



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

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STAFF MEMORANDUM

Date: October 14, 2023

To: Planning Board

From: Terrence Dolan, Community Development Director & Acting Town Planner

Subject: Summary of *The "Q"*- Updated Staff Comments- Continuation Hearing of the October 3, 2023 Major Site Plan Review

Note:

PLEASE bring any prior provide materials for *The Q*, from the 10/03/23 Meeting with you on the night of October 17th.

Staff shall **only** be providing hard copies of the updated plan sheets, as listed in the various project document links in your e-mail, and noted in the memo below. They may also be found on the Planning Board Calendar links for the 10/17 Mtg.

Introduction:

As already discussed, due to a discovered omission, three proposed specific *Waiver Requests* for the **to be preserved** (+/-8.5 acres in size) western portion of the overall 43.357-acre *The "Q" Site* have never been approved by the Planning Board. (This area is comprised of the Medlyn Brook floodplain area). These are the same three Waivers that approved for the 11.817 acre area that was divided off and conditionally approved with Case SD-2023-01, at the August 16, 2023 Planning Board Mtg.

It is recommended that the Planning Board narrows its focus for the Planning Board Mtg. of October 17th to the (apparent) remaining specific, remaining project issues.

For the purpose of Planning Board's continued review and consideration of *The "Q"*'s Major Site Plan Application, with the assistance of Bill Parker, below is the updated information status, and references to associated graphics provided by Keach-Nordstrom this past week. The exhibits are being provided as separate exhibit links and hard copies shall be provided at the 10/17/23 Mtg.

At the upcoming meeting, Staff will be seeking guidance from the Planning Board to determine final language for the Record of Decision for SP Case #2023-02.

Planning Board Recommended Discussion Topics for October 17th Mtg:

A. Waivers:

As required, Waiver Requests have been proposed to be considered under the Milford Development Regulations, Section 5.02.6 (Waiver Applications), & more specifically Sections 5.07.1 (Delineation of all Wetlands & Wetland Buffers), Section 5.07.M (Delineation of All Slopes in Excess of Twenty-Five (25%) Percent), and Section 5.07.N (Existing Topography).

Planning Board Approval of these specific Waivers are needed for the Planning Board to not require the submission of the above listed information for the *non-developable area* of the overall site. This area is a +/-8.5-acre (non-developable) portion of the site (generally within the onsite portion of the **Medlyn Brook floodplain**), within the western area of the overall **43.357-acre property** for the proposed multi-family complex. Medlyn Brook is the designated stormwater outfall route for the project's drainage.

A highlighted exhibit has been provided by the applicant (revised) *Sub Division Plan* to specifically outline the +/-8.5-acre area of **The "Q"s** 43.357 acre parcel, that requires the Waiver Approval by the Board.

Staff is further requesting that the Board consider some form of an appropriate *protective overlay* over this area portion of The "Q"s site, which again, is essentially the Medlyn Brook floodplain area.

For Final Plan Submittal, the Board may desire a required condition in the *Notice of Decision (NOD)* that one of the following options is provided:

- 1) This could be a **Plan Sheet General Note**
- 2) A noted "Preservation Overlay Area,"

or
- 3) The area is called out as a **full, perpetual Conservation Easement Area with a provided legal description of the area required prior to the issuance of the NOD.**

B. Common Area Amenities:

- The applicant has provided a brief series of revised Plan Sheets (**Sheets #6-9**) showing the proposed areas for each residential building. These revised Plan Sheets have been highlighted by Staff. These areas have been called out as "*proposed outdoor space or patio area*", "*proposed putting green*", "*proposed outdoor pet area*", and "*proposed outdoor grill area*".
- An additional Plan Sheet also has been provided showing the *proposed Indoor Pet Wash Area* adjoining the lobby area within **Building "E"**.

C. Sidewalk Exhibits

- The applicant has provided an additional Plan Sheet showing their additional external community proposed sidewalk. This additional sidewalk is being proposed for the easterly side of Stoneyard Drive only, from **The "Q"s** entrance and terminates at the Nathaniel Drive intersection. The segment is approximately 1,000 linear foot long.
- The applicant is now offering to pave an additional 3.5-foot width of the existing gravel shoulder portion of Stoneyard Drive, **flush with the pavement of the roadway**, and then striped to delineate the area as a *pedestrian/bike lane area*.
- No offering has been presented to date by the applicant to provide either raised sidewalks in this area of Stoneyard Drive, nor any pedestrian access along Nathaniel Drive to South Street. The Planning Bd. should request that the Applicant provide a presentation at the Oct. 17th Meeting to explain their sidewalk strategy.
- Staff has also provided an array of recent (**10/9/23**) street view photos with a coded plan view aerial for your assistance.

D. Stormwater Management & Infrastructure Management- No additional staff comments at this time

- As noted, at the October 3rd Mtg., it is acknowledged that the project site has already received its required NH Dept. of Environmental Services (NHDES) *Alteration of Terrain (AoT) Permit* (#AoT #2366, approved on May 3, 2023).

However, Staff concerns remain over the downstream outfall conditions of the noted **Medlyn Brook (proposed) Outfall**, and the current ability of Medlyn Brook to successfully handle large storm event discharge volumes from an upstream development site of the scale of *The “Q”- especially if downstream areas shown deteriorated conditions*. A Condition of Approval for The “Q” should include a requirement for the applicant to complete research all possible drainage impediments along *Medlyn Brook Outfall*, and coordinate with the Town on their findings and site clean-up, prior to any building permits being issued.

Staff is recommending that prior to any development, and final receipt of its required Town of Milford Stormwater Permit, the applicant shall make efforts to ensure any and all obstacles/impediments such as felled vegetation, junk deposits, other damming effects, etc. are cleared from the proposed outfall route.

- The applicant has proposed a revised different outfall structure design from what was originally proposed for **Wet Pond #1**. Staff recommends that the applicant discuss this revision with the NHDES and receive their approval, as a Condition of Major Site Approval.

E. Transportation

- The applicant has now agreed to draft and provide a mutually-agreed upon *Emergency Access Easement*, be provided as a *Condition of Major Site Plan Approval*. This Easement will formally serve as legal access, strictly for the Town’s Emergency Services Departments to have proper, legal access through the development site in case of emergency to either (or both) Stoneyard Drive and Nathaniel Drive, (should they be blocked off from any vehicular access).
- No complex construction access, nor resident access, shall be permitted to utilize Ponemah Hill Road.
- As noted in the Staff memo for the Oct 3rd Mtg, (in both August and October 2022), the Town contracted with *Hoyle-Tanner* to provide oversight review of the original *Transportation Impact and Access Study, as prepared by Greenmen-Pederson, Inc. (GPI)* on behalf of the applicant.

Overall, *Hoyle-Tanner* concurred with the findings of the applicant’s consultant (GPI). However, Staff observed there is no recorded findings of any coordination between the applicant with NHDOT, as recommended by Hoyle-Tanner. This should be a Condition of any *Major Site Plan Approval* for the project.

Question:

Based on the consultant’s transportation consultant comments at the October 3rd Mtg, does the Planning Bd feel adequate information has now been provided?

Staff still recommends that the applicant’s consultant (GPI) attend and provide a comprehensive overview on the topic of transportation analysis and impacts at the scheduled October 17th Mtg. to discuss the development of *The “Q”*, including a report of any provided (requested) comments by the NHDOT.

F. Other General Comments:

At the Planning Board Meeting of October 3rd, the applicant's engineer and attorney stated they would be bringing information back to the next meeting (October 17th):

1. Confirmation that all is set with the NHDOT that they have no further comments. Please provide evidence of that confirmation.
2. School Student Generation from the 216 multi-family units. Staff requests direction from the Planning Board whether the Community Development needs to ask the Milford School District for current and project enrollment figures and school building capacity.
3. All Landscape Plan Sheets shall be updated to reflect the added outdoor amenity areas provided in Sheets 6-9.