

MILFORD PLANNING BOARD PUBLIC HEARING
April 25, 2017 Board of Selectmen's Meeting Room, 6:30 PM

Members Present:

Christopher Beer, Chairman
Paul Amato
Veeral Bharucha
Doug Knott
Janet Langdell

Staff:

Lincoln Daley, Comm. Dev. Director
Shirley Wilson, Recording Secretary
Amy Concannon, Videographer

Excused:

Kevin Federico
Tim Finan
Susan Robinson

MINUTES

Approval of minutes from the 3/7/17, 3/28/17, 4/4/17 and 4/12/17 meetings.

NEW BUSINESS

- I. Donald E & Pauline Boggis et al, K. Steven & Carmela Horlitz, Olav & Jeanne Nieuwejarr, and Robert S & Michelle V Moulton – Melendy Rd – Tax Map 52, Lots 4, 5, 6, & 7:** Public Hearing for multiple lot line adjustments and a minor subdivision creating two (2) new residential lots in the Residence R District. (*Meridian Land Services*)

Chairman Beer called the meeting to order at 6:30PM. He introduced the Board and staff and explained the ground rules for the public hearing.

MINUTES:

J. Langdell made a motion to postpone approval of all minutes until the 5/23/17 meeting. V. Bharucha seconded and all in favor. Motion carried; 5-0-0.

NEW BUSINESS:

Donald E & Pauline Boggis et al, K. Steven & Carmela Horlitz, Olav & Jeanne Nieuwejarr, and Robert S & Michelle V Moulton – Melendy Rd – Tax Map 52, Lots 4, 5, 6, & 7: Public Hearing for multiple lot line adjustments and a minor subdivision creating two (2) new residential lots in the Residence R District.

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. D. Knott seconded and all in favor; motion carried 5-0-0. J. Langdell made a motion that there is no potential regional impact associated with this application. P. Amato seconded and all in favor; motion carried 5-0-0. S. Wilson read the abutters list into the record.

Abutters present:

Pauline Boggis, Melendy Rd
Robert Moulton, Melendy Rd
Sandra Frades, Melendy Rd
Timothy & Barbara Holt, Melendy Rd

Chairman Beer recognized:

Robert Moulton, applicant
Randy Haight, Meridian Land Services, Inc.

R. Haight presented plans dated 4/24/17 and gave a brief history saying that the six (6) lots and one (1) lot which is owned in common were created in 1974. Additionally, lot 7 was altered in 1994 by a lot line adjustment. The proposal is to alter three of the adjacent lots and then subdivide the larger lot, 52/4, into two additional residential lots. The applicants received a variance to allow a new lot with only fifty (50') ft of frontage. The adjusted lots,

5, 6, and 7, will now all have 200ft of frontage and two acres. The remainder of lot 4 would be conveyed to the town with a third party entity managing the conservation area. Discussions with the Piscataquog Land Trust didn't work out but the applicants are currently talking with the Amherst Land Trust and one of the things they asked us to do was to move the line down on lot 4-2. We are proposing to bring the existing access road up to town standards for a driveway and have moved it as far as possible from the abutting property. We are going to modify the existing stone box culvert a bit and add some of the quarry waste material along the proposed driveway to minimize disturbance to the adjoining wetland area. There are wetlands on both sides of the crossing and in August they were both completely dry. There is water now and they have wood frog eggs masses in them. We meet the 10% driveway requirements. We've done a sight distance profile and have 200ft of sight distance in either direction. The Conservation Commission endorsed the expedited wetlands dredge and fill permit as there is only 200SF of wetland disturbance and we received a special exception on 4/6/17 for 3,800SF of buffer disturbance; 1,600SF of the 3,800SF is an existing driveway. State subdivision approval is pending the dredge and fill permit.

D. Knott referenced the memo from Jason Plourde regarding sight distance. R. Haight explained that Mr. Plourde referenced the federal standards, which is different criteria from what the town uses and we have never done a profile using that criteria. The memo also mentioned stopping ability of an approaching driver with an eye height of 3.5ft off the surface of the road to a point in the center of the road at 2ft where the driveway is. In this particular case, there aren't any obstructions or dips in the road, it's a straight shot. We took our observation from just at the edge of the stone wall, 10ft off the edge of pavement at an elevation of 3ft 9" high and he does speak to that. The road is posted for 25MPH and at that speed the accepted minimum site distance is 200ft, which we have demonstrated here. We still have to apply for a driveway permit with DPW. J. Langdell added that Mr. Plourde is a professional engineer and although she might have more concern if this were a commercial endeavor or a new street, at this location and in this case, it is a residential driveway and it is consistent with the way we have done things in the past. R. Haight verified that Mr. Plourde's information is factual but reiterated that we've just never applied that criteria before.

J. Langdell noted that many of the staff recommendations have been corrected on the plans presented tonight, but brought up email correspondence from Marti Noel dated 4/4/17 where she strongly recommended that a note regarding effecting deeds be added to the plan. L. Daley stated that this would be part of the process after the Board approves this subdivision where staff will work with the applicant and the Assessor's concern was with the number of owners involved and the timing of recordation. P. Amato explained that if the deed is not recorded with or after the plan is recorded, the subdivision is not finished. There have been recent instances where that has not happened in a timely manner.

L. Daley said this is an opportunity to put the bounds in for the existing lots. We also need to work with the applicant to finalize the conservation easement documents. He read the remaining conditional recommendations from the staff memo.

J. Langdell questioned why Amherst Land Trust instead of Souhegan Land Trust. B. Moulton explained that while we are working with the Amherst Land Trust and are hoping they will do this for us, I did speak to Chris Costantino who is on the Board of the Souhegan Land Trust and she did indicate that in this case, they might possibly take this on, so they will be our second option. Sally Wilkins and Jay Dinkel, representatives of the Amherst Land Trust, walked the property with us in February and we've address most of the Board's questions. He then explained the request to adjust the property line. There are some mattresses, a table and some brush piled behind parcel 47/62 and the land trust doesn't want to have to deal with that encroachment. We will move the boundary to put that on the new lot and the future buyer probably won't have an issue with it. L. Daley inquired if a change in that lot would violate the intent of the variance, as one condition was to preserve approximately thirty (30) acres and right now you are at 29.993 acres. B. Moulton said the lot line adjustment should be minimal, maybe ten or fifteen feet and we could figure out a way to keep that lot at thirty acres if we had to.

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

J. Langdell read from the Conservation Commission memo dated 4/25/17..... *The land owners have worked closely and cooperatively with the Conservation Commission for several years as this lot abuts the Granite Town*

Rail Trail. We have used their property for access to the trail when we needed more space for equipment. They have offered access for the town to create a parking area at the crossing of Melendy Road and the Granite Town Rail Trail.

J. Langdell made a motion to grant approval of the application subject to the remaining staff recommendations, as listed on the Staff Memo dated 4/21/17:

1. The applicants shall work with the Community Development Office and the Conservation Commission to finalize the conservation easement associated with Map 52, Lot 4 totaling 29.993 acres as shown on the plan of record and submit documentation for recordation.
2. Curb cut approvals from the Town will be required for Map 52/4-2 and 52/4-3 on Melendy Rd.
3. The plan set shall identify Map 52, Lot 4 as designated conservation land.
4. A note 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.
5. Bounds be set on the existing lots, in addition to the newly created lots.
6. A note be added to the plan stating that effecting deeds will be submitted for recordation with the final plan set or filed in a timely manner.

P. Amato seconded and all in favor; motion carried 5-0-0.

OTHER BUSINESS:

Agenda items for next week's worksession will be an update on goals and objectives and a conceptual for a six lot subdivision. There was consensus from the Board to start the worksession at 7:00PM so that more members could attend.

The meeting was adjourned at 7:06PM on a motion from J. Langdell, seconded by P. Amato and all in favor.

Motion to approve: J. Langdell

Motion to second: P. Amato

MINUTES OF THE 4/25/17 MEETING APPROVED ON MAY 23, 2017