

Town of Milton
424 White Mtn Highway
Milton NH, 03851



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

12-21-2021
Meeting Minutes
6:30 PM

Present Members: Brian Boyers, Ryan Thibeault, Anthony Gagnon, Jonathan Nute

Absent Members: Paul Steer, Matt Morrill, Joseph Michaud

Staff Present: Bruce Woodruff, Town Planner; Suzanne Purdy, Land Use Clerk

- I. **Call to Order:** Chair Boyers calls the meeting to order at 6:40 PM.

B. Boyers named L. Brown in place of P. Steer
- II. **Public Comment:** Dan Bisson, 344 Bolan Rd. applauded them for upholding some of our long-tested ordinances and Master Plan , and he thanked them for doing so.
- III. **Review/Approval of Minutes:** S. Purdy stated just the first five pages of the minutes are before the board this evening; the entire document is 35 pages, which includes engineering reviews and public letters. L. Brown made a motion to approve the minutes as presented, of the Dec. 7, 2021 PB meeting; R. Thibeault seconded. L. Brown noted the attachments will be part of the public record. All in favor. Motion Passed.
- IV. **Old Business:** Planner Woodruff began with explaining the intent of the Proposed Zoning Map is to expand the Commercial / Residential designation and the High Density Residential designations to include the entire area of the parcels shown, in lieu of a 200 foot swath, as shown on the plan. In the existing scenario, it is not fair to the property owners as they are only able to utilize the first 200 feet of their property for a business, or non-residential use, maybe sell their property in the future. This would also
At our previous meeting we agreed to have a workshop tonight to present these proposed extend Proposed Zoning as they roll up Rte. 125, Elm St, Silver St. further into the lots. We sent out a letter regular mail on Friday to invite the parcel owners to come to the meeting to ask questions. Planner Woodruff explained the color designations and cross hatching on the maps of the proposed changes. It doesn't change anything you're doing today as far as land use. If you look at the pros and cons today, there aren't very many cons.

Public: Asked how many properties would be affected. Planner Woodruff replied 130.

Public: Asked if the taxes would go up. Planner Woodruff said No. Taxes are based on the use of the property now, for instance, if you have a single-family home now, and continue with that use, your taxes will remain the same. When the zoning changes, that will only effect what you use the property for in the future.

Public: How do you think that will affect the type of business that could come into town?

Planner Woodruff: It will give you more opportunity , the Zoning rules will not change, this is just a zoning boundary change.

Public: If you had a business out front, could you then create a parking lot at the rear of the property. Planner Woodruff replied yes.

Public: Does that go all the way down to the water? They own from Rte. 125 to the lake on Salt Box Rd. in their case it extends the zoning districts to the end of their property. If you go to sell it, it will be worth more money.

Public: How did this come about?

Planner Woodruff: I've worked as a planner in several towns where this type of swath had existed, and it's an injustice to the prop owners. It didn't make sense; it cuts your lot in half regarding your zoning uses.

Public: So condos could be built on the water in these newly zoned areas.

Planner Woodruff: Not necessarily, it depends on what the zoning ordinance allows for each designation.

Condos are only a form of ownership; multi-family housing would be limited to what the zoning regulations allow. In some instances, you can have multi-family house in in the commercial / residential zone, I think it's four units. B. Boyers went to get the Zoning Ordinance from his desk. That's not changing; they could do that today.

Public: Does the railroad have any effect on this change? Planner Woodruff: Nothing changes regarding the railroad.

L. Brown : the PB has come up against four things: The Mountain (Teneriffe), the railroad, the river, and the width of the roadbed. The discussion has been how to vitalize downtown, the industrial commercial zone which turned out to be one of the poorest re-zones, in his opinion.

This new change came as part of that to protect some of the historical uses, as well as expanding opportunities for development . And we are never going to see a million-dollar warehouse type building here in Milton, NH.

This does not change the land uses, just the boundary lines for the Commercial / Residential zone, and the High-Density Residential Zone.

Public: By changing the boundaries, you are then giving them the opportunity to build parking lots, hotels, multi-family units. Planner Woodruff: he agrees.

Our property used to have a restaurant and cabins on it, and we would like to get those up & running again. Planner Woodruff noted that the way it is zoned today, they wouldn't be able to, but with the zone boundaries changing, they would be able to reinstate the cabins and perhaps a restaurant in the future.

Planner Woodruff said that this dovetails into something else the board has been working on; he explains the overlay map. This makes commercial development more flexible and easier to do, as long as it's done right. You have more uses that are allowed, you may be able to densify a little bit, it may jumpstart some development. It's about 2 dozen lots.

- V. He explained that the Gateway Business Overlay District is designed to encourage a developer to develop in a certain way, such as utilizing a smaller footprint and in turn realizing protections and incentives. It lays over the top of the existing zoning district and takes precedence over the rules of the present underlying business district. New proposed projects need to abide by the overlay rules and not by the existing zoning rules. Many planning departments across the state are using this method in lieu of revising their entire zoning ordinance.

Planner Woodruff read the purpose of the proposed gateway district:

The purpose of this gateway business overlay district is to provide an environment that encourages efficient and attractive commercial development along NH Rte. 125 that is a gateway to the village. The minimum lot size of twenty thousand (20,000) square feet encourages a mix of various sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal and professional services, restaurants, vehicle refueling/recharging station, automobile sales, hotels, offices, banks, and theaters.

b. The purpose of the Gateway Business Overlay District is to enhance the economic vitality, business diversity, accessibility, and visual appeal of Milton's Gateway Business District, in a manner that is consistent with the landscape and architecture of the Town's agricultural tradition.

c. The intent of the GBOD is to foster development of a vibrant mixed-use district with a cohesive street layout and architectural character that includes commercial, residential, and civic uses and integration of open spaces, transit, bicycle, and pedestrian accommodations.

It will be on the town website. The board has worked very hard at the draft language of this; this is the first time they've seen the map.

Public: What zone is it now, Commercial / Residential? Planner Woodruff: yes
R. Thibeault asked isn't there some Industrial / Residential in there too? Planner Woodruff said yes, and noted the rules of the Overlay district will supersede and take precedence over the existing district. For example, if you wanted to have a retail store, if the Gateway Overlay District passes, this use would be allowed, you would just have to go the planning board for site review.

The way it is zoned today, if you wanted a retail store that would be outside the 200' of existing zoning, you would have to go the Zoning Board of Adjustment to take out a special exception, since it is not a use allowed by right.

R. Thibeault sewer plant, DOT, the garage, should this district be extended down to include those properties, and full disclosure, his property is included with this proposed extension. This area is currently zoned industrial / commercial. It would actually align better with the intent of the overlay district to preserve the look and feel the board is trying to accomplish.

Planner Woodruff said this overlay district would make it easier to develop on lots that are vacant, some of which are an eyesore,

L. Brown: we should be mindful of something that preserves the view scene history of structures that are out there.

B. Boyers noted with the industrial zone would take away your view scene, where the overlay district would preserve the look. I think we should have a full board before we move forward on any of this.

Planner Woodruff said he thinks that we are in line with the public hearings. He thinks we can accomplish two of these proposed zoning changes; he has the warrant language ready.

The next Milton Planning Board meeting will be January 4th.

Thursday January 6, 2022 is the last day to post and publish for the first public hearing on proposed zoning amendments if a second hearing is anticipated.

Monday, January 17, 2022 is the last day to hold a first public hearing on proposed zoning amendments if a second hearing is anticipated.

J. Nute stated Planner Woodruff should make the discussed changes to the overlay map so the full board can vote on it at the Jan. 4th meeting.

Planner Woodruff said the full board had blessed the Gateway Overlay District at a previous meeting. The board appeared to agree with the language of the OD.

Regarding the Village overlay district, discussions occurred, and participants agreed that since the Village Overlay and the Gateway Overlay are in such close proximity, the board should consider waiting until next year to present the Village overlay district to the voters.

Planner Woodruff read the purpose of the Village Overlay District:

Purpose: Adopted as an Innovative Land Use Control under NH RSA 674:21, the purpose of this Village Overlay District (VOD) is to encourage the development of the Milton Village in a manner consistent with its historic pattern, including the size and spacing of structures and open spaces. Such development shall:

9.2.1.1 Provide a mix of uses including a variety of housing styles and types.

9.2.1.2 Encourage pedestrian-friendly amenities including safe routes for pedestrians and bicyclists, safe crosswalks, sidewalks, and quality landscaping.

9.2.1.3 Encourage the preservation of the existing historical and architectural character of Milton Village:

9.2.1.4 Encourage the retention of the existing buildings with historical or architectural features that enhance the visual character of the community.

9.2.1.5 Encourage a safe and aesthetic environment for vehicular travel.

9.2.1.5 Provide opportunity for greater economic activity and vitality.

9.2.1.6 Provide consistency with Milton's Master Plan; and

9.2.1.7 Maintain the character of the existing residential neighborhoods.

Jason Poth from Elm St asked about the timing of the letters sent to the property owners of the effected parcels. B. Boyers let him know about the Jan. 4th meeting, in this same room, at 6:30 PM.

Discussion and corrections were discussed on the Proposed PB Meeting schedule for 2022.

Planner Woodruff said he is still coordinating with the Townhouse Bridge project engineer, gathered comments, and sent to them the Nov. 1st BOS. G&EC meeting in January will push off the Public hearing another 3 or 4 months. The costs were predicated by the design as agreed with State of Maine DOT, State of NH DOT, Town of Lebanon, and Town of Milton.

VI. Adjournment:

***_At 7:59, L. Brown motions to adjourn, Seconded by Anthony. The vote is approved unanimously. The Motion Passes adjourning the meeting. ***

NORWAY PLAINS ASSOCIATES, INC.

LAND SURVEYORS • SEPTIC SYSTEM DESIGNERS • CIVIL ENGINEERS

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November 10, 2021

Mr. Bruce Woodruff, Milton Town Planner
Milton Planning Board
424 White Mtn. Highway
Milton, NH 03851

Re: Northeast Pond Condominium; Engineering Review Response Letter 10-4-21

Dear Mr. Woodruff:

The following is a summary of action taken to address the comments from the October 4, 2021 letter from Gale Associates, Inc. the town review engineering consultant. To expedite the review process; I have maintained the same order as the letter we received. The responses are in italic. I copy of the original letter is attached to this letter.

1. Is there an issue with the finish grades in the plans? What do think the darker dashed lines represent?

In reviewing Sheets C-3 (Grading & Drainage Plan), C-5 (Driveway Profile Sta. 0+00 to 12+50), and C-6 (Driveway Profile Sta. 12+50 to 19+50, the grading appears to be satisfactory. The plan set does not include 50-foot interval driveway cross-sections, and it is our opinion driveway cross-sections should be included in the plan set.

Response: Cross-section have been added to the plan set. See sheets C-20 and C-21

In review of the typical driveway cross-section, the 6-inch underdrain is graphically illustrated not under and at the outer limits of the subbase materials; see on Sheets C-5 and C-7. Roadway underdrains are typically located as illustrated below to allow the gravels to drain and mitigate groundwater impacts.

Response: The typical cross-section detail has been revised so the 6-inch underdrain is located at the outer limits of the subbase material. See sheet C-5 and C-7.

The plan set did not identify the proposed design speed or included a graphical illustration of a speed limit sign; therefore, we were unable to confirm is the driveway profile meets AASHTO guidelines. It is our opinion, the design speed should be included on the plan set.

Response: The speed limit of the driveway will be 15 mph. A signs detail has been added to the sign schedule and the location of the speed limit signs have been added to the plan. The k values for all vertical curve fall within the design limits. These values have been added to the profile. See sheet C-5 and C-6.

It is our opinion, the Applicant/Engineer-of-Record identify the Horizontal:Vertical side slopes (e.g., 4H:1V, 2H:1V, 1H:1V, etc.). For example, see Sheet C-5 (Driveway Profile Sta. 0+00 to 12+50) station 7+00 left and right-side slopes are not identified/labeled.

Response: Left and right-side slopes are called out on sheet C-5.

2. Do the proposed slab elevations make sense with generally accepted civil engineering practice of balancing existing grades, or are they raising the foundations to get a better view of the lake from this high point?

Based on Sheet C-3 (Grading & Drainage Plan), there are six (6) proposed building slabs with finish slab elevations of 481.00, 480.25, 480.00, 478.25, 478.70, and 479.00. Comparing the proposed finish slab elevations to the existing contours, it appears the only slab elevation higher than existing contours is slab elevation 479.00. Below is a comparison table of finish slab elevations, approximate existing contour, and elevation difference.

Finish Slab Elev. (ft)	Predominate Existing Contour (ft)	Elev. Difference
481.00	488.00	- 8 feet
480.25	496.00	- 15.75 feet
480.00	490.00	- 10 feet
478.25	482.00	- 3.75 feet
478.70	480.00	- 1.3 feet
479.00	470.00	+ 9 feet

(-) indicated slab elevation is lower than existing contours) (+) indicated slab elevation is higher than existing contours)

Response: Agreed. The elevation of the slabs have been revised and the location of the building move. The table below show the result based on the revised slab elevations.

Finish Slab Elev. (ft)	Predominate Existing Contour (ft)	Elev. Difference
485.00	490.00	- 5 feet
484.10	496.00	- 11.9 feet
482.25	490.00	- 7.75 feet
476.15	482.00	- 3.9 feet
475.50	480.00	- 4.5 feet
475.00	475.00	0 feet

(-) indicated slab elevation is lower than existing contours) (+) indicated slab elevation is higher than existing contours)

3. Can the retaining walls be constructed with no impact on abutting land or trees?

It appears the proposed development is higher in elevation compared to the abutting properties; hence, the Typical Block Retaining Wall Detail (Sheet C-7) would be constructed with the face-of-wall exposed to the abutters. Therefore, we assume the proposed pre-cast concrete retaining walls can be built without impacting vegetation on abutting properties. However, it is our opinion the plan set should include the below information on the retaining wall plan, profile, and 50-foot interval cross-sections.

Response: A retaining wall plan has been added showing cross-section at a 25-ft intervals and 20 scale plan view. Please note that the retaining wall have been relocated and decrease in length.

- 4. Where does the drainage water in the sock drain at the bottom of the retaining wall go?**
Down-gradient toward the abutting properties.

Response: Agreed.

- 5. Is zoning article VI, Section 9.h adhered to?**

We reviewed Sheet C-4 (Erosion & Sedimentation Control Plan) that graphically illustrates property boundaries, the abutter's existing treelined limits, the proposed development's new treelined limits, and Bolan Road. Zoning Article VI, Section 9.h is a two-part ordinance. The first part of the Ordinance requires a 100-foot buffer from abutting land uses. For Tax Map 023 / Lots 35, 39, 38, 47 to 54, the vegetated buffer limits range between 55 feet to 220 feet; the smallest buffer is Lot 50. However, it should be noted the existing tree-line of these lots match the rear property boundaries. While it is our opinion the proposed development is not adhering to the first part of this Zoning Ordinance and it is assumed the proposed development could rotate Building No. 3 counterclockwise (to increase the approximate 55-foot buffer), we do not expect the rotation modification will achieve the 100-foot minimum.

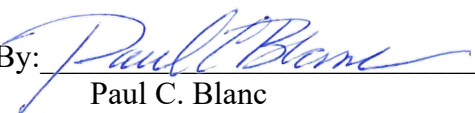
The second part of the Ordinance requires a 100 to 150-foot buffer from an existing public road to retain the community's rural character. For Tax Map 023 / Lots 55 through 59 and 149, the vegetated buffer limits range between 120 feet to 165 feet. It is our opinion the proposed development is adhering to the second part of this Zoning Ordinance.

Response: A 75-ft vegetative buffer has been added. This was achieved by moving the buildings.

If you have any questions regarding the revisions made to this plan set, the design itself or any supplemental material submitted to satisfy the conditions of approval, please feel free to call or email me.

Sincerely,

NORWAY PLAINS ASSOCIATES, INC.

By: 
Paul C. Blanc



Gale Associates, Inc.

6 Bedford Farms Drive, Suite 101 | Bedford, NH 03110

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www.galeassociates.com

October 4, 2021

Mr. Bruce Woodruff, Milton Town Planner
Chester Planning Board
84 Chester Street
Chester, New Hampshire 03036

Subject: Map 023 / Lots 040 and 044 – Northeast Pond Condominium
Engineering Review

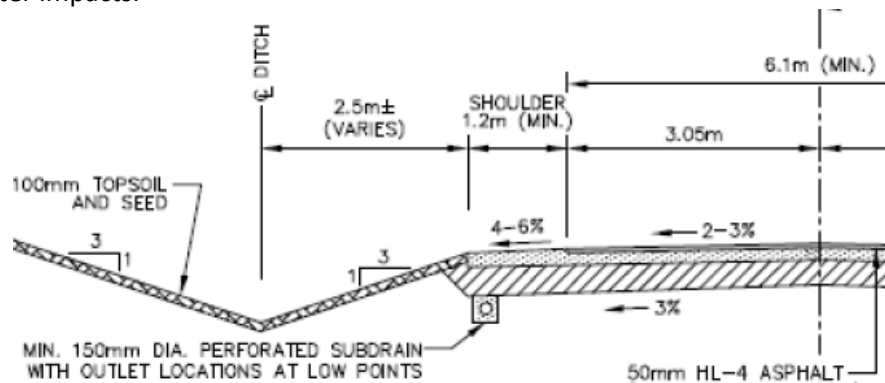
Dear Mr. Woodruff:

Gale Associates, Inc. (Gale) has completed a technical review of the plans and materials submitted for the above referenced project. The plan set consisted of twenty-five (25) sheets with a May 2021 date. The purpose of this review is to respond to specific questions/inquiries as presented by the Town. The following are our responses (regular text) to the associated questions/inquiries (bold text).

1. Is there an issue with the finish grades in the plans? What do think the darker dashed lines represent?

In reviewing Sheets C-3 (Grading & Drainage Plan), C-5 (Driveway Profile Sta. 0+00 to 12+50), and C-6 (Driveway Profile Sta. 12+50 to 19+50), the grading appears to be satisfactory. The plan set does not include 50-foot interval driveway cross-sections, and it is our opinion driveway cross-sections should be included in the plan set.

In review of the typical driveway cross-section, the 6-inch underdrain is graphically illustrated not under and at the outer limits of the subbase materials; see on Sheets C-5 and C-7. Roadway underdrains are typically located as illustrated below to allow the gravels to drain and mitigate groundwater impacts.



The plan set did not identify the proposed design speed or included a graphical illustration of a speed limit sign; therefore, we were unable to confirm if the driveway profile meets AASHTO guidelines. It is our opinion, the design speed should be included on the plan set.

CELEBRATING 55 YEARS



It is our opinion, the Applicant/Engineer-of-Record identify the Horizontal:Vertical side slopes (e.g., 4H:1V, 2H:1V, 1H:1V, etc.). For example, see Sheet C-5 (Driveway Profile Sta. 0+00 to 12+50) station 7+00 left and right-side slopes are not identified/labeled.

The dark dashed lines represent the proposed drainage pipes and culverts.

2. Do the proposed slab elevations make sense with generally accepted civil engineering practice of balancing existing grades, or are they raising the foundations to get a better view of the lake from this high point?

Based on Sheet C-3 (Grading & Drainage Plan), there are six (6) proposed building slabs with finish slab elevations of 481.00, 480.25, 480.00, 478.25, 478.70, and 479.00. Comparing the proposed finish slab elevations to the existing contours, it appears the only slab elevation higher than existing contours is slab elevation 479.00. Below is a comparison table of finish slab elevations, approximate existing contour, and elevation difference.

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(–) indicated slab elevation is lower than existing contours)

(+) indicated slab elevation is higher than existing contours)

3. Can the retaining walls be constructed with no impact on abutting land or trees?

It appears the proposed development is higher in elevation compared to the abutting properties; hence, the Typical Block Retaining Wall Detail (Sheet C-7) would be constructed with the face-of-wall exposed to the abutters. Therefore, we assume the proposed pre-cast concrete retaining walls can be built without impacting vegetation on abutting properties. However, it is our opinion the plan set should include the below information on the retaining wall plan, profile, and 50-foot interval cross-sections.

- Retaining wall stationing;
- Existing and Proposed elevations;
- Existing and Proposed tree limits;
- Pre-cast retaining wall units and Gravel backfill limits;
- Property boundaries; and,
- Protective guard system in accordance with Section 1015.2 of the International Building Code.



- 4. Where does the drainage water in the sock drain at the bottom of the retaining wall go?**
Down-gradient toward the abutting properties.

5. Is zoning article VI, Section 9.h adhered to?

We reviewed Sheet C-4 (Erosion & Sedimentation Control Plan) that graphically illustrates property boundaries, the abutter's existing treelined limits, the proposed development's new treelined limits, and Bolan Road. Zoning Article VI, Section 9.h is a two-part ordinance. The first part of the Ordinance requires a 100-foot buffer from abutting land uses. For Tax Map 023 / Lots 35, 39, 38, 47 to 54, the vegetated buffer limits range between 55 feet to 220 feet; the smallest buffer is Lot 50. However, it should be noted the existing tree-line of these lots match the rear property boundaries. While it is our opinion the proposed development is not adhering to the first part of this Zoning Ordinance and it is assumed the proposed development could rotate Building No. 3 counterclockwise (to increase the approximate 55-foot buffer), we do not expect the rotation modification will achieve the 100-foot minimum.

The second part of the Ordinance requires a 100 to 150-foot buffer from an existing public road to retain the community's rural character. For Tax Map 023 / Lots 55 through 59 and 149, the vegetated buffer limits range between 120 feet to 165 feet. It is our opinion the proposed development is adhering to the second part of this Zoning Ordinance.

If you have any questions or concerns, please do not hesitate to contact us.

Very truly yours,
Gale Associates, Inc.

A handwritten signature in blue ink, reading "Scott M. Bourcier", is written over the typed name.

Scott M. Bourcier, P.E.
Project Manager

SMB/smb

LAND SURVEYORS

CIVIL ENGINEERS

Drawing Name: M:\2018\18011\DWG\SP-3.dwg
Web: 17 Nov 2021 10:10am



FILE NO. 1513100
PLAN NO. 18011/SP-1
DWG. NO. 18011/SP-1
F.E. NO.

31 Mooney Street, Alton, N.H. 603-875-3948

NORWAY PLAINS ASSOCIATES, INC.

FOR: THREE PONDS INVESTMENTS, LLC.

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Planning Board
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Please Print your name clearly and legibly so that it may be recorded correctly. Thank you!

Date of Meeting: Tuesday, **December 21, 2021**

Please Print Name:	Reason for Attending:
1. DAVID PLEY	RE ZONING
2. Mike Maglieri	Rezoning
3. Jerry Maglieri	Rezoning
4. Don Bissan	Viewer
5. TAD MASTROIANI	REZONING
6. Hunter Adams	Rezoning
7. Ron Rismar	Zoning
8. Jason Poth <i>ASP</i>	ZONING
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