

# TOWNOFMILFORD, NH OFFICEOFCOMMUNITYDEVELOPMENT

1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620

WEB: WWW.MILFORD.NH.GOV

Date: October 5, 2020
To: Planning Board

From: Kellie Walsh, Town Planner

Subject: TEG Holdings, LLC (owner/applicant) – Review for acceptance and consideration of final approval

for a subdivision plan to subdivide the existing lot of record into three parcels in Milford and one parcel in Brookline. The parcel is located at an unnumbered lot on Osgood Road in the Residence R District,

Wetland Conservation and Floodplain Management Overlay Districts. Tax Map 51, Lot 23.

This parcel is also located on a designated Scenic Road (Osgood Road) which requires a public hearing

per NH RSA 231:158.

### BACKGROUND/PROPOSAL:

The applicant is before the Board seeking approval of a subdivision plan to subdivide an existing lot of record into three parcels in Milford an additional lot will be created in the Town of Brookline. The parcel is located in the Residential R zoning district and is abutted by residential uses. The Board will also need to hold a hearing and have discussion related to the scenic road given this is a new application. This will be the first public hearing for the subdivision application. At the last meeting (9/15/20) the Board voted the application to have potential regional impact and therefore the application was tabled. Attached you will find the regional impact comments from NRPC.

### **EXISTING USE/CONDITIONS:**

The total area of existing Map 51, Lot 23 is 29.483 acres (a portion of the lot is also in the Town of Brookline) and is currently vacant. The lot has designated wetland areas as shown on the plan provided. The wetland areas require a 25 foot buffer in Milford.

### **APPLICATION STATUS:**

The application is complete and ready to be accepted.

#### **NOTICES:**

Notices were sent to all property abutters on September 2, 2020.

#### WAIVERS:

The applicant has not submitted any waiver requests.

#### **PROPOSAL:**

The intent of the plan is to create three new lots in Milford and one in Brookline as further detailed below:

• Map 51, Lot 23 would be subdivided into three parcels in Milford and one parcel in Brookline labeled 51-23-1, 51-23-2, 51-23-3 and Map B Lot 1 in Brookline. The proposed acreage is as follows:

Lot #	<b>Existing</b>	<b>Proposed</b>
Map 51, Lot 23-1		5.654 acres (246,294 SF)
Map 51, Lot 23-2		5.475 acres (238,503 SF)
Map 51, Lot 23-3		6.354 acres (276,785 SF)
Brookline Lot (B-1)		11.999 acres (522,677SF)

• Each of the proposed lots meets the Milford minimum lot size of 2 acres (87,120 SF) or greater and minimum

frontage of 200 linear feet. The plans show the approximate location of the septic service areas and wells.

• Frontage for each of lots will be provided on Osgood Road. Each lot meets the minimum 200 linear foot frontage requirement for lots in the Residential R zoning district.

### **INTERDEPARTMENTAL REVIEWS:**

Ambulance: No comments.

Assessing: Provide clarification on the lot line for 51-23-3. Cannot tell if it is a single building site that crosses two

towns or two distinct building sites.

**Building Department:** No comments

Code Enforcement/ Health: No comments.

Conservation Commission: See comments attached

**Fire Department**: No comments.

Heritage Commission: See comments attached.

**Police Department**: No comments.

Public Works: No comments.

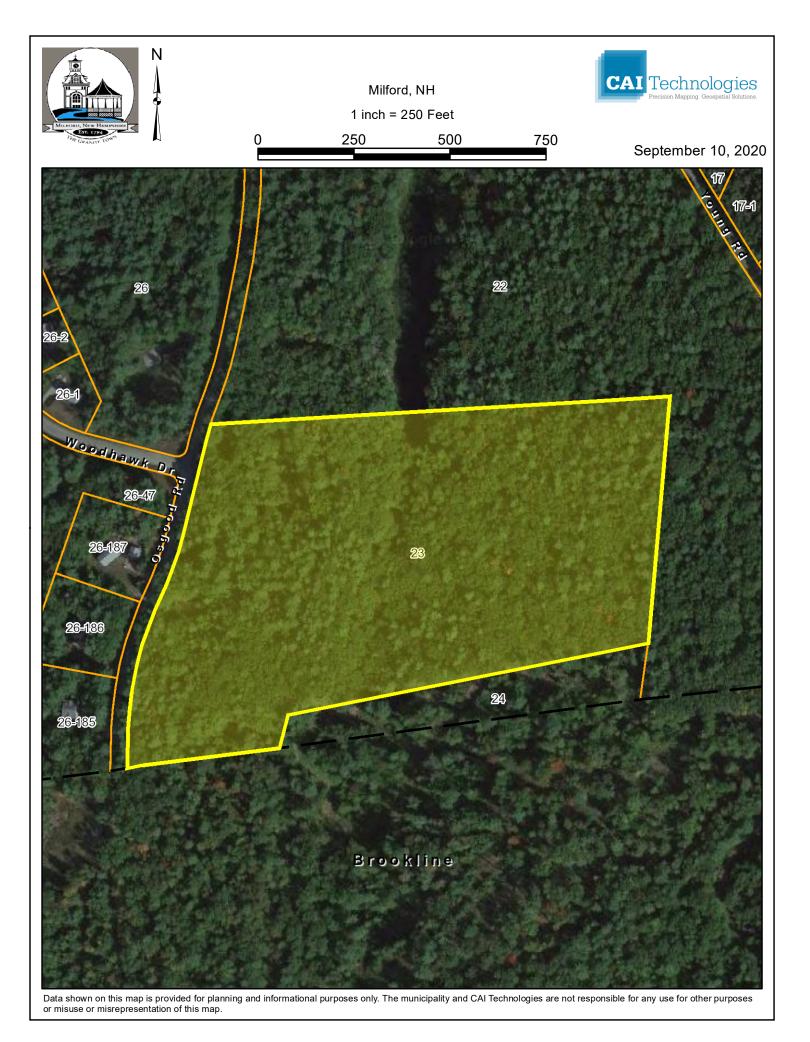
Water/Sewer Utilities: No comments.

Community Development / Planning:

- 1. General Comment. Curb cut approvals from the Town will be required for Map 51-23-1, 51-23-2 and 51-23-3 on Osgood Road.
- 2. General Comment. Please provide the test pit data.
- 3. General Comment. Please provide the Town a copy of the access easement.
- 4. General comment. Given the amount of wetland resource area on the site, the applicant should be prepared to discuss any potential impact on environmental resources and areas of high ecological value.
- 5. Subdivision Plan. Sheet 1. Please add "no stonewalls or trees of 15" circumference or larger are to be removed within the Osgood Road Right-of-Way without a Planning Board Scenic Road public hearing. Where possible, all existing stonewalls should be retained."
- 6. Subdivision Plan. Sheet 1. Please add a note stating a stormwater management & erosion control plan will be required for any land disturbance greater than 5,000 SF.
- 7. 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. Further, please be sure to include all bounds for each of the affected lots. See Milford Development Regulations, Section 6.021 Bounds for more information and specifications.
- 8. Subdivision Plan. Sheet 4. Will the new property line for lot 51-23-3 be the town line?
- 9. Subdivision Plan. A note shall be added to the plan stating any required State of NH site specific permit numbers.

### STAFF RECOMMENDATIONS:

The applicant should be prepared to address the comments raised by the Planning Board, Conservation Commission, Town Consultants, Staff, and public pertaining to the Subdivision Plan. If the Board is satisfied with the information and responses from the applicant and finds the remaining concerns can be addressed with staff, staff would recommend a conditional approval.





September 30, 2020

Doug Knott, Chair Planning Board Milford Town Hall 1 Union Square Milford, NH 03055

Re: TEG Holdings Subdivision Plan, Map 51, Lot 23, Osgood Road, Milford, NH

Dear Chairman Knott & Members of the Board:

NRPC has received notification of the above referenced subdivision application, determined by the Planning Board to be a project of regional impact pursuant to NH RSA 36:56. Whereas the proposed subdivision is located on a municipal border and includes land in the Town of Brookline, determination that the application is a project of regional impact is appropriate.

The proposed subdivision would create four large lots, three in Milford and one in Brookline. Given the small number of dwelling units proposed and the low-density nature of the development, there would be no significant impact to the regional transportation network and there are no potential environmental or other impacts of a regional nature that we are aware of.

Thank you for providing NRPC with an opportunity to comment. If you have any questions, concerns or require additional information, please feel free to reach out to me or any other member of the NRPC staff at your convenience.

Sincerely,

NASHUA REGIONAL PLANNING COMMISSION

Jay Minkarah Executive Director

# 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**

September 11, 2020

To: Milford Planning Board

Re: Interdepartmental Review Map51 Lot23
Osgood Road Subdivision Plan – TEG Holdings subdivision

To the Board,

The Conservation Commission (MCC) reviewed this plan at the September 10 meeting. The Commission members have some comments.

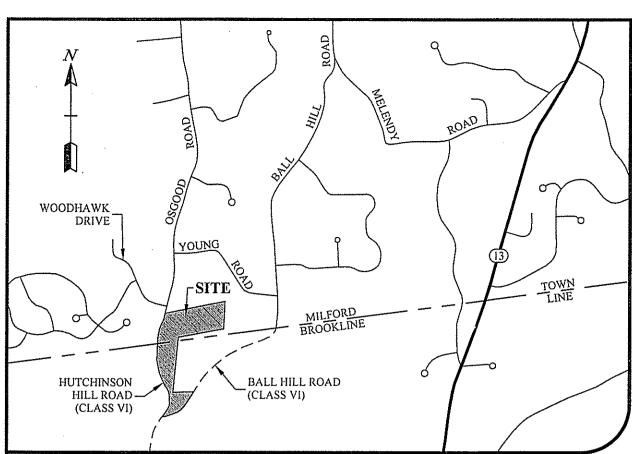
- 1. The MCC would like to schedule a site visit with the applicant.
- The MCC recommends that the Planning Board request a Natural Resource Inventory be taken on this parcel. The Commission has received photos from abutters indicating that species of concern are moving across the landscape.
- 3. Some of this parcel is identified as Highest Ranked Wildlife habitat in NH, the remainder is identified as Highest Ranked Wildlife Habitat in the Region. The impact to this special habitat can be mitigated by reducing the proposed subdivision from three to two lots.
- 4. The MCC has requested that wetlands be excluded from newly created lots. This request is repeated for this subdivision. The wetland becomes a restriction on future homeowners who, historically and recently, have come back to various boards seeking relief. With disturbing regularity, the wetland and its buffer, which is a valuable resource, is not protected.
- 5. If the wetlands are included in the newly subdivided lots, the MCC requests that there be a physical marker to identify the edge of the wetland buffer.
- 6. Would the applicant consider redrawing the lot lines to keep the large wetland that runs across the property out of the proposed new lots? Or, at the minimum, place a conservation easement on each of the proposed lots to permanently protect this wetland.

7. A lot should be able to support its own driveway. The MCC appreciates that the applicant is trying to avoid a wetland and buffer impact.

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 | Coordinator Milford Conservation Commission



# LOCUS MAP

NOT TO SCALE

# REFERENCE PLANS

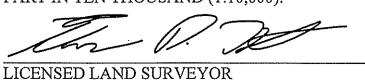
- "SUBDIVISION PLAN, LAND OF: THE MELENDY LIMITED PARTNERSHIP, TAX MAP LOT 51-22, BALL HILL ROAD & YOUNG ROAD, MILFORD, NEW HAMPSHIRE" LAST REVISED OCTOBER 8, 2004 AND PREPARED BY MERIDIAN LAND SERVICES, INC. H.C.R.D. PLAN #33600.
- "LOT LINE RELOCATION PLAN, MAP 51 \ LOT 26, BADGER HILL, OSGOOD ROAD, MILFORD, NEW HAMPSHIRE, PREPARED FOR: SEVAR CORPORATION, INC." DATED JULY 20, 1999 AND PREPARED BY MAYNARD & PAQUETTE ENGINEERING ASSOCIATES, INC. H.C.R.D. PLAN #30120.
- "LOT LINE ADJUSTMENT PLAN, TAX MAP PARCELS B-4 & B-68, LAND OF: EUGENE A. LESSER & JENNIFER A. STARR, PREPARED FOR: BROOKLINE CONSERVATION COMM., BROOKLINE, NEW HAMPSHIRE" LAST REVISED AUGUST 22, 2006 AND PREPARED BY MERIDIAN LAND SERVICES, INC. H.C.R.D. PLAN #35015.
- "SUBDIVISION PLAN, NEW LOTS TAX MAP "B" LOT 2 & TAX MAP "B" LOT 2-1, PREPARED FOR: GERTRUDE ROGERS" LAST REVISED APRIL 21, 1988 AND PREPARED BY ROLAND GIROUARD & ASSOCIATES, LAND SURVEYORS. H.C.R.D. PLAN #22069.
- "BOUNDARY PLAN, OSGOOD ROAD, MILFORD, NEW HAMPSHIRE AND HUTCHINSON HILL ROAD, BROOKLINE, NEW HAMPSHIRE PREPARED FOR WILLIAM M. LADD" DATED MARCH 13, 1986 AND PREPARED BY ALLAN H. SWANSON, INC. H.C.R.D. PLAN #18986.
- "EXISTING CONDITIONS PLAN, TAX MAP #51 LOT #22, OSGOOD ROAD, MILFORD, NH AS DRAWN FOR: GARY BERNIER, OWNER: MELENDY LIMITED PARTNERSHIP" DATED JUNE 8, 2001 AND PREPARED BY TURNING POINT LAND SURVEYORS & LAND PLANNERS. NOT RECORDED.

# WETLAND CERTIFICATION

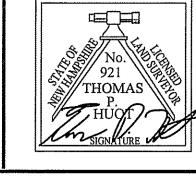
JURISDICTIONAL WETLANDS WERE DELINEATED IN ACCORDANCE WITH THE US ARMY CORPS OF ENGINEERS 1987 WETLANDS DELINEATION MANUAL Y-87-1, REGIONAL SUPPLEMENTS FOR NORTHEAST AND NORTHCENTRAL REGION AND CURRENT FIELD INDICATORS FOR HYDRIC SOILS IN NEW ENGLAND, BY CHRISTOPHER A. GUIDA, C.W.S. IN MAY 2020.

# SURVEYOR'S CERTIFICATION

"I HEREBY CERTIFY THAT THIS SURVEY AND PLAT WERE PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS AN ERROR OF CLOSURE OF GREATER ACCURACY THAN ONE PART IN TEN THOUSAND (1:10,000)."



8/13/2020 DATE



# ABUTTERS LIST

TAX MAP 51 LOT 26-47 BADGER HILL PROPERTIES, LLC 172 ROUTE 101, UNIT 25-C BEDFORD, NH 03110 BK: 8447 PG: 1254

**TAX MAP 51 LOT 26-185** 

FRITZ & JENNIFER SIEGRIST

687 OSGOOD ROAD

MILFORD, NH 03055

BK: 6618 PG: 704

ALBERTA B. STANDEL & HARRY M. STANDEL 681 OSGOOD ROAD MILFORD, NH 03055 BK: 9131 PG: 2192

## TAX MAP 51 LOT 26-187 ROBERT T. SAPORITO 675 OSGOOD ROAD MILFORD, NH 03055

BK: 8805 PG: 810

TAX MAP 51 LOT 26-186

# SYMBOL LEGEND

BOUND TO BE SET

TEST PIT

WELL

REBAR TO BE SET

BOUND FOUND — — EDGE OF PAVEMENT —— — EDGE OF GRAVEL

● DRILL HOLE FOUND · STONE WALL

O IRON PIPE FOUND

IRON PIN FOUND —— ··· — EDGE OF WETLAND

**UTILITY POLE** 

. TREELINE

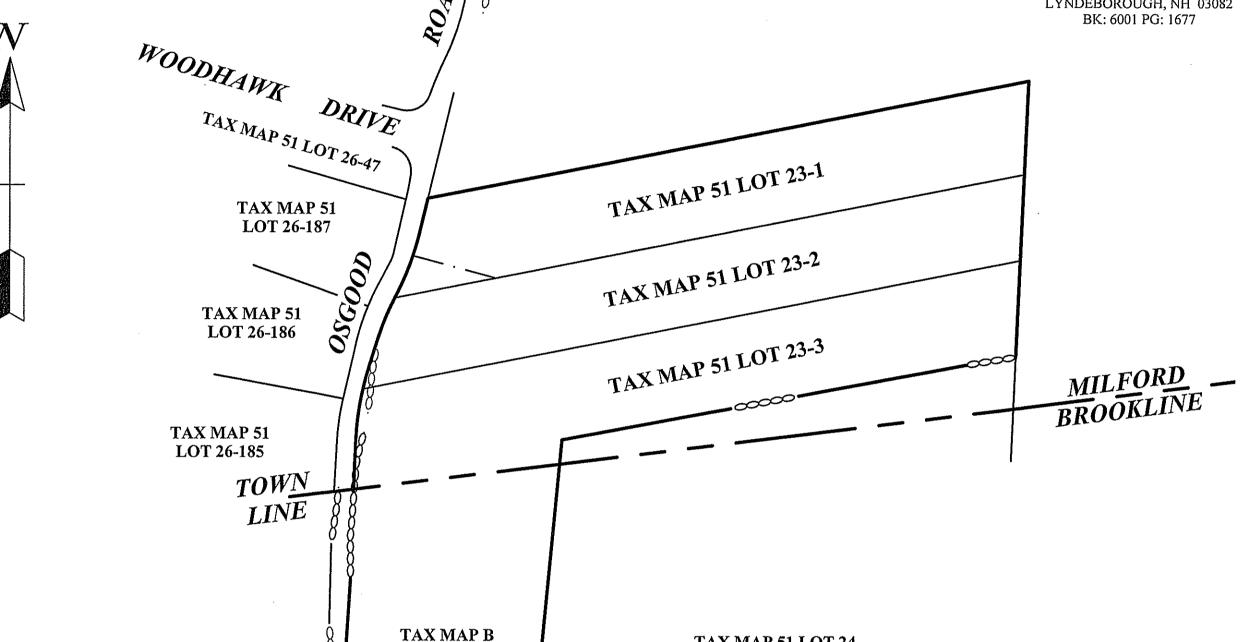
**⊗** GUY WIRE

OVERHEAD WIRES

## **TAX MAP 51 LOT 22** MELENDY LIMITED PARTNERSHIP P.O. BOX 175

LYNDEBOROUGH, NH 03082

BK: 6001 PG: 1677



**TAX MAP 51 LOT 24** LOT 1 TAX MAP B LOT 2 TAX MAP A LOT 1 MAUREEN R. M. KEITHAN MAKEPEACE FAMILY & PATRICIA A. MCALONEY REVOCABLE TRUST 22 KEITHAN LANE P.O. BOX 303 MELVIN VILLAGE, NH 03850 BK: 8558 PG: 1593 DRESDEN, ME 04342 BK: 5512 PG: 780

TAX MAP A LOT 2 GEORGE D. DENEAULT **5 CANDIA STREET** NASHUA, NH 03060 BK: 8334 PG: 829

**TAX MAP B LOT 68** TOWN OF BROOKLINE CONSERVATION COMMISSION P.O. BOX 360 BROOKLINE, NH 03033 BK: 7745 PG: 1400

TAX MAP B LOT 72 GEORGE D. DENEAULT **5 CANDIA STREET** 

BK: 8334 PG: 829

OWNER'S SIGNATURE

8/14/2020 DATE

**GRAPHIC SCALE** 

DESCRIPTION

# **NOTES**

1. OWNER OF RECORD:

TAX MAP 51 LOT 23 TEG HOLDINGS, LLC 586 TURNPIKE ROAD NEW IPSWICH, NH 03071

BK: 9302 PG: 173

TAX MAP B LOT 1 TEG HOLDINGS, LLC 586 TURNPIKE ROAD NEW IPSWICH, NH 03071

BK: 9302 PG: 173

2. THE INTENT OF THIS PLAN IS TO SUBDIVIDE THE PROPERTY INTO 4 LOTS, 3 IN THE TOWN OF MILFORD AND ONE IN THE TOWN OF BROOKLINE.

3. ZONING INFORMATION:

	MILFORD	BROOKLIN
ZONING DISTRICT	RESIDENCE 'R'	R & A
MINIMUM LOT SIZE	2 ACRES	80,000 SQ F
MINIMUM FRONTAGE	200'	200'
MINIMUM BUILDING SETBACKS		
FRONT	30'	301
SIDE	15'	15'
REAR	15'	15'
WETLAND	25'	50'

MAP 51 LOT 23 FALLS WITHIN A LEVEL 1 GROUNDWATER PROTECTION AREA, AS SHOWN ON THE MILFORD GIS SYSTEM.

- 4. THIS PLAN REPRESENTS EXISTING CONDITIONS, BOUNDARY EVIDENCE, AND MONUMENTATION AS OBSERVED DURING A SURVEY BY THIS OFFICE IN MAY & JUNE 2020.
- 5. THE TOTAL AREA OF MAP 51 LOT 23 PRIOR TO SUBDIVISION IS 761,582 SQ FT OR 17.484 ACRES. TOTAL AREA OF THE PARCEL PRIOR TO SUBDIVISION IS 1,284,259 SQ FT OR 29.483 ACRES.
- 6. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR HILLSBOROUGH COUNTY, NEW HAMPSHIRE. MAP NUMBER 33011C 0470D. EFFECTIVE DATE SEPTEMBER 25, 2009
- 7. ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE. THIS OFFICE HAS NOT LOCATED ANY UNDERGROUND UTILITIES. ALWAYS CALL DIG SAFE TO MARK OUT UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION ACTIVITIES.
- 8. OSGOOD ROAD / HUTCHINSON HILL ROAD AND BALL HILL ROAD WERE LAID OUT 2 RODS WIDE. HELD 16.5' FROM CENTERLINE WHERE NO ROAD WALLS EXIST. OSGOOD ROAD IS DESIGNATED AS A SCENIC ROAD IN MILFORD.
- 9. NHDES SUBSURFACE BUREAU SUBDIVISION APPROVAL IS NOT REQUIRED (ALL LOTS ARE GREATER THAN 5 ACRES).
- 10. PROPOSED LOT 23-1 IS SUBJECT TO AN ACCESS EASEMENT TO BENEFIT PROPOSED LOT 23-2, TO BE RECORDED HEREWITH.
- 11. BROOKLINE MAP B LOT 1 HAS NO FRONTAGE ON A CLASS V OR BETTER HIGHWAY AND IS UNBUILDABLE. SEE SHEET 3.
- 12. ON-SITE SOILS ARE CPC CHATFIELD-HOLLIS-CANTON COMPLEX, 8-15% SLOPES, PER USDA WEB SOIL SURVEY.

APPROVED BY THE MILFORD PLANNING BOARD	
APPROVAL#	DATED
CERTIFIED BY	, CHAIR
DATED	

**OVERVIEW SUBDIVISION PLAN** MILFORD TAX MAP 51 LOT 23

BROOKLINE TAX MAP B LOT 1 PREPARED FOR & LAND OF: TEG HOLDINGS, LLC

LOCATED AT:

OSGOOD ROAD MILFORD & BROOKLINE, NEW HAMPSHIRE



1600 CANDIA ROAD, SUITE #5 - MANCHESTER, NH

PHONE: (603)-628-8500, FAX: (603)-546-7791 SCALE: 1" = 200' DATE: AUGUST 13, 2020

FB: 31 PG: 7 TSC3 & SURVEYOR JOB #2020167

