the questions and recommendations could be handled through a conditional use permit, staff recommends continuing the application to the next scheduled meeting to allow the applicant to address the outstanding items.

Aerial Photograph of the Subject Property:



Topographic Map of the Subject Property:

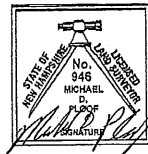


REFERENCE PLANS:

- "CONSOLIDATION - PLAN OF LAND OF - WELCH REAL ESTATE TRUST - MILFORD, N.H., SCALE 1"=50', DATED JULY 11, 1984 BY THOMAS F. MORAN, INC. RECORDED IN THE H.C.R.D. AS PLAN NO.17234.
- "MAP 8 LOT 43 - EASEMENT PLAN - OVER LAND OF - F.B.L.W. REALTY TRUST - ROUTE 13, MILFORD, N.H. - PREPARED FOR - DUDDY LAW OFFICES - BEDFORD, N.H. 03110, SCALE 1"=40', DATED MARCH 14, 1995 AND LAST REVISED JUNE 12, 1995, BY TMORAN INC. RECORDED IN THE H.C.R.D. AS PLAN NO.27949.
- "SITE PLAN - PREPARED FOR - MARINEL TRANSPORTATION INC. - MILFORD, NEW HAMPSHIRE, SCALE 1"=20', DATED JULY 10, 1984 AND LAST REVISED OCTOBER 18, 1984, BY THOMAS F. MORAN, INC. AVAILABLE AT THE TOWN OF MILFORD PLANNING OFFICE.
- "LOT LINE ADJUSTMENT PLAN - TAX MAP PARCELS 8-73 & 8-75 - 211 & 205 MONT-VERNON STREET - MILFORD, NEW HAMPSHIRE - PREPARED FOR AND LAND OF: KGL LANDSCAPE CONSTRUCTION, LLC (LOT 8-73) - AND LAND OF: THE LAPLANTE FAMILY FAMILY REV. TRUST (8-75)", SCALE 1"=30', DATED MARCH 6, 2019 AND LAST REVISED MARCH 6, 2019, BY FIELDSTONE LAND CONSULTANTS, PLLC. RECORDED IN THE H.C.R.D. AS PLAN NO.40123.

CERTIFICATION:

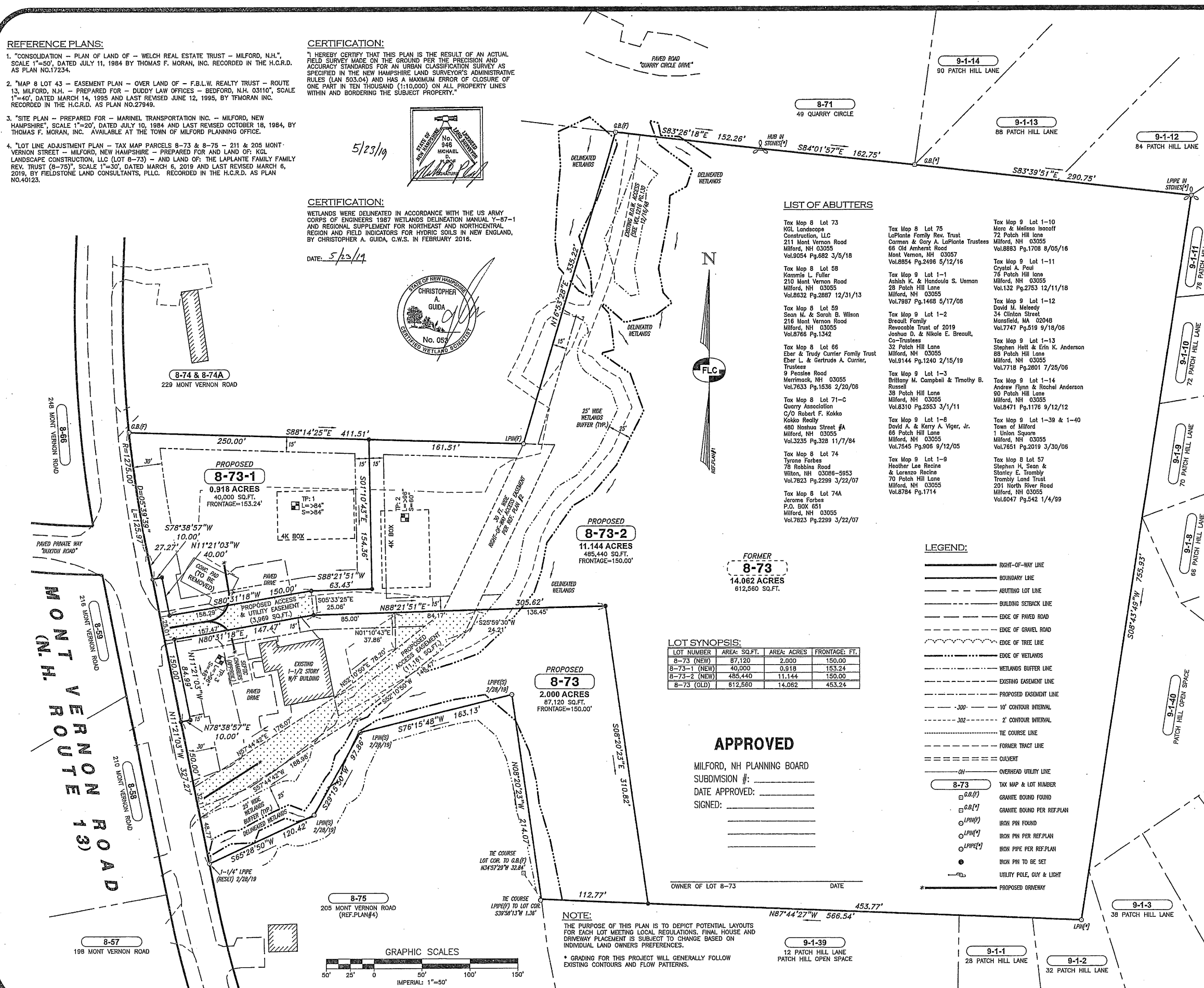
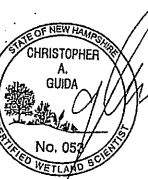
"I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND PER THE PRECISION AND ACCURACY STANDARDS FOR AN URBAN CLASSIFICATION SURVEY AS SPECIFIED IN THE NEW HAMPSHIRE LAND SURVEYOR'S ADMINISTRATIVE RULES (LAN 503.04) AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY."



CERTIFICATION:

WETLANDS WERE DELINEATED IN ACCORDANCE WITH THE US ARMY CORPS OF ENGINEERS 1987 WETLANDS DELINEATION MANUAL Y-87-1 AND REGIONAL SUPPLEMENT FOR NORTHEAST AND NORTHCENTRAL REGION AND FIELD INDICATORS FOR HYDRIC SOILS IN NEW ENGLAND, BY CHRISTOPHER A. GUIDA, C.W.S. IN FEBRUARY 2016.

DATE: 5/23/19



LIST OF ABUTTERS

- Tax Map 8 Lot 73: KGL Landscape Construction, LLC, 211 Mont Vernon Road, Milford, NH 03055, Vol.9054 Pg.682 3/6/18
- Tax Map 8 Lot 59: Karmie L. Fuller, 210 Mont Vernon Road, Milford, NH 03055, Vol.8532 Pg.2887 12/31/13
- Tax Map 8 Lot 59: Sean M. & Sarah B. Wilson, 216 Mont Vernon Road, Milford, NH 03055, Vol.8766 Pg.1342
- Tax Map 8 Lot 66: Eber & Trudy Currier Family Trust, Eber L. & Gertrude A. Currier, Trustees, 9 Peaslee Road, Merrimack, NH 03055, Vol.7633 Pg.1536 2/20/06
- Tax Map 8 Lot 71-C: Quarry Association, C/O Robert F. Kakko, 480 Nashua Street #A, Milford, NH 03055, Vol.3235 Pg.328 11/7/84
- Tax Map 8 Lot 74: Tyrone Forbes, 78 Robbins Road, Wilton, NH 03086-5953, Vol.7823 Pg.2299 3/22/07
- Tax Map 8 Lot 74A: Jerome Forbes, P.O. BOX 651, Milford, NH 03055, Vol.7823 Pg.2299 3/22/07
- Tax Map 9 Lot 1-10: Mara & Melissa Iscoff, 72 Patch Hill Lane, Milford, NH 03055, Vol.8853 Pg.1708 8/05/16
- Tax Map 9 Lot 1-11: Crystal A. Paul, 75 Patch Hill Lane, Milford, NH 03055, Vol.132 Pg.2753 12/11/18
- Tax Map 9 Lot 1-12: David M. Meleedy, 34 Clinton Street, Montfield, MA 02048, Vol.7747 Pg.519 9/18/06
- Tax Map 9 Lot 1-13: Stephen H. & Erin K. Anderson, 88 Patch Hill Lane, Milford, NH 03055, Vol.7718 Pg.2801 7/25/06
- Tax Map 9 Lot 1-14: Andrew Flynn & Rachel Anderson, 90 Patch Hill Lane, Milford, NH 03055, Vol.8471 Pg.1176 9/12/12
- Tax Map 9 Lot 1-39 & 1-40: Town of Milford, 1 Union Square, Milford, NH 03055, Vol.7651 Pg.2019 3/30/06
- Tax Map 8 Lot 57: Heather Lee Recina & Stanley E. Trombly, 231 North River Road, Milford, NH 03055, Vol.6047 Pg.542 1/4/99

LOT SYNOPSIS:

LOT NUMBER	AREA: SQ.FT.	AREA: ACRES	FRONTAGE: FT.
8-73 (NEW)	87,120	2.000	150.00
8-73-1 (NEW)	40,000	0.918	153.24
8-73-2 (NEW)	485,440	11.144	150.00
8-73 (OLD)	612,560	14.062	453.24

LEGEND:

- RIGHT-OF-WAY LINE
- BOUNDARY LINE
- ABUTTING LOT LINE
- BUILDING SETBACK LINE
- EDGE OF PAVED ROAD
- EDGE OF GRAVEL ROAD
- EDGE OF TREE LINE
- EDGE OF WETLANDS
- WETLANDS BUFFER LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- 10' CONTOUR INTERVAL
- 2' CONTOUR INTERVAL
- THE COURSE LINE
- FORMER TRACT LINE
- CULVERT
- OVERHEAD UTILITY LINE
- 8-73 TAX MAP & LOT NUMBER
- GRANITE BOUND FOUND
- GRANITE BOUND PER REF.PLAN
- IRON PIN FOUND
- IRON PIN PER REF.PLAN
- IRON PIPE PER REF.PLAN
- IRON PIN TO BE SET
- UTILITY POLE, GUY & LIGHT
- PROPOSED DRIVEWAY

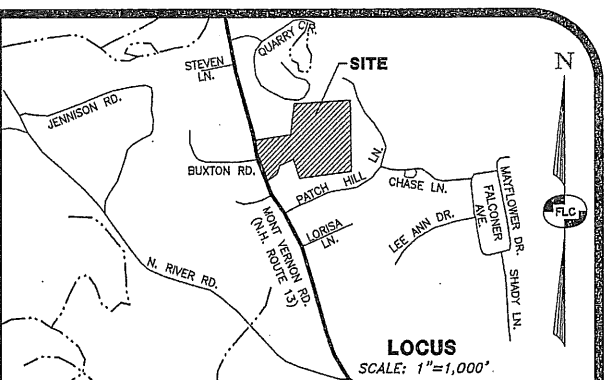
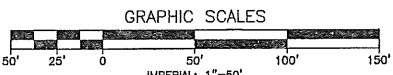
APPROVED

MILFORD, NH PLANNING BOARD
 SUBDIVISION #: _____
 DATE APPROVED: _____
 SIGNED: _____

OWNER OF LOT 8-73 _____ DATE _____

NOTE:

THE PURPOSE OF THIS PLAN IS TO DEPICT POTENTIAL LAYOUTS FOR EACH LOT MEETING LOCAL REGULATIONS. FINAL HOUSE AND DRIVEWAY PLACEMENT IS SUBJECT TO CHANGE BASED ON INDIVIDUAL LAND OWNERS PREFERENCES.
 * GRADING FOR THIS PROJECT WILL GENERALLY FOLLOW EXISTING CONTOURS AND FLOW PATTERNS.



NOTES:

- OWNER OF RECORD FOR TAX MAP 8, LOT 73 IS KGL LANDSCAPE CONSTRUCTION, LLC, 211 MONT VERNON ROAD, MILFORD, NH 03055. THE DEED REFERENCE FOR THE PARCEL IS BOOK 9054 PAGE 682 DATED MARCH 5, 2018 IN THE H.C.R.D.
- THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE EXISTING TAX MAP 8 LOT 73 INTO 3 LOTS. PROPOSED LOT 8-73 SHALL HAVE 2 ACRES OR 87,120 SQ.FT. WITH THE MINIMUM REQUIRED FRONTAGE OF 150.00 FT. THIS LOT SHALL CONTAIN THE EXISTING OFFICE AND SEPTIC SYSTEM AND REMAIN IN COMMERCIAL USE (SEE NOTE #15). PROPOSED LOT 8-73-1 SHALL BE A RESIDENTIAL LOT AND HAVE THE MINIMUM REQUIRED AREA OF 40,000 SQ.FT. WITH A FRONTAGE OF 153.24 FT. PROPOSED LOT 8-73-2 SHALL ALSO BE RESIDENTIAL AND WILL CONSIST OF A LARGE REMAINING LOT WITH 11.144 ACRES OR 485,440 SQ.FT. WITH THE MINIMUM REQUIRED FRONTAGE OF 150.00 FT.
- THE TOTAL AREA OF EXISTING TAX MAP 8, LOT 73 IS 14.062 ACRES OR 612,560 SQ.FT.
- LOT NUMBERS REFER TO THE TOWN OF MILFORD ASSESSORS MAP 8.
- ZONING FOR THE PARCEL IS RESIDENCE "A" DISTRICT.

RESIDENCE "A" DISTRICT	REQUIRED	EXISTING
MIN LOT AREA	40,000 SF	612,560 SF
MIN LOT FRONTAGE	150 FT	453.24 FT
MIN FRONT SETBACK	30 FT	30 FT
MIN SIDE SETBACK	15 FT	15 FT
MIN REAR SETBACK	15 FT	15 FT
MAX. BUILDING HEIGHT	35 FT	<35 FT
- THE WETLAND CONSERVATION DISTRICT OVERLAY REQUIRES A 25' BUFFER SETBACK.
- HORIZONTAL ORIENTATION IS BASED ON REFERENCE PLAN #1. VERTICAL DATUM IS ASSUMED.
- THE SURFACE FEATURES AND SITE TOPOGRAPHY SHOWN ARE THE RESULT OF AN ON SITE FIELD SURVEY BY THIS OFFICE DURING THE MONTH OF FEBRUARY 2016 TOGETHER WITH THE REFERENCE PLANS CITED HEREON.
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN COMPILED IN PART FROM PLANS OF RECORD AND FIELD LOCATION. THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE CONSIDERED APPROXIMATE AND SHALL BE FIELD VERIFIED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.
- JURISDICTIONAL WETLANDS WERE MAPPED AND LOCATED BY THIS OFFICE DURING THE MONTH OF FEBRUARY 2016.
- "OPEN SPACE" AREA IS 12.98 ACRES OR 87.2% OF THE TOTAL PARCEL AREA. MINIMUM REQUIREMENT IS 30%.
- BASED ON A FIELD INSPECTION THE ENTRANCE TO THE SITE SATISFIES THE MILFORD MINIMUM SAFE SIGHT DISTANCE REQUIREMENTS.
- THE PARCEL LIES OUTSIDE OF THE 100-YEAR FLOOD HAZARD AREA PER FEMA F.I.R.M. PANEL 33011004580 DATED SEPTEMBER 25, 2009.
- THE SUBJECT PARCEL IS IN THE GROUNDWATER PROTECTION OVERLAY ZONE.
- OTHER THAN THOSE SHOWN HEREON, THERE ARE NO OTHER KNOWN EASEMENT, DEED RESTRICTIONS OR COVENANTS ON THE PROPERTY.
- ON JANUARY 7, 2016, THE MILFORD ZONING BOARD OF APPEALS GRANTED A VARIANCE TO PERMIT A COMMERCIAL USE IN THE RESIDENCE "A" ZONE (SEE ZBA CASE #2015-19).
- THE FORMER USE ON LOT 8-73 WAS A SCHOOL BUS PARKING, SERVICE, AND DISPATCH FACILITY WITH PAVED ENTRANCE DRIVES AND GRAVEL BUS AND EMPLOYEE PARKING AREAS. THE EXISTING USE ON LOT 8-73 IS COMMERCIAL.
- THERE IS A PROPOSED ACCESS EASEMENT OVER PROPOSED LOT 8-73 FOR THE BENEFIT OF PROPOSED LOT 8-73-2 CONTAINING 11,161 SQ.FT. AS SHOWN. THERE IS A PROPOSED ACCESS AND UTILITY EASEMENT OVER PROPOSED LOT 8-73-2 FOR THE MUTUAL BENEFIT OF PROPOSED LOT 8-73 AND 8-73-1 CONTAINING 3,969 SQ.FT. AS SHOWN.
- NHDES STATE SUBDIVISION APPROVAL AND NHDOT STATE DRIVEWAY PERMITS ARE PENDING.

A	5/23/19	ADD SITE DEVELOPMENT EXHIBIT SHEET	LD/OC	TJB	MDP
REV.	DATE	DESCRIPTION	C/O	DR	CK

SUBDIVISION PLAN
TAX MAP PARCEL 8-73
 211 MONT VERNON ROAD
 MILFORD, NEW HAMPSHIRE
 PREPARED FOR AND LAND OF:
KGL LANDSCAPE CONSTRUCTION, LLC
 211 MONT VERNON ROAD, MILFORD, NH 03055

SCALE: 1" = 50' APRIL 26, 2019

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs

FIELDSTONE
 LAND CONSULTANTS, PLLC
 206 Elm Street, Milford, NH 03055
 Phone: (603) 672-5456 Fax: (603) 413-5456
 www.FieldstoneLandConsultants.com

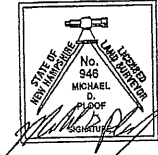
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CERTIFICATION:

"I HEREBY CERTIFY THAT THE EXISTING IMPROVEMENTS SHOWN ARE THE RESULT OF A FIELD SURVEY PERFORMED BY FIELDSTONE LAND CONSULTANTS, PLLC DURING THE MONTH OF DECEMBER 2015."

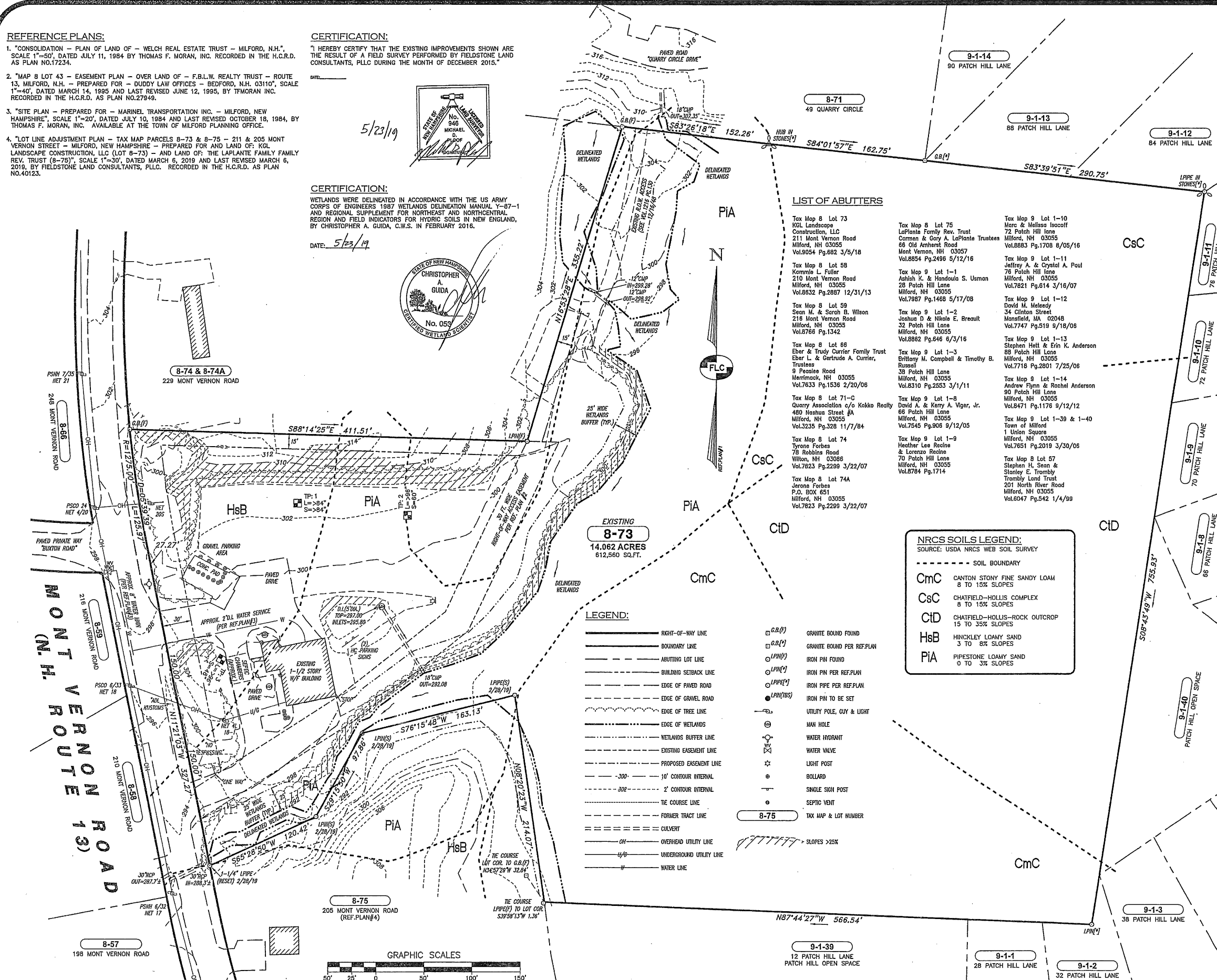
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- Tax Map 8 Lot 59 Sean M. & Sarah B. Wilson 216 Mont Vernon Road Milford, NH 03055 Vol.8766 Pg.1342
- Tax Map 8 Lot 66 Eber & Trudy Carrier Family Trust Eber L. & Getrude A. Carrier, Trustees 9 Peaslee Road Merrimack, NH 03055 Vol.7633 Pg.1536 2/20/06
- Tax Map 8 Lot 71-C Quarry Association c/o Kokko Realty 480 Washua Street #A Milford, NH 03055 Vol.3235 Pg.328 11/7/84
- Tax Map 8 Lot 74 Tyrone Forbes 78 Robbins Road Wilton, NH 03086 Vol.7823 Pg.2299 3/22/07
- Tax Map 8 Lot 74A Jerone Forbes P.O. BOX 651 Milford, NH 03055 Vol.7823 Pg.2299 3/22/07
- Tax Map 9 Lot 1-10 Marc & Melissa Isaacoff 72 Patch Hill Lane Milford, NH 03055 Vol.8883 Pg.1708 8/05/16
- Tax Map 9 Lot 1-11 Jeffrey A. & Crystal A. Paul 75 Patch Hill Lane Milford, NH 03055 Vol.7821 Pg.614 3/16/07
- Tax Map 9 Lot 1-12 David M. Malesky 34 Clinton Street Mansfield, MA 02048 Vol.7747 Pg.519 9/18/05
- Tax Map 9 Lot 1-13 Stephen Hett & Erin K. Anderson 88 Patch Hill Lane Milford, NH 03055 Vol.7718 Pg.2801 7/25/06
- Tax Map 9 Lot 1-14 Andrew Flynn & Rachel Anderson 90 Patch Hill Lane Milford, NH 03055 Vol.8471 Pg.1176 9/12/12
- Tax Map 9 Lot 1-39 & 1-40 1 Union Square Milford, NH 03055 Vol.7651 Pg.2019 3/30/06
- Tax Map 9 Lot 57 Stephen H. Sean & Stanley E. Trombley Trombley Land Trust 201 North River Road Milford, NH 03055 Vol.6047 Pg.542 1/4/99

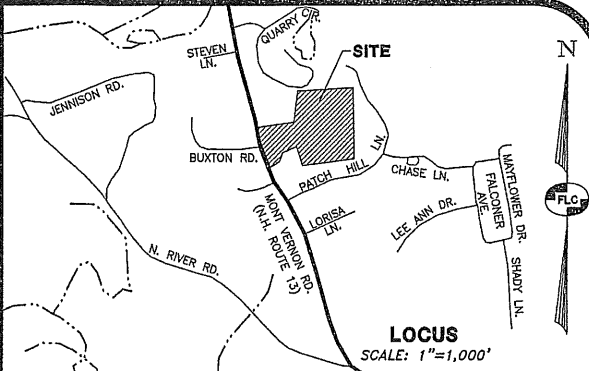
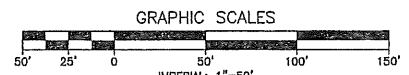
NRCS SOILS LEGEND:
SOURCE: USDA NRCS WEB SOIL SURVEY

--- SOIL BOUNDARY

CmC	CANTON STONY FINE SANDY LOAM 8 TO 15% SLOPES
CsC	CHATFIELD-HOLLIS COMPLEX 8 TO 15% SLOPES
CID	CHATFIELD-HOLLIS-ROCK OUTCROP 15 TO 35% SLOPES
HsB	HINCKLEY LOAMY SAND 3 TO 8% SLOPES
PIA	PIPESTONE LOAMY SAND 0 TO 3% SLOPES

LEGEND:

- RIGHT-OF-WAY LINE
 - BOUNDARY LINE
 - ABUTTING LOT LINE
 - BUILDING SETBACK LINE
 - EDGE OF PAVED ROAD
 - EDGE OF GRAVEL ROAD
 - EDGE OF TREE LINE
 - EDGE OF WETLANDS
 - WETLANDS BUFFER LINE
 - EXISTING EASEMENT LINE
 - PROPOSED EASEMENT LINE
 - 10' CONTOUR INTERVAL
 - 2' CONTOUR INTERVAL
 - THE COURSE LINE
 - FORMER TRACT LINE
 - CULVERT
 - OVERHEAD UTILITY LINE
 - UNDERGROUND UTILITY LINE
 - WATER LINE
- G.B.(F) GRANITE BOUND FOUND
 - G.B.(F) GRANITE BOUND PER REF.PLAN
 - L.P.W.(F) IRON PIN FOUND
 - L.P.W.(F) IRON PIN PER REF.PLAN
 - L.P.P.E.(F) IRON PIPE PER REF.PLAN
 - L.P.W.(TS) IRON PIN TO BE SET
 - UTILITY POLE, GUY & LIGHT
 - MAN HOLE
 - WATER HYDRANT
 - WATER VALVE
 - LIGHT POST
 - BOLLARD
 - SINGLE SIGN POST
 - SEPTIC VENT
 - 8-75 TAX MAP & LOT NUMBER



- NOTES:**
- OWNER OF RECORD FOR TAX MAP 8, LOT 73 IS KGL LANDSCAPE CONSTRUCTION, LLC, 211 MONT VERNON ROAD, MILFORD, NH 03055. THE DEED REFERENCE FOR THE PARCEL IS BOOK 9054 PAGE 682 DATED MARCH 5, 2018 IN THE H.C.R.D.
 - THE PURPOSE OF THIS PLAN IS TO DEPICT THE EXISTING IMPROVEMENTS ON TAX MAP 8, LOT 73.
 - THE TOTAL AREA OF TAX MAP 8, LOT 73 IS 14.062 ACRES OR 612,560 SQ.FT.
 - LOT NUMBERS REFER TO THE TOWN OF MILFORD ASSESSORS MAP 8.
 - ZONING FOR THE PARCEL IS RESIDENCE "A" DISTRICT.
- | RESIDENCE "A" DISTRICT | REQUIRED | EXISTING |
|------------------------|-----------|------------|
| MIN LOT AREA | 40,000 SF | 612,560 SF |
| MIN LOT FRONTAGE | 150 FT | 453.24 FT |
| MIN FRONT SETBACK | 30 FT | 30 FT |
| MIN SIDE SETBACK | 15 FT | 15 FT |
| MIN REAR SETBACK | 15 FT | 15 FT |
| MAX. BUILDING HEIGHT | 35 FT | <35 FT |
- THE WETLAND CONSERVATION DISTRICT OVERLAY REQUIRES A 25' BUFFER SETBACK.
 - HORIZONTAL ORIENTATION IS BASED ON REFERENCE PLAN #1. VERTICAL DATUM IS ASSUMED.
 - THE SURFACE FEATURES AND SITE TOPOGRAPHY SHOWN ARE THE RESULT OF AN ON SITE FIELD SURVEY BY THIS OFFICE DURING THE MONTH OF FEBRUARY 2016 TOGETHER WITH THE REFERENCE PLANS CITED HEREON.
 - THE UNDERGROUND UTILITIES SHOWN HAVE BEEN COMPILED IN PART FROM PLANS OF RECORD AND FIELD LOCATION. THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE CONSIDERED APPROXIMATE AND SHALL BE FIELD VERIFIED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.
 - JURISDICTIONAL WETLANDS WERE MAPPED AND LOCATED BY THIS OFFICE DURING THE MONTH OF FEBRUARY 2016.
 - "OPEN SPACE" AREA IS 12.98 ACRES OR 87.2% OF THE TOTAL PARCEL AREA. MINIMUM REQUIREMENT IS 30%.
 - BASED ON A FIELD INSPECTION THE ENTRANCE TO THE SITE SATISFIES THE MILFORD MINIMUM SAFE SIGHT DISTANCE REQUIREMENTS.
 - THE PARCEL LIES OUTSIDE OF THE 100-YEAR FLOOD HAZARD AREA PER FEMA F.I.R.M. PANEL 33011C0456D DATED SEPTEMBER 25, 2009.
 - THE SUBJECT PARCEL IS IN THE GROUNDWATER PROTECTION OVERLAY ZONE.
 - OTHER THAN THOSE SHOWN HEREON, THERE ARE NO OTHER KNOWN EASEMENT, DEED RESTRICTIONS OR COVENANTS ON THE PROPERTY.
 - ON JANUARY 7, 2016, THE MILFORD ZONING BOARD OF APPEALS GRANTED A VARIANCE TO PERMIT A COMMERCIAL USE IN THE RESIDENCE "A" ZONE (SEE ZBA CASE #2015-19).
 - THE FORMER USE ON LOT 8-73 WAS A SCHOOL BUS PARKING, SERVICE, AND DISPATCH FACILITY WITH PAVED ENTRANCE DRIVES AND GRAVEL BUS AND EMPLOYEE PARKING AREAS. THE EXISTING USE ON LOT 8-73 IS COMMERCIAL.

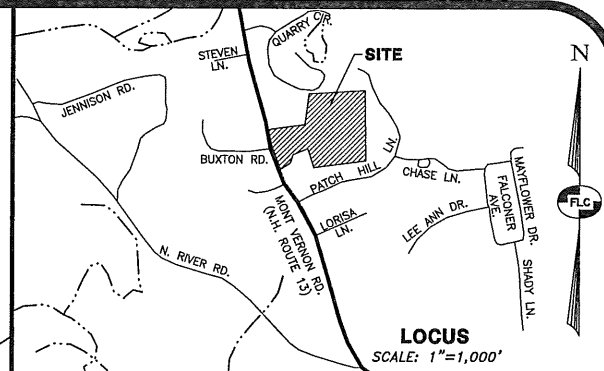
REV.	DATE	DESCRIPTION	LD/OC/D	TJB	MDP
A	5/23/19	ADD SITE DEVELOPMENT EXHIBIT SHEET			
			C/O	DR	CK

EXISTING CONDITIONS PLAN
TAX MAP PARCEL 8-73
(211 MONT VERNON ROAD)
MILFORD, NEW HAMPSHIRE
PREPARED FOR AND LAND OF:
KGL LANDSCAPE CONSTRUCTION, LLC
211 MONT VERNON ROAD, MILFORD, NH 03055
SCALE: 1" = 50' APRIL 26, 2019
Surveying + Engineering + Land Planning + Permitting + Septic Designs

FIELDSTONE
LAND CONSULTANTS, PLLC
206 Elm Street, Milford, NH 03055
Phone: (603) 672-5456 Fax: (603) 413-5456
www.FieldstoneLandConsultants.com

REFERENCE PLANS:

1. "CONSOLIDATION - PLAN OF LAND OF - WELCH REAL ESTATE TRUST - MILFORD, N.H.", SCALE 1"=50', DATED JULY 11, 1984 BY THOMAS F. MORAN, INC. RECORDED IN THE H.C.R.D. AS PLAN NO.17234.
2. "MAP 8 LOT 43 - EASEMENT PLAN - OVER LAND OF - F.B.L.W. REALTY TRUST - ROUTE 13, MILFORD, N.H. - PREPARED FOR - DUDDY LAW OFFICES - BEDFORD, N.H. 03110", SCALE 1"=40', DATED MARCH 14, 1995 AND LAST REVISED JUNE 12, 1995, BY TFMORAN INC. RECORDED IN THE H.C.R.D. AS PLAN NO.27949.
3. "SITE PLAN - PREPARED FOR - MARINEL TRANSPORTATION INC. - MILFORD, NEW HAMPSHIRE", SCALE 1"=20', DATED JULY 10, 1984 AND LAST REVISED OCTOBER 18, 1984, BY THOMAS F. MORAN, INC. AVAILABLE AT THE TOWN OF MILFORD PLANNING OFFICE.
4. "LOT LINE ADJUSTMENT PLAN - TAX MAP PARCELS 8-73 & 8-75 - 211 & 205 MONT VERNON STREET - MILFORD, NEW HAMPSHIRE - PREPARED FOR AND LAND OF: KGL LANDSCAPE CONSTRUCTION, LLC (LOT 8-73) - AND LAND OF: THE LAPLANTE FAMILY FAMILY REV. TRUST (8-75)", SCALE 1"=30', DATED MARCH 6, 2019 AND LAST REVISED MARCH 6, 2019, BY FIELDSTONE LAND CONSULTANTS, PLLC. RECORDED IN THE H.C.R.D. AS PLAN NO.40123.



NOTES:

1. OWNER OF RECORD FOR TAX MAP 8, LOT 73 IS KGL LANDSCAPE CONSTRUCTION, LLC, 211 MONT VERNON ROAD, MILFORD, NH 03055. THE DEED REFERENCE FOR THE PARCEL IS BOOK 9054 PAGE 682 DATED MARCH 5, 2018 IN THE H.C.R.D.
2. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE EXISTING TAX MAP 8 LOT 73 INTO 3 LOTS. PROPOSED LOT 8-73 SHALL HAVE 2 ACRES OR 87,120 SQ.FT. WITH THE MINIMUM REQUIRED FRONTAGE OF 150.00 FT. THIS LOT SHALL CONTAIN THE EXISTING OFFICE AND SEPTIC SYSTEM AND REMAIN IN COMMERCIAL USE (SEE NOTE #15). PROPOSED LOT 8-73-1 SHALL BE A RESIDENTIAL LOT AND HAVE THE MINIMUM REQUIRED AREA OF 40,000 SQ.FT. WITH A FRONTAGE OF 153.24 FT. PROPOSED LOT 8-73-2 SHALL ALSO BE RESIDENTIAL AND WILL CONSIST OF A LARGE REMAINING LOT WITH 11,144 ACRES OR 485,440 SQ.FT. WITH THE MINIMUM REQUIRED FRONTAGE OF 150.00 FT.
3. THE TOTAL AREA OF EXISTING TAX MAP 8, LOT 73 IS 14.062 ACRES OR 612,560 SQ.FT.
4. LOT NUMBERS REFER TO THE TOWN OF MILFORD ASSESSORS MAP 8.
5. ZONING FOR THE PARCEL IS RESIDENCE "A" DISTRICT.

RESIDENCE "A" DISTRICT	REQUIRED	EXISTING
MIN LOT AREA	40,000 SF	612,560 SF
MIN LOT FRONTAGE	150 FT	453.24 FT
MIN FRONT SETBACK	30 FT	30 FT
MIN SIDE SETBACK	15 FT	15 FT
MIN REAR SETBACK	15 FT	15 FT
MAX. BUILDING HEIGHT	35 FT	<35 FT

6. THE WETLAND CONSERVATION DISTRICT OVERLAY REQUIRES A 25' BUFFER SETBACK.
7. HORIZONTAL ORIENTATION IS BASED ON REFERENCE PLAN #1. VERTICAL DATUM IS ASSUMED.
8. THE SURFACE FEATURES AND SITE TOPOGRAPHY SHOWN ARE THE RESULT OF AN ON SITE FIELD SURVEY BY THIS OFFICE DURING THE MONTH OF FEBRUARY 2016 TOGETHER WITH THE REFERENCE PLANS CITED HEREON.
9. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN COMPILED IN PART FROM PLANS OF RECORD AND FIELD LOCATION. THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE CONSIDERED APPROXIMATE AND SHALL BE FIELD VERIFIED PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITIES.
10. JURISDICTIONAL WETLANDS WERE MAPPED AND LOCATED BY THIS OFFICE DURING THE MONTH OF FEBRUARY 2016.
11. "OPEN SPACE" AREA IS 12.98 ACRES OR 87.2% OF THE TOTAL PARCEL AREA. MINIMUM REQUIREMENT IS 30%.
12. BASED ON A FIELD INSPECTION THE ENTRANCE TO THE SITE SATISFIES THE MILFORD MINIMUM SAFE SIGHT DISTANCE REQUIREMENTS.
13. THE PARCEL LIES OUTSIDE OF THE 100-YEAR FLOOD HAZARD AREA PER FEMA F.I.R.M. PANEL 33011C0456D DATED SEPTEMBER 25, 2009.
14. THE SUBJECT PARCEL IS IN THE GROUNDWATER PROTECTION OVERLAY ZONE.
15. OTHER THAN THOSE SHOWN HEREON, THERE ARE NO OTHER KNOWN EASEMENT, DEED RESTRICTIONS OR COVENANTS ON THE PROPERTY.
16. ON JANUARY 7, 2016, THE MILFORD ZONING BOARD OF APPEALS GRANTED A VARIANCE TO PERMIT A COMMERCIAL USE IN THE RESIDENCE "A" ZONE (SEE ZBA CASE #2015-19).
17. THE FORMER USE ON LOT 8-73 WAS A SCHOOL BUS PARKING, SERVICE, AND DISPATCH FACILITY WITH PAVED ENTRANCE DRIVES AND GRAVEL BUS AND EMPLOYEE PARKING AREAS. THE EXISTING USE ON LOT 8-73 IS COMMERCIAL.
18. THERE IS A PROPOSED ACCESS EASEMENT OVER PROPOSED LOT 8-73 FOR THE BENEFIT OF PROPOSED LOT 8-73-2 CONTAINING 11,161 SQ.FT. AS SHOWN. THERE IS A PROPOSED ACCESS AND UTILITY EASEMENT OVER PROPOSED LOT 8-73-2 FOR THE MUTUAL BENEFIT OF PROPOSED LOT 8-73 AND 8-73-1 CONTAINING 3,969 SQ.FT. AS SHOWN.
19. NHDES STATE SUBDIVISION APPROVAL AND NHDOT STATE DRIVEWAY PERMITS ARE PENDING.

A	5/23/19	ADD SITE DEVELOPMENT EXHIBIT SHEET	LD/OC	TJB	MDP
REV.	DATE	DESCRIPTION	C/O	DR	CK

SITE DEVELOPMENT EXHIBIT
TAX MAP PARCEL 8-73
211 MONT VERNON ROAD
MILFORD, NEW HAMPSHIRE
 PREPARED FOR AND LAND OF:
KGL LANDSCAPE CONSTRUCTION, LLC
 211 MONT VERNON ROAD, MILFORD, NH 03055
 SCALE: 1" = 50' MAY 23, 2019

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs

FIELDSTONE
 LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055
 Phone: (603) 672-5456 Fax: (603) 413-5456
 www.FieldstoneLandConsultants.com

LIST OF ABUTTERS

- | | | |
|--|--|---|
| <p>Tax Map 8 Lot 73
KGL Landscape Construction, LLC
211 Mont Vernon Road
Milford, NH 03055
Vol.9054 Pg.682 3/5/18</p> <p>Tax Map 8 Lot 58
Kammie L. Fuller
210 Mont Vernon Road
Milford, NH 03055
Vol.8632 Pg.2887 12/31/13</p> <p>Tax Map 8 Lot 59
Sean M. & Sarah B. Wilson
216 Mont Vernon Road
Milford, NH 03055
Vol.8766 Pg.1342</p> <p>Tax Map 8 Lot 66
Eber L. & Gertrude A. Currier, Trustees
9 Peaslee Road
Merrimack, NH 03055
Vol.7633 Pg.1536 2/20/06</p> <p>Tax Map 8 Lot 71-C
Quarry Association
C/O Robert F. Kokko
Kokko Realty
480 Nashua Street #A
Milford, NH 03055
Vol.3235 Pg.328 11/7/84</p> <p>Tax Map 8 Lot 74
Tyrone Forbes
78 Robbins Road
Wilton, NH 03098-5953
Vol.7823 Pg.2299 3/22/07</p> <p>Tax Map 8 Lot 74A
Jerome Forbes
P.O. BOX 651
Milford, NH 03055
Vol.7823 Pg.2299 3/22/07</p> | <p>Tax Map 8 Lot 75
LoPlante Family Rev. Trust
Carmen & Gary A. LoPlante Trustees
66 Old Amherst Road
Mont Vernon, NH 03057
Vol.8854 Pg.2496 5/12/16</p> <p>Tax Map 9 Lot 1-1
Ashish K. & Handoula S. Usman
28 Patch Hill Lane
Milford, NH 03055
Vol.7987 Pg.1468 5/17/08</p> <p>Tax Map 9 Lot 1-2
Breault Family
Revocable Trust of 2019
Joshua D. & Nikole E. Breault, Co-Trustees
32 Patch Hill Lane
Milford, NH 03055
Vol.9144 Pg.1240 2/15/19</p> <p>Tax Map 9 Lot 1-3
Brittany M. Campbell & Timothy B. Russell
90 Patch Hill Lane
Milford, NH 03055
Vol.8310 Pg.2553 3/1/11</p> <p>Tax Map 9 Lot 1-8
David A. & Kerry A. Viger, Jr.
66 Patch Hill Lane
Milford, NH 03055
Vol.7545 Pg.806 9/12/05</p> <p>Tax Map 9 Lot 1-9
Heather Lee Racine & Lorenzo Racine
70 Patch Hill Lane
Milford, NH 03055
Vol.8784 Pg.1714</p> | <p>Tax Map 9 Lot 1-10
Marc & Melissa Isacoff
72 Patch Hill Lane
Milford, NH 03055
Vol.8883 Pg.1708 8/05/16</p> <p>Tax Map 9 Lot 1-11
Crystal A. Paul
78 Patch Hill Lane
Milford, NH 03055
Vol.132 Pg.2753 12/11/18</p> <p>Tax Map 9 Lot 1-12
David M. Maleedy
34 Clinton Street
Mansfield, MA 02048
Vol.7747 Pg.519 9/18/06</p> <p>Tax Map 9 Lot 1-13
Stephen Hett & Erin K. Anderson
88 Patch Hill Lane
Milford, NH 03055
Vol.7718 Pg.2801 1/25/06</p> <p>Tax Map 9 Lot 1-14
Andrew Flynn & Rachel Anderson
90 Patch Hill Lane
Milford, NH 03055
Vol.8471 Pg.1176 9/12/12</p> <p>Tax Map 9 Lot 1-39 & 1-40
Town of Milford
1 Union Square
Milford, NH 03055
Vol.7651 Pg.2019 3/30/06</p> <p>Tax Map 8 Lot 57
Stephen H. Sean & Stanley E. Trombly
Trombly Land Trust
201 North River Road
Milford, NH 03055
Vol.6047 Pg.542 1/4/99</p> |
|--|--|---|

LOT SYNOPSIS:

LOT NUMBER	AREA: SQ.FT.	AREA: ACRES	FRONTAGE: FT.
8-73 (NEW)	87,120	2.000	150.00
8-73-1 (NEW)	40,000	0.918	153.24
8-73-2 (NEW)	485,440	11.144	150.00
8-73 (OLD)	612,560	14.062	453.24

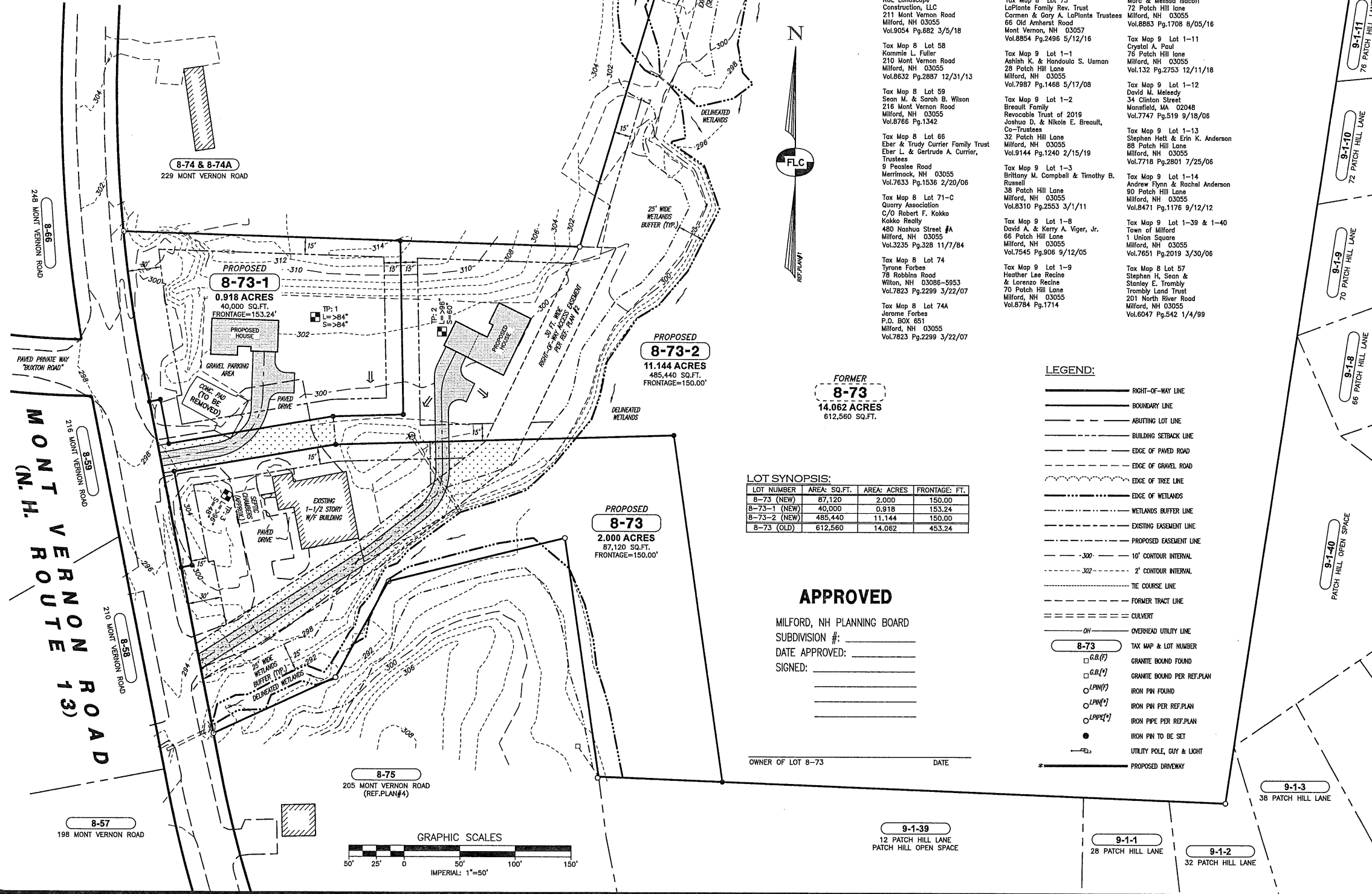
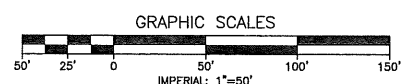
APPROVED

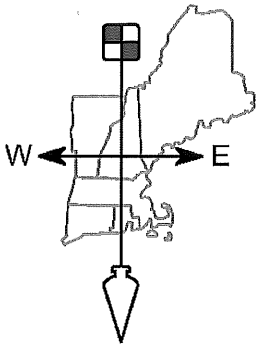
MILFORD, NH PLANNING BOARD
 SUBDIVISION #: _____
 DATE APPROVED: _____
 SIGNED: _____

OWNER OF LOT 8-73 _____ DATE _____

LEGEND:

——	RIGHT-OF-WAY LINE
——	BOUNDARY LINE
——	ABUTTING LOT LINE
——	BUILDING SETBACK LINE
——	EDGE OF PAVED ROAD
——	EDGE OF GRAVEL ROAD
——	EDGE OF TREE LINE
——	EDGE OF WETLANDS
——	WETLANDS BUFFER LINE
——	EXISTING EASEMENT LINE
——	PROPOSED EASEMENT LINE
——	10' CONTOUR INTERVAL
——	2' CONTOUR INTERVAL
——	TIE COURSE LINE
——	FORMER TRACT LINE
——	CULVERT
——	OVERHEAD UTILITY LINE
——	TAX MAP & LOT NUMBER
□	GRANITE BOUND FOUND
□	GRANITE BOUND PER REF.PLAN
○	IRON PIN FOUND
○	IRON PIN PER REF.PLAN
○	IRON PIPE PER REF.PLAN
○	IRON PIN TO BE SET
○	UTILITY POLE, GUY & LIGHT
——	PROPOSED DRIVEWAY





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LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

May 23, 2019

Town of Milford Planning Board
Attn: Lincoln Daley, Community Development Director
1 Union Square
Milford, NH 03055

RE: Tax Map Parcel 8-73, 211 Mont Vernon Road
Minor Subdivision
KGL Landscape Construction, LLC
(Review Response Letter)

Dear Mr. Daley;

Fieldstone Land Consultants, PLLC (FLC) is in receipt of the Review Memo dated May 16, 2019 for the above referenced application. FLC is writing this letter to document how we have addressed the comments to assist you in your review of the application. We have restated each of the original comments (in italics) with the action taken to address the concern in bold below each comment.

- Milford Development Regulations, Section 1.1. Please explain how the layout of Lot 8-73-2 meets the purpose of the Development Regulations involving the harmonious and aesthetically pleasing development of the municipality and its environs.*

Prior to 1985 this property was zoned Industrial and was used by a bus transportation company to operate and store school buses. The site plan for the bus operation was approved October 17, 1984 and included a proposed 3572 SF office /garage building that was eventually constructed and still exists today (the existing 1 ½ story building shown on the current plan set). The next year, at the 1985 Town Meeting, this parcel was rezoned to the Residence A zone.

In 2015, at the October 15, 2015 Zoning Board of Adjustment Meeting, Eber & Trudy Carrier along with Sunshine Six, LLC, owners of the parcel at the time, applied for and was granted a variance permitting a commercial use within the Residence A zone having plans to construct self-storage units on the property.

The current owners do not want to follow through with the approved plans for the self-storage operation but wish to build two single-family homes instead. The existing property has over 14 acres but much of it in the back is wetlands. There is, however, almost 120,000 SF of contiguous dry land with 453.24 feet of frontage that will support (3) lots meeting the Residence A requirements. The limiting factors are

the number of state approved curb cuts and the central position of the existing office/garage building. And while the configuration of proposed Lot 8-73-2 is a bit unconventional, the fact is that the net result of the proposed subdivision will be two new attractive single-family homes with no new driveways. We believe this would be more aesthetically pleasing over what could be if plans for the storage units were to go forward. We further believe that this application would be harmonious with the surroundings as all of the parcel locus this the subject parcel, except for one are residential.

2. *General Question – Sheet 1. Please show the approximate locations for the homes on Lot 8-73-1 and 8-73-2.*

Sheet 3 has been added to the plan set: “Site Development Exhibit”. Proposed houses with a two-car garage are shown on this sheet for both Lots 8-73-1 and 8-73-2.

3. *General Question – Sheet 1. Please show the approximate location for the driveways servicing each lot. Given the extent and location of the wetland resource areas. Please include the conceptual final grading plan for the properties.*

Mont Vernon Road (NH Route 13) is a state road and we are proposing to use the existing curb cuts with no new curb cuts needed.

A proposed 12’ wide driveway has been shown on Sheet 3 for Lot 8-73-1 utilizing the existing paved driveway and curb cut on Proposed Lot 8-73-2 and within the “Proposed Access & Utility Easement (3,969 sq.ft.)” that is between Proposed Lots 8-73-1 and 8-73.

Because of the existing detention basin and outlet structure beyond, the proposed 12’ driveway for Lot 8-73-2 is proposed to utilize the existing paved driveway and curb cut on Proposed Lot 8-73 and within the “Proposed Access Easement (10,188 sq.ft.) that runs across Proposed Lot 8-73.

4. *General Question – Sheet 1. Please clarify if the 30 ft wide Right-Of-Way Access Easement cited in the Reference Plans: Note 2 is connected to the Right-Of-Way Access shown on north east corner of Lot 8-73-2 to the border of Lot 8-71. It is hard to distinguish the boundaries/limits of the northerly easement.*

When the heirs of John Kimball (Mary L. Richardson and Susan H. Kimball) sold the property to Frank Hartshorn, they reserved “the right to pass and repass with loaded teams or otherwise over said granted premises on the two roads now used” (Vol. 601 Pg.139 dated May 29, 1901. We believe that these are the “cart roads” shown on Reference Plan #1 (HCRD Plan #17234).

When Frank Hartshorn sold Lot 8-41(now 8-74) to Theodore I. and Edna E. Forbes (Vol. 1216 Pg.130 dated December 16, 1948) he “granted the privilege of using the road leading from the highway above mentioned to Roberts Quarry, so called, as it crosses other land of Frank Hartshorn Company”. Again, we believe this is the “cart road” shown on Reference Plan #1.

At some point, we assume, the southern portion of this cart road was either obliterated or relocated and it was necessary to “confirm the location and width of the right- of way for the benefit of Lot 8-41 (now 8-74)”, as shown on Reference Plan #2 (HCRD Plan #27949). We understand that the easement defined on Reference Plan #2 only extends to the southeast corner of the Forbes Lot because this is all the Forbes’ were interested in and that additional definition of the easement wasn’t necessary beyond their southeast corner since the cart road still existed and its location was obvious. Thus, the original right of way still exists as intended, along the existing cart road, it’s just not defined with metes and bounds description beyond the southeast corner of former Lot 8-41 (now Lot 8-74).

The Proposed Access Easement (10,188 sq.ft.) over Proposed Lot 8-73 for the benefit of Proposed Lot 8-73-2 is coincident with the original 30 ft. wide Right of Way shown on Reference Plan #2.

5. *General Question – Sheet 1. Please update Notes: #2 by organizing the lots and dimensional requirements into a chart.*

Lot Synopsis Chart Added to Sheet 1.

6. *General Question – Sheet 1, Note 9. Please clarify the discrepancy involving the date the wetlands were delineated. Said note states February 2015 while the Certification Note states December 2016.*

Wetlands were originally located during three days of field work performed in February 2016 (2/2/16, 2/4/16 and 2/8/16). The plan has been corrected.

- ~~7. *General Question – Sheet 1. Given the current conditions of the property, please explain*~~

~~**Remove per Lincoln Daley**~~

8. *General Question – Sheet 2. Please explain if the unpermitted berm/grading along the frontage of the property will be returned to its pre-disturbed state.*

The berm along the frontage portion of the property was placed to create a buffer from sight and sound between the site and New Hampshire Route 13. The new owners of the property do not wish to construct the approved site plan for the self-storage operation and would prefer to keep the berm in the current location being that the new application before the Board is for two residential lots.

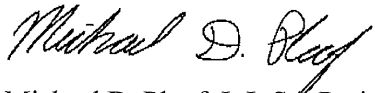
Mr. Lincoln Daley
KGL Landscape Construction, LLC – Review Response Letter

Page 4 of 4

9. *General Question – Sheets 1 and 2. Please clarify if the existing drainage area and pipes shown in the aerial and plan below are being removed. If yes, please explain how stormwater and drainage from the commercial property are being managed.*

The detention basin and outflow structure will remain as is and will not be disturbed. The proposed driveway for Proposed Lot 8-73-2 will run along the proposed access easement that crosses Proposed Lot 8-73 and will avoid the existing drainage area of concern.

Very truly yours,
Fieldstone Land Consultants, PLLC



Michael D. Ploof, L.L.S. - Project Manager

Town of Milford
CONSERVATION COMMISSION

Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0628
Fax (603) 673-2273
www.milford.nh.gov
conservation@milford.nh.gov



MEMORANDUM

May 21, 2019

To: Milford Planning Board

**Re: Interdepartmental Review Map8 Lot73 Minor Subdivision
211 Mont Vernon Street
KGL Landscape Construction LLC**

To the Board,

The Conservation Commission reviewed this plan at their May 9, 2019 meeting. The Commission members have comments.

1. The MCC would like the plan to show that there is sufficient space on M8L73-2 for the house, well and septic system without using the buffer or wetland.
2. The proposed access easement crossing M8L73 is in the buffer. The 10,000sqft impact will trigger the necessity of a special exception from the Zoning Board of Adjustment.
3. How will stormwater be managed on this site? The existing drainage system on the Existing Conditions Page (Sheet 2 of 2 of Plan dated April 26, 2019) is not present on Sheet 1 of 2.

The Commission appreciates the opportunity to review this application. We look forward to seeing a well-designed project that improves the natural resource functionality of the site.

Very Respectfully,

Chris Costantino
Milford Conservation Commission | coordinator