

MILFORD PLANNING BOARD/ZONING BOARD OF ADJUSTMENT JOINT PUBLIC HEARING  
April 12, 2017 Board of Selectmen's Meeting Room, 6:30 PM

**Planning Board Members Present:**

Christopher Beer, Chairman  
Paul Amato  
Doug Knott  
Janet Langdell  
Susan Robinson  
Jacob Lafontaine, Alternate

**Staff:**

Lincoln Daley, Comm. Dev. Director  
Peg Ouellette, Recording Secretary

**Excused:**

Veeral Bharucha

**Zoning Board of Adjustment Members Present:**

Michael Thornton, Vice Chair  
Jason Plourde  
Steve Bonczar  
Rob Costantino, Alternate

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**NEW BUSINESS**

**Danielson Realty, LLC / The Hampshire Dome – 34 Emerson Road, Tax Map 48, Lot 36:** Public Hearing for a Site Plan Amendment and Special Exception Application (Case #2017-10) to replace the damaged fabric envelope roof on the existing structure. The facility is used for indoor recreational activities and public events. There will be no changes to the site. A special exception is required per Milford Zoning Ordinance, Article V, Section 5.05.8 to construct the roof at a height of 79ft, which is greater than allowed in the district and per Article II, Section 2.03.C, expansion of a non-conforming use.

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Chairman Beer called the meeting to order at 6:30PM. This was a joint meeting of the Planning Board and Zoning Board of Adjustment. He introduced the members of the Planning Board and staff and explained the ground rules for the public hearing. Mike Thornton, ZBA Vice-Chair, introduced the members of the Zoning Board of Adjustment.

**NEW BUSINESS:**

**Danielson Realty, LLC / The Hampshire Dome – 34 Emerson Road, Tax Map 48, Lot 36:** Public Hearing for a Site Plan Amendment and Special Exception Application (Case #2017-10) to replace the damaged fabric envelope roof on the existing structure. The facility is used for indoor recreational activities and public events. There will be no changes to the site. A special exception is required per Milford Zoning Ordinance, Article V, Section 5.05.8 to construct the roof at a height of 79ft, which is greater than allowed in the district and per Article II, Section 2.03.C, expansion of a non-conforming use.

*Abutters were present: Arthur Rolfe, Rolfe/Milford Realty Trust*

*Representative of Danielson Realty Trust, LLC; The Hampshire Dome, applicants, was present.*

Chairman Beer recognized: Rick Holder, representing the applicant. They were requesting a special exception to allow a change of height of the roof on the Hampshire Dome structure from 70 ft. to 79 ft. Reason was that ratio design was less than desired for snow and ice shedding. This will allow ordering new snowpack roof which will give snow shedding capacity for heavy snow region. He referred to materials provided with notations of special engineers in the field and current picture of the dome (before the collapse) – six photos before the collapse at 70 ft. height and as it would be at 79 ft. “Before and after” photos showed it lifted in the middle at 79 ft. Driveway on Emerson Rd probably would not be impacted. Same true from side. M. Thornton said it would be not only in height but volumetrically.

R. Holder agreed. There would be more air inside the dome. Using the same footprint. It will be the Tyvek coating similar to the existing. Will be quilted with braced harness system. Only real change will be the additional height for snow and ice shedding capability. Same heater inflation system. Approximately six forms of redundancy built in.

R. Costantino asked what those redundancies were.

R. Holder said they were the way to maintain pressure in the dome. Each machine has inflation unit run by electricity. Secondary one that will take over, run by electricity. Third – each is propane which will in turn be standby plan with loss of electricity. Primary backup is John Deere generator. Others are in case electricity fails.

J. Langdell asked about change to the exterior.

R. Holder said none except for height.

C. Beer asked if there were any other questions. None. He turned the meeting over to the ZBA for their procedures for Special Exception.

**Zoning Board of Adjustment:**

M. Thornton read the notice of hearing. He asked for any discussion from ZBA members.

J. Plourde inquired if there would be any change in use.

R. Holder said no.

S. Bonczar said the application was concise and complete. Based on testimony and presentation, he had no further questions.

M. Thornton opened the meeting for public comment.

Art Rolfe representing Wall Family on Ponemah Hill Road asked if this structure would be visible to abutters.

R. Holder said no more than now, except if you were right at eye level – no houses at eye level now – will not see it any more than currently.

A. Rolfe said they were up on Ponemah Hill. They didn't see it now, but with another ten feet, they may.

R. Holder said it was 9 ft. difference. Pine trees on back of his property would obscure it.

A. Rolfe asked if R. Holder was saying, from an engineering standpoint, it was constructed incorrectly.

R. Holder said it could have been constructed better for heavy snow.

A. Rolfe suggested making it narrower with more pitch.

R. Holder said they'd have to start over. It would stop the project. But, possibly correct.

L. Daley asked about maintenance procedures to prevent snow from collecting. Any additional measures?

R. Holder said two new methods. To this date they have been successful with everything done. Unfortunately this couldn't have been predicted. Now have new way of removing snow. They would know there might be an avalanche in one area before it got to that.

L. Daley was concerned about increased velocity of snow sliding off. Asked about insurance to prevent harm to people in that area.

R. Holder said they would make sure it was closed off to people when removing snow.

S. Bonczar asked how long the dome had been there.

R. Holder responded 11 ½ years.

S. Bonczar commented they had never had a problem until now.

M. Thornton asked for further public comments. There were none. He closed the public comment.

J. Plourde said, based on pictures and information presented, they were talking about a 9 ft. increase in height – read memo re alteration, expansion, change of nonconforming structure, height under Sec. 5.05.8. He could understand why applicant was there for an increase in height. Wanted to make sure they weren't missing anything in the process.

M. Thornton said if the dome had been in use at the time of collapse more would have been at risk. Raising it would put fewer at risk.

J. Plourde agreed. If that was what was in the documentation – ATI – it appeared there was just the increase in height. No issue with it.

M. Thornton asked for any further questions or comments from the ZBA members. None.

The ZBA proceeded to vote on the five criteria:

**1. Is the proposed use similar to those permitted in the district?**

R. Costantino – yes

J. Plourde – yes

S. Bonczar – yes, because there was an existing dome there and it would be similar use.

M. Thornton - yes

**2. Is the specific site an appropriate location for the proposed use?**

S. Bonczar – yes – they were replacing existing structure with very similar structure

R. Costantino - yes

J. Plourde agreed with S. Bonczar

M. Thornton yes - it was appropriate location because otherwise you would have to move the building and change the footprint

**3. Would the use as developed not adversely affect the adjacent area?**

J. Plourde said it would not adversely affect the adjacent area because there were a lot of trees. The increase in height would not go over those trees. The top of the dome would be blocked from view of residents.

S. Bonczar said 9 ft. would not be much of a difference. If it was visible, it would only be the tip of it.

R. Costantino agreed

M. Thornton – agreed. Caution – were they sure the 9 ft. was adequate? R. Holder said they were assured it was by the engineers. M. Thornton - yes.

**4. Will there be any nuisance or serious hazard to vehicles or pedestrians?**

J. Plourde – the whole point was so there would not be a big collapse again. This would satisfy that.

R. Costantino – agreed.

S. Bonczar – agreed. This was to prevent harm.

M. Thornton – agreed.

**5. Are adequate appropriate facilities provided for the proper operation of the proposed use?**

S. Bonczar – yes – Mr. Holder demonstrated in testimony that they were taking precautions to make sure it was safe.

J. Plourde – agreed. It was presented with documentation of how it would stay inflated. Different safety measures and backup systems.

R. Costantino – yes

M. Thornton – yes, with the insurance of the six redundancy systems.

**Vote on additional criteria:**

**1. Is the special exception allowed by the ordinance?**

J. Plourde – yes; R. Costantino – yes; S. Bonczar – yes; M. Thornton - yes

**2. Are all the specific conditions present under this the special exception may be granted?**

S. Bonczar – yes; R. Costantino – yes; J. Plourde – yes; M. Thornton – yes

S. Bonczar made a motion to approve the special exception in Case #2017-10.

R. Costantino seconded.

**ZBA Final Vote:**

**All in favor. Approved 5 to 1.**

M. Thornton informed applicant of approval and reminded him of the 30-day appeal period.

**Planning Board:**

C. Beer read the notice of hearing and stated that the application was complete, per staff memo. J. Langdell made a motion to accept the application. Paul Amato seconded and all in favor; motion carried 6-0-0. P. Amato made a motion that this application did not pose potential regional impact. J. Langdell seconded and all in favor; motion carried 6-0-0. P. Ouellette read the abutters list into the record.

C. Beer said the application was an amendment to existing plan to address a change in capacity for additional 9 ft. in height. He asked applicant if anything to add before questions from the board. None.

D. Knott stated the calculations presented by ATI came out to 76 ft; they were proposing 79 ft. A little more snow and ice shedding.

R. Holder said a little more slope.

D. Knott asked about possibility that in ten years they would come back and say it should be more.

R. Holder said this was based on what was called a heavy snow region design. It was generally accepted principal by all air structure designers today.

D. Knott asked if based on current data they were adding a little to make it safe.

R. Holder said yes.

C. Beer asked for other questions.

S. Robinson said snow removal technique was mentioned and asked for detail.

R. Holder said currently they use a water jet system. They will increase that and supplement with hot water system so they can cut through snow faster and send more down as water and stay ahead of it in almost any kind of snow or ice situation. Ice is the bigger problem.

S. Robinson asked how they administered hot water.

R. Holder said workers were trained to use hose between 75 and 86 lb. pressure. A lot of water and pressure. Allows them to work through any ice.

S. Robinson asked if it would speed up the pace. Any concern about cutting through to the interior?

R. Holder said it would be faster. No concern about cutting through.

Chairman Beer opened the meeting for public comment; there being none, the public portion of the meeting was closed.

C. Beer asked for any further comments from the Planning Bd. members.

J. Langdell made a motion to approve the site plan as proposed by Danielson Realty Trust, LLC.

C. Beer asked if they needed to make it conditional. None.

All voted in favor of approval. None objected.

The meeting was adjourned at 7:00PM on a motion from J. Langdell, seconded by S. Robinson and all in favor.

Motion to approve: J. Langdell

Motion to second: P. Amato

**MINUTES OF THE 4/12/17 MEETING APPROVED ON MAY 23, 2017**