

1 MILFORD PLANNING BOARD PUBLIC HEARING  
2 September 5, 2017 Board of Selectmen's Meeting Room, 6:30 PM

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4 **Members Present:**

5 Christopher Beer, Chairman  
6 Doug Knott, Vice Chair  
7 Tim Finan  
8 Janet Langdell  
9 Paul Amato  
10 Susan Robinson

**Staff:**

Lincoln Daley, Comm Dev Director  
Darlene Bouffard, Recording Secretary  
Mitchell Hemmer, Videographer

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12 **Excused:**

13 Veeral Bharucha, Alternate member  
14 Jacob LaFontaine, Alternate member  
15 Kevin Federico, BOS Representative

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19 **CALL TO ORDER:**

20 Meeting was called to order at 6:30 p.m.

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22 **PUBLIC HEARING:**

23 Community Development Director Lincoln Daley explained that tonight's public hearing is to discuss the  
24 proposed landscaping amendments for the Development Regulations, Section 6.08 Landscaping Standards. This  
25 effort has been a lot of work to improve these regulations. Mr. Daley reviewed the proposed modifications  
26 including size and category of trees. Doug Knott asked why we want to change the types of trees. Mr. Daley  
27 responded the town wants to be sure there are non-invasive species and no toxic plants. The town wants to  
28 improve the overall design. The revised language will allow for better design of plantings to enhance the overall  
29 site. The applicant can work with the town based on needs in the community. After review, Mr. Daley indicated  
30 those are the major changes being considered for adoption this evening. Chairman Beer asked for questions or  
31 comments from the public; there were none. Hearing none, the public portion of the meeting was closed.

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33 Chairman Beer asked for questions from the Board. Janet Langdell moved to adopt the revised landscaping  
34 regulations 6.08 as presented. Mr. Amato seconded. All were in favor. Motion passed unanimously.

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36 Ms. Langdell stated the Planning Board can modify these regulations for the town as they do not require town  
37 vote for modification. Mr. Knott moved to adjourn the public hearing. Mr. Amato seconded. All were in favor.  
38 Motion passed unanimously.

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40 **PLANNING BOARD WORK SESSION:**

41 Mr. Daley explained this work session is to talk about the potential modification of changes to the  
42 zoning ordinance for the next few years. The items are identified in the worksheet and staff can work  
43 with a task group to work out these amendments and develop a work plan for next year's vote. In 2017  
44 the area of definitions and home occupations were found to be in need of amendments. Several areas of  
45 the ordinance can be confusing and many definitions are used throughout the ordinance.

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47 Ms. Langdell asked how many instances of repeated definitions are throughout the ordinance, because  
48 that was looked at in the last revision. Mr. Daley stated this is an opportunity to define the words with  
49 no ambiguity. The first meeting of the definitions task group has been held. Ms. Langdell spoke with  
50 Mr. Daley about some of the definitions and the Board might want to have a philosophical discussion  
51 about them. If we have a small group, there might be some decisions made and there could be extra  
52 work done.

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54 On the home occupations task group, Mr. Daley said there have been some philosophical conversations;  
55 the idea is to extract home occupations from the Definitions discussion. We need to clarify the definition

56 of “house” and we need to better define if an RV is a house. We also need a way to enforce the housing  
57 for things that are to typically not winterized. Ms. Langdell said air B&B is another definition that  
58 should be better defined. Maybe the definition discussion will produce a list of things that need more  
59 definition said Mr. Amato.

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61 Mr. Daley first thought the Home Occupation was to start in August 2018, this will involve intent of use,  
62 for which a broader discussion is needed. Paul Amato has seen groups work to a deadline so we should  
63 stagger deadlines. Ms. Langdell suggested not waiting until the end of summer to start all these  
64 discussions at the same time, let’s move them earlier in the year (2018). Mr. Daley said the multi-family  
65 topic has had a lot of discussion already, so we need to look at what has been done already and look at  
66 the current vision for multi-family and also tiny homes and the size of the Capron Road project, both  
67 depth and density of the units. Self-storage is another area, right now it is only allowed along Route 13.  
68 Is that the best and highest use on Route 13? We are seeing more requests for special exception for  
69 storage in restricted zones. We should look at other options.

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71 Mr. Amato asked when do we get over-built in self-storage? Ms. Robinson said if the town ends up  
72 with empty storage units then we have too many. For now people will be using them. What concerns  
73 Ms. Robinson is that they are right off the road. Mr. Daley has been approached by individuals about  
74 putting storage units in the industrial zone. Chairman Beer said the industrial zone was established for  
75 industrial use and those lots are taxed at a different rate. Mr. Amato asked if storage units are taxed as  
76 commercial or industrial? What is the valuation on it? Mr. Amato asked if it is the same tax rate? Mr.  
77 Daley said people are now using pods for storage. Mr. Amato commented that Milford does not have  
78 the Blue Bird type of storage. They will come get the stuff and it gets stored in a warehouse type facility  
79 that has humidity control, etc. Ms. Langdell said we should find out how those are taxed in Manchester.  
80 Mr. Daley asked about over saturation? Mr. Amato responded as long as they are used, they are taxed  
81 appropriately and they are set back from the road. Chairman Beer said we should apply the same  
82 landscaping requirements to those units as everyone else. The units people cannot see are setback from  
83 the road. If there are no wetlands, they would be closer to the road. Mr. Amato indicated maybe we  
84 should have a bigger setback from the road, like 100 feet. Chairman Beer said if we let them put it into  
85 commercial space, that takes up space that could generate jobs. Mr. Amato asked if they pay the same  
86 tax rate would that be a bad thing? Ms. Robinson said the Capron Road apartments look beautiful but  
87 they are not very big. Mr. Amato added we do not want people to store lawn equipment and go every  
88 day to these storage units to get it. Ms. Langdell said that would be more of an industrial condo area to  
89 store equipment.

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91 Chairman Beer said the existing self-storage units could be used for building supplies and people can go  
92 in and out a few times a day to get supplies. We cannot regulate it. Ms. Robinson asked if that can be  
93 regulated through zoning? Chairman Beer answered that would be regulating what goes into storage  
94 facilities. The equipment that a contractor uses for his job could be in a storage unit. Mr. Amato feels  
95 that is a good deal because they do not have to pay regular rent to store equipment. Ms. Langdell said  
96 the town has not seen that type of activity. Mr. Amato feels there should be something in the regulations  
97 that you cannot run a business out of a self-storage unit or use it as a warehouse. Ms. Langdell said the  
98 availability of task group members can be an issue. Some people might be available earlier than others.  
99 Chairman Beer stated he is not available before 6:30 p.m.

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101 NRPC has been contracted for the sign ordinance changes that have been submitted. Mr. Amato asked  
102 how we are doing with enforcing the sign ordinance? Mr. Daley said the town is in a reactive mode and  
103 taking care of things as we find them. NRPC was contracted for \$1,900 for this task. Ms. Langdell said  
104 when the sign ordinance was re-done, it was a good foundation piece. Mr. Daley said there are some  
105 recommendations but overall the comment was that it is in pretty good shape.

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Doug Knott asked about the walk through at Capron Road. Mr. Daley said in the walk through, the overall density came up. Originally a conventional design was brought up and an open space design and the developer preferred the conventional layout versus the open space layout. The issue of density was brought up, there are eight total lots. September 26 the density will be discussed. Ms. Langdell said the meeting for conceptual was presented as conceptual, and then the design review and then the development review. This was a chat, not a review. There was no documentation at that meeting. Mr. Daley said there are draft minutes of that meeting and a recording of that meeting. From that, it becomes a conceptual review. Mr. Daley reviewed the West Meadow plan concept with the Planning Board, then there was a formal application. This is following the same process as West Meadow. The Planning Board approved the density at that meeting. Chairman Beer said the Planning Board approved the number of lots at the final plan review. Ms. Langdell said the San-Ken development had some issues with process. There were no minutes available to the public as of last week. At the May 2, 2017 meeting it was conceptual and no minutes are required. If a developer wants to come in to chat, let's do it on camera but nothing is binding, a work session is just a discussion with no decisions and no camera then the residential subdivision is a defined process with abutter notifications and everything. When we have the initial conversation, we have to be very clear about what it is. It needs to be on camera.

The density will not be discussed at a conceptual meeting, suggested Mr. Amato. He still has to come in to prove density. In the next meeting, we need to talk about the density. Mr. Daley said that will be the discussion at the September 26 meeting. Mr. Amato suggested the town should not hurry to save money, they need to do the design review. When density is determined, Ms. Langdell said the abutters need to be notified because of the way our process is laid out, density is part of that discussion. Mr. Daley said the developer can request to go right into the application. When you have no setbacks, Mr. Amato wants to see why. Ms. Langdell said there are some developments that want to go through the process very quickly. Mr. Amato said the client is being lead by the engineer and they get upset when they cannot do what the engineer said they could do.

Chairman Beer said the engineer should know better. Mr. Amato noted we need to be very careful that if a step gets skipped, that we are not making any decisions; so if it is density, we need to be clear. Ms. Langdell asked if this discussion part of a condition or the design review? Chairman Beer asked if we can make decisions at the conceptual review? Ms. Langdell answered that is for everyone to look at the regulations. When Pine Valley came in, they just wanted a conceptual; it was just ideas. If the design meets the ordinance, Mr. Amato said they would be fine.

Ms. Langdell said again that the Planning Board needs to be very clear. If we want to skip design review, we have to be very clear. The conceptual review does not require abutter notification. We do not make decisions at the conceptual or design review. Mr. Amato suggested maybe the developer does not want abutters notified for conceptual or design review. Ms. Langdell said we should look at that step. Mr. Amato said Milford has only had trouble with one engineering firm and the staff needs to be careful about what is being said to those engineers. Chairman Beer said we need to be sure the density is laid out. There are two ways to figure out density: the conventional method and the formula to determine density. Mr. Amato said we need to be careful to create nice neighborhoods in town, if we skip all the details we will end up with no good neighborhoods. Mr. Amato has no problem with speaking up and questioning the applicant. Density has to be determined at an abutter-notified meeting.

Mr. Daley said the Planning Board has the right to ask for bigger lots for some of these developments. The Planning Board can look at the lot size and has the right to ask the questions about the neighborhoods. This is to develop nice neighborhoods

