



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

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Date: June 20, 2019
To: Planning Board
From: Lincoln Daley, Community Development Director
Subject: William T. Mahar, Tax Map 7 Lot 25, 19 Perry Road. Conditional Use Permit Application pursuant to Section 7.13 of the Zoning Ordinance and Major Site Plan Application to construct three (3) self-storage buildings totaling 9,500 sf and a 1,800 square foot building addition, and related parking, landscaping, and drainage improvements within the Integrated Commercial – Industrial 2 Zoning District and the Commerce Community Overlay District. In addition, Conditional Use Permit application pursuant to Section 6.06.6.F seeking relief from Section 6.06.6 Administration the administrative process and application requirements for submitting a Master Regulating Plan.

BACKGROUND/PROPOSAL:

The applicant is before the Planning Board for a Conditional Use Permit Application and major site plan application to construct three self-storage facility buildings totaling 9,500 square feet (1 x 2,200 s.f., 1x 3,300 s.f., and, 1 x 4,000 s.f), a 1,800 building addition for the automotive repair business, drainage and stormwater management improvements, and lighting and landscape design plan. The project also entails the restoration plan for the previously disturbed areas within the wetland buffer area and the removal/razing of storage trailers and accessory structures. This will be the first public hearing for the Conditional Use Permit Application.

This application is for a Conditional Use Permit to permit the self-storage facility buildings pursuant to the recently adopted Section 7.13 Self Storage Facilities and Section 7.14 Conditional Use Permits. The site plan review will be completed as a separate process pursuant to Section 6.06 Commerce Community Overlay District.

In addition, the applicant is requesting a continuance for the public hearing for the Conditional Use Permit seeking relief from Section 6.06.6.F to provide additional time to complete the application.

PLANNING BOARD REVIEW:

The Board shall review this application based on Sections 7.13.3 and 7.14.3 of the Milford Zoning Ordinance. For your convenience, the pertinent standards and conditions from both sections are listed below.

SELF STORAGE FACILITY, SECTION 7.13.3 CONDITIONAL USE PERMIT

In addition to the standards and conditions stated in Section 7.14.0 of the Milford Zoning Ordinance, the following criteria must be met for a Conditional Use Permit to be issued by the Planning Board.

- A. Granting of the application would meet some public need or convenience.
- B. The property in question is reasonably suited for the use requested.
- C. There must be appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks, so as to assure public safety and to avoid traffic congestion.
- D. The building design and layout is compatible with the surrounding properties.
- E. Landscaping and screening shall provide adequate visual mitigation to abutting properties.

CONDITONAL USE PERMITS, SECTION 7.14.3 STANDARDS APPLICABLE TO ALL CONDITIONAL USE PERMITS

- A. That the property in question is in conformance with the dimensional requirements of the zone or is determined to be legally non-conforming and that the proposed use is consistent with the Milford Master Plan.

- B. That the proposal meets the purposes of the Ordinance under which the application is proposed.
- C. That there will be no significant adverse impacts resulting from the proposed use upon the public health, safety and general welfare of the neighborhood and the Town of Milford.
- D. That the proposed use will not be more objectionable to nearby properties by reason of noise, fumes, vibration, or inappropriate lighting than any use of the property permitted under the existing Zoning District Ordinances.
- E. That the proposed use will not adversely affect the ground water resource of Milford, in particular the Groundwater Protection District areas as defined in Section 6.01.0 of this Ordinance.

EXISTING USE/CONDITIONS:

The proposed parcel, Tax Map 7, Lot 25 consists of approximately 3.27 acres (142,441sq.ft.) with 315 linear feet of frontage on the Class V portion of Perry Road. The property is laterally bisected by Tucker Brook along the northern half of the property. Said area is undeveloped due to the proximity of the brook and associated wetland resource areas. The topography for the property slopes upward from north to south with a grade differential of 18-20 feet. The developed areas consist of an existing automotive repair operation (GTA Automotive Service) and a separate single-family residence. The rear portions of the property are used to store material, vehicles, and storage containers. The subject property is located adjacent to the Hitchner Manufacturing storage building to the south, undeveloped open fields to the north and east, and the Hollis Machine Line Industrial property to the west.

LOT AREA:

Tax Map7, Lot 25 = ±3.27 acres (142,441 sq.ft.)

APPLICATION STATUS:

The application is complete and ready to be accepted.

NOTICES:

Notices were sent to all property abutters on June 14, 2019.

REGIONAL IMPACT:

The Board will need to determine if the application would result in Regional Impact.

WAIVERS:

No waivers are being requested.

ZONING DISTRICTS/INFORMATION:

The parcel lies within the Integrated Commercial – Industrial “ICI” 2 zoning district. The intent of the Integrated Commercial-Industrial District 2 is to provide an area for mixed commercial and industrial development in commercial and industrial park-like settings. The property meets the 40,000 square foot minimum size for lots not serviced by municipal water and sewer and contains at least 150 linear feet of frontage on Perry Road. A self-storage facility is a permitted use in the ICI 2 zoning district through the issuance of Conditional Use Permit. The commercial building additional is a permitted use within the ICI zoning district.

The property also falls within the Commerce Community Overlay District. 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. This section was is intended to meet and implement the goals of the Commerce and Community District Vision and the Town of Milford’s goals as set forth in the following Chapters of the Master Plan, updated as of 2011, The Brox Properties Chapter’s High Priority Actions; the Housing Chapter’s Action Program; the Traffic and Transportation Chapter’s Action Program and the Economic Development Chapter’s Action Items and The Community Character Chapter’s 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 Site Plan review and approval process is governed by Section 6.06 Commerce Community Overlay District of the Zoning Ordinance which requires as one of the first steps that all projects submit a Master Regulating Plan to the Board for approval. As stated earlier, the applicant is requesting an additional Conditional Use Permit pursuant to Section 6.06.6.F seeking relief from Section 6.06.6 Administration requiring the submission of a Master Regulating Plan.

If the Conditional Use Permit is approved by the Planning Board, the review and approval of the site plan, as detailed in the Section 6.06 of the Ordinance, would be completed by the Expedited Review Committee comprised of Town Staff and Planning Board representative.

The property falls inside of the groundwater protection district, but is outside of the 100-year flood hazard area.

TRAFFIC AND ACCESS MANAGEMENT:

Access and egress to proposed storage facility will be from the existing driveway and curb cut on Perry Road. The internal layout of the storage facility buildings and driveway provide sufficient width/area for emergency and large transport vehicles. The applicant should provide additional information pertaining to the anticipated number of customer trips from the site for the self-storage facilities, vehicle repair operation, and residential use.

PARKING:

No designated parking areas are shown with regards to the storage facilities. Parking areas associated with the vehicle repair operations are currently located in front of the existing building (unmarked). The site plan will need to be revised to show all existing and required parking in compliance with the Milford Development Regulations and Zoning Ordinance.

DRAINAGE/STORMWATER MANAGEMENT:

The stormwater and drainage design in being reviewed by the Town Engineering Consultant, KV Partners.

UTILITIES:

The property is currently serviced by private well and septic. The proposed storage facilities will not be connected to septic or require water.

INTERDEPARTMENTAL REVIEWS:

Ambulance: No comments.

Assessing: No comments.

Building Department: No comments.

Code Enforcement/ Health: No comments.

Conservation Commission: See attached memo dated 5/21/09.

Environmental Programs/Stormwater: The stormwater and drainage design are currently being reviewed by the Town's engineering consultant, KV Partners.

Fire Department: No comments

Heritage Commission: No comments.

Police Department: No comments.

Public Works: No comments.

Water/Sewer Utilities: No comments.

Community Development / Planning:

Conditional Use Permit Questions/Comments

1. Zoning Ordinance, Section 7.13.3.A. Please discuss how the proposed self-storage facilities meet some public need or convenience.
2. Zoning Ordinance, Section 7.13.3.C. Please discuss the anticipated number of vehicle trips related to the proposed self-storage use.
3. Zoning Ordinance, Section 7.13.3.D. Please discuss how the design and layout is compatible with surrounding properties.
4. Zoning Ordinance, Section 7.13.4.A.10. Please provide the building elevations and materials for the proposed self-storage facility.

Site Plan Comments and Questions.

5. Sheet 2, Wetland Buffer. Please revise the plan to show the correct 50' wetland buffer from Tucker Brook to consistent plan notes and following sheets. The plan currently shows a 25' delineated buffer.
6. Sheets 2 and 4. In viewing the aerial photographs of the property, it would appear that work and excavation has been completed within the 50' buffer area. Please describe the activities that have occurred are ongoing within the 50' wetland buffer area.
7. Sheet 3, Parking Spaces. Please revise the plan to include a table stating the number of existing and proposed parking spaces. Please revise the plan to show the parking areas for employees, customers, and customer vehicles associated with the garage operation and addition.
8. Sheet 3, Parking Spaces. Please clarify if there will be any outside storage of vehicles, boats, RVs associated with the storage facility? If yes, please update the plan accordingly.
9. Sheet 3, Designated Snow Storage Areas. A large snow storage area is located within the 50 foot wetland buffer to Tucker Brook and over the proposed detention basin. Please explain the rationale for locating snow storage areas within the buffer zone and what alternatives were considered. The primary concern is the use of chlorides and other deicing agents to manage the impervious surface around the site and long-term impact to Tucker Brook.
10. Sheet 3, Proposed Snow Management Plan. Given the proximity of the project to the Tucker Brook, please discuss the proposed snow maintenance and management plan.
11. Sheet 4, Proposed Drainage Basin. The drainage basin is located within the 50 foot wetland buffer from Tucker Brook. In accordance with Section 6.02.6.B of the Milford Zoning Ordinance, the use would require a Special Exception from the Board of Adjustment. The drainage basin is not a listed permitted use in Section 6.02.5 Accepted Uses, B. Buffer Zones.
12. Sheet 5, Landscaping and Lighting Plan. It is staff's understanding that project seeks to utilize the existing landscaping along Perry Road to meet the minimum landscape design standards. Please provide a narrative detailing how the existing landscaping design meets Milford Zoning Ordinance, Section 6.06.9 and the Development Regulations or submit a waiver request seeking relief from the minimum standards for landscaping.
13. Sheet 5, Landscaping and Lighting Plan. No detail is provided to show how the previously disturbed areas within the 50 foot wetland buffer will be restored. Please revise the plan to show the restoration of the previously disturbed areas located north of the proposed Build C and the detention basin. As part of the update, please revise the construction detail sheets to include the planting and maintenance specifications and best management practices. Preference should be given to using a wetland seed mix and plantings.
14. Sheets 4 and 5, Detention Basin. Please revise the plan to show the engineering and construction details for the detention basin. Currently, no detail is provided. Please explain why the detention basin could not be designed as a fully function rain garden complete with plantings? Given its current proposed location within the 50' wetland buffer to Tucker Brook, the applicant should make every effort to improve stormwater management/water quality and mitigate impacts to Tucker Brook.

15. Sheet 5, Landscaping and Lighting Plan. Please revise the plans to include additional visual screening along the south eastern portion the property abutting Lot 7-23. The area is currently lacking visual mitigation.
16. Sheet 5, Landscaping and Lighting Plan. Please confirm if the front part of the property contains a minimum of a 10' wide landscaped area.
17. Sheet 5, Landscaping and Lighting Plan. Will the project include a dumpster? If yes, please provide the location and associated engineering, construction details, and landscape design elements on a revised plan.
18. Sheet 5, Landscaping and Lighting Plan. Please revise the plan to include all existing and proposed signage. Please include the associated engineering and construction details.
19. General Question. Please submit building elevations.

STAFF RECOMMENDATIONS:

The applicant should be prepared to address the comments raised by the Planning Board, Conservation Commission, Heritage Commission, Town Consultants, Staff, and public pertaining to the Conditional Use Permit. If the Board finds that there is sufficient evidence/information and that the application satisfies both Sections 7.13.3 and 7.14.3 of the Milford Zoning Ordinance, the Board should approve the Conditional Use Permit. If additional information is needed, the Board should continue the application to the next schedule meeting.

Aerial Photographs of Map 6, Lot 14-1.





Street Photograph of Map 19, Lot 25 – Looking Southerly



Street Photograph of Map 19, Lot 25 – Looking Westerly.



Street Photograph of Map 19, Lot 25 – Looking Northerly

Town of Milford
CONSERVATION COMMISSION

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MEMORANDUM

May 21, 2019

To: Milford Planning Board

**Re: Interdepartmental Review Map 7 Lot 225
Self-Storage Units at 19 Perry Rd**

To the Board,

The Conservation Commission reviewed this plan at their May 9, 2019 meeting. The Commission has some comments.

1. What will the impact be to the buffer while constructing the units?
2. The proposed self-storage units are located in the Groundwater Protection District Level 1 Protection Area. Could the Planning Board put a condition for approval that no hazardous materials may be stored within these units?
3. The buffer indicated on Sheet 2 of 8 of the Plan revised May 2, 2019 indicates a 25' buffer rather than the required 50' buffer associated with Tucker Brook.
4. Will there be doors on the Tucker Brook side of the northernmost self-storage building? How will access be handled? This unit is right on the edge of the buffer.
5. The MCC does not support putting drainage swales or stormwater facilities in the buffer. The intent is to retain undisturbed buffers.

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,

Andy Hughes, Chair
Milford Conservation Commission