



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

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STAFF MEMORANDUM

Date: March 17, 2023

To: Planning Board

From: Terrence Dolan, Community Development Director

Subject: Minor Site Plan Amendment for proposed revisions to an existing (Pedestrian) Trail Easement Area, SP2022-10, Souhegan Valley Boys & Girls Club, Inc., Tax Map 21, Lot 23, located at 56 Mont Vernon Road to provide for the shared access of a limited-use Bus Lane and the continued use for pedestrian sidewalk access

BACKGROUND/PROPOSAL

The applicant is proposing a 12-foot-wide “**limited access**” (one way) bus lane over land that is presently set aside as a 20’ wide *Trail Easement*. Under this proposal, the revised easement area would become both a limited-use bus lane and also continue to serve in its historical capacity as a six (6) foot wide paved pedestrian sidewalk area. Presently, a +/- 11 foot wide (maintained) mulched and gravel pedestrian trail exists within this dedicated easement area, along the proposed +/- 530 linear foot segment to be transformed.

This trail area is a segment of the town’s pedestrian pathway network (with an existing *pedestrian trail easement*), providing the public with a continual walking trail from Mont Vernon Road (at its northly terminus), leading southward along the western lands of the Souhegan Valley Boys and Girls Club (SVBGC) property to the Souhegan River pedestrian bridge known as the “*Gregg Pedestrian Bridge*”, crossing over the river and connecting to Keyes Park.

Within this existing 20-foot-wide trail easement segment, the applicant proposes to install a “limited use”, 12-foot wide one-way (paved) bus lane, combined with a new paralleling 6-foot-wide (paved) pedestrian sidewalk along its western side.

Additional Plan Components:

- A one-foot-wide stripe shall be painted along the pavement separating the bus lane from the sidewalk for the sake of (snow plowing) maintenance of the entire 20-foot-wide modified access.
- The Town assumes no maintenance duties for this Easement, and the applicant shall continue to fully assume all maintenance responsibilities of this newly (re-created) Easement Area.

- To compensate for the reduction of the existing portion of trail easement area (to be designated as the limited-use Bus Lane), a **.3 acre** area of the SVBGC property's forested lands (fronting the Souhegan River) along their southerly property area, shall be set aside as new conservation easement lands.
- At the trail's northern terminus along Mont Vernon Road, a new 1,282 sq foot area shall be created as an ***Access Easement*** for a new driveway access leading out onto the road. This proposed driveway geometry serves for safer turning movements made by any buses onto the roadway.
- ***"Yield To Pedestrian"*** Signage shall be installed at intervals along the segment length proposed to become the Bus Lane.
- The *existing* six-foot high chain link trail fencing (i. e. along the west side of the existing 11' wide pedestrian trail) shall be fully relocated to the western edge of the overall 20-foot-wide easement. The fence shall now abut the common rear property lines of the four abutting homesites located along Sunset Circle, (situated west of the 20-foot-wide trail easement area).

APPLICATION STATUS:

The application is complete and ready to be accepted.

NOTICES:

Certified Notices were originally sent to all property abutters for the previously scheduled January 2023 Planning Board Meeting. The case was never officially opened or accepted by the Planning Board at that meeting.

Since so much time has now passed, new Certified Notices were again sent to all abutters, mailed out on March 8, 2023, notifying all abutters of the upcoming scheduled 3-21-23 Planning Board public hearing.

WAIVER REQUESTS:

No waiver requests have been submitted.

LAND USE APPROVALS

N/A

ZONING DISTRICT/INFORMATION:

The overall SVBGC property site is zoned "C" (Commercial).

STAFF COMMENTS:

For the purpose of implementing the proposed revisions for the lands described, a series of three (3) draft Easements related to the proposed trail revisions need to be executed and recorded.

Mr. Thomas Quinn, (Counsel for the Applicant) has provided these documents, (see attached) and shall be present to address any legal questions or concerns the Board may have in regards to the draft easement documents (attached in your materials, as a separate link).

STAFF RECOMMENDATIONS:

Upon conclusion of the Planning Board's Review, (if needed) the Board should provide the applicant (and staff) with any additional concerns or general comments. Otherwise, please provide a ***Motion to Conditionally Approve with the following Conditions;***

1. Final Execution, Approval, and Recordation of the *revised* Warranty Deed and Easements. Receipt of Written Authorization/Approval from the New Hampshire Attorney Generals' Office shall be provided to the Town.