

**Town of Milton**  
424 White Mtn Highway  
Milton NH, 03851



**Planning Board**  
PO Box 310  
(p)603-652-4501  
(f)603-652-4120

11/10/20  
Meeting Minutes  
6:30 PM

**Present Members:** Brian Boyers, Jon Nute, Larry Brown, Joe Michaud, Ryan Thibeault, Matt Morrill, Lynette McDougall

**Absent Members:** Bob Graham

**Staff Present:** Bruce Woodruff, Town Planner; Julius Peel, Land Use Clerk

**I. Call to Order:**

6:30 PM Roll Call

**II. Public Comment:**

\*No Public Comment\*

**III. Review/Approval of Minutes: October 20<sup>th</sup> Meeting Minutes**

**\*Ryan Thibeault motions to accept the minutes of October 20<sup>th</sup>, Seconded by Lynette McDougall. The vote is approved 6 to 1 with Joe Michaud abstaining. The motion passes approving the Minutes.**

**I. Excavation Permit Application: 23 Piggot Road. Tax Map 14-30. Owner Ari Goldenberg**

Chairman Brian Boyers reads the following opening statement:

“According to NH Revised Statutes Annotated 676:4, I (d), it is required that all abutters to land intended for material excavation operations be notified of the proposal. You, as an abutter, are hereby notified that an application for a Excavation Permit for Allen Hastings Way, Tax Map 14 Lot 30 will be submitted to the Planning Board on Tuesday November 10<sup>th</sup>, 2020 at 6:30PM at the Milton Town Hall during a regular scheduled meeting of the Board. Upon a finding by the Board that the application meets the submission requirements, the Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately. Should a decision not be

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reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.”

Ryan Duntley, project manager for the excavation permit on the property explained to the board the impacts of the project and the plans that they have in place. He identified that there will be roughly 18 acres of disturbance on the property out of the current 64-acre parcel. The materials that he plans on removing from the project are primarily sand and gravel. It is estimated that they will remove roughly 50,000 yards of material a year for 6 total years. After the project that is finished the location will be flattened and buildable for an industrial site. Currently no one is looking at the lot for when it is finished.

Bruce Woodruff recommends that the board do two things, firstly, he wants a determination of regional impact and the second is he wants to board to take into consideration if the application is complete as it has been submitted. With this he recommended that a \$92,200 performance surety be posted with the community. He also noted that there will have to be town different waivers that the applicant will have to receive from the board. The first would be allowing contours at two-foot intervals instead of the five-foot intervals. The second waiver will address the 1-inch equals 50 ft rule that is within the town’s excavation regulations to be waived allowing the 1-inch equals 80 ft. that was submitted.

Larry Brown asked about terrain alteration over 1,000 square feet. Bruce explained that is when the excavation permit will be required. Larry Brown asks if the smaller intervals will be more beneficial for the project. Brain Lenzi notes that the two-foot contour topographic map that was submitted with the application. Bruce notes that this removes the first waiver that he recommended since there was a proper contour map.

Jon Nute asked what the elevation of the property after the excavation will be in relation to Jones Brook which is located beside the property. Ryan Duntley explained that the site will be 10 feet higher than the brook after the completion of the project. Jon Nute asked when they plan on starting the project, and Ryan notes that once they receive approval from the board and the state they will begin with the work. Jon Nute also explains that there will be tax involved with the process that is based on the amount of excavated material. Ryan states that they will file for this once the project begins. Jon Nute then questions whether there was any contact between the town’s road agent and the planners. There currently have not been, but there will be during the driveway permit application.



**\*Lynnette McDougall motions to accept the application, Seconded by Larry Brown. The vote is approved unanimously. The Motion Passes. \***

Regional Impact: Bruce Woodruff stated that from looking at the project, he does not believe that there will be any large-scale influence by this project on the area. With how the plans are written the traffic generated from this project will go a little way down Piggott road and then will be primarily travelling by the state highway. He also notes that there will be a fifty-foot buffer between the project and the wetlands, long with extensive preventative measures such as berms to control potential impact on the area. Larry Brown questioned the noise impact and potential dust pollution that would come from the project. Ryan also shows in the application a two-foot-high berm that will control any discharge that could be coming from the project. Dust would also be controlled by water sprayers that will be brought on site. The excess noise that will be created on the property will be controlled by working Monday through Saturday, and not starting work until 7AM.

**Public Comment:**

Eric Knapp, member of the public, is an abutter to the property and stated his concerns about the noise impact. He asked that the board establish some way to control noise from the property. Ryan explained that they do plan on continuing to work at the pace that the town will allow them. Bruce Woodruff noted that the town regulations are 7AM until 5 PM, Monday through Saturday. There were no further comments.

**Waiver:**

Bruce Woodruff noted that the applicant does need a waiver from the board if they are going to approve the project.

**\*Ryan Thibeault motions to approve the waiver allowing the 1-inch equals 80 ft instead of the 1-inch equals 50 feet Seconded by Matt Morrill. This opens discussion on the topic.**

Larry Brown asks whether this contour change will have a real impact on the project and reading the document. Bruce recommends that they allow this change as allowing the project to fit on one sheet of paper is preferential to that of multiple both for the usage of the town but also for the usage of potential planners in the future. With no further discussion it turns back to the board to vote.



**The vote is approved unanimously. The Motion Passes accepting the waiver.**

**Planner Recommendation and Comments:**

1. The plans shall be signed and dated by the owner and applicant prior to the Chair signing.
2. All requirements and conditions of the Alteration of Terrain (AoT) permit and Storm Water Pollution Prevention Plan (SWPPP) shall be adhered to.
3. Add estimated completion dates to the excavation phases called out on the plan prior to the chair signing.
4. Add a note to the plan stating that the existing and proposed visual barriers shall be retained between the excavation areas and public roadways and abutting property owners.
5. Add a note to the plan that all requirements in the Milton Earth Excavation Regulations shall be adhered to, with emphasis on Article IV, Site Restoration and Article V, Site Requirements.
6. Add a note to the plan stating that the property shall not be used for the storage or introduction of foreign materials prior to the Chair signing.
7. Add a gate with security lock to the plan prior to the Chair signing and install same.
8. Obtain a Town driveway permit and submit to the Land Use Office prior to the Chair signing the plan.
9. Add a note to the plan outlining the required hours and days of operation as required in the Milton Earth Excavation Regulations Article V, Site Requirements, F. Hours of Operation.
10. Add a note to the plan that states that the excavation permit shall expire in three years unless the owner/applicant obtains a renewal from the Planning Board prior to the expiration date.



119 11. Submit a performance surety security in the amount of \$92,200 in accordance  
120 with the Milton Earth Excavation Regulations Article VI, Performance Security to  
121 the Land Use Office prior to the Chair signing the plan.

122 12. All the foregoing conditions shall be listed on the excavation plan prior to the  
123 Chair signing.

**\*Larry Brown motions to approve the application with the conditions noted by clear copy by the town planner as reviewed by the applicant as agreed to, Seconded by Matt Morrill. The vote is approved unanimously. \***

**New Business:**

Jon Nute: Thanks, the select board for the work that they did to sell the building beside of Cumberland Farms. Brain Boyers pointed out that the vacant building by the industrial park. This building is the old head start building.

**Planner's Comments:**

Bruce has been working with the SRPC to obtain a source water protection grant. By applying to this grant this will give Milton boards the ability to update all permits to the MS4 requirements and it will update the GIS mapping device to include water lines and their age.

Bruce also added that he has been working in Moultonborough to create solar ordinances. He plans on bringing these plans to review and add to the zoning regulations if the board has the time to do so before the end of the year.

**IV. Adjournment:**

**\*Matt Morrill motions to adjourn, Seconded by Joe Michaud. The vote is approved unanimously. The Motion Passes adjourning the meeting. \***