

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



**Planning Board**  
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**Meeting Minutes**  
**October 16, 2018**  
**6:30 PM**

Members in Attendance: Matthew Morrill, Lynette McDougall, Brian Boyers, Peter Hayward, Joseph Michaud, Bob Graham Alt. Also in attendance Dana Crossley Land Use Clerk, Bruce Woodruff Town Planner

Excused Members: Ryan Thibeault Ex. Officio, Larry Brown

Public Attendance: George Szirbik, Mike Shea, Chris Penta, Michele Penta, Charlotte Mee, Deborah Lopez, Ramiro Lopez, Amy Mann

Chairman Boyers called the meeting to order at 6:30pm

Chairman Boyers brought B. Graham to the board as a full voting member in place of R. Thibeault.

Public Comment: Ramiro Lopez questioned how they would know what was on the agenda if it was listed first on the agenda without the Chairman reading through the agenda. Chairman Boyers explained that the public comment portion was for topics to be brought up that are not on the agenda.

**Continued Public Hearing:** Request to renew excavation permit for pit 5, Jones Brook LLP Owner, Eastern Materials, Excavator, property located on Jones Brook Rd off White Mountain Highway, Tax Map 22 Lot 17 located in the Excavation Overlay District: George Szirbik and Mike Shea (Eastern Materials) was in attendance, received a copy of the plans from Land Tech provided hard copies to the board. Planning Board members review the plans.

Board Comments: B. Graham questioned from the site walk the reference point on the plans. Mike Shea pointed out on the plans.

Planner Comments: B. Woodruff stated when add the existing contour with the final contour when the pit is completed with the rest of the packet believes it meets all the requirements.

Chairman Boyers opened to the public. No public comment. Chairman Boyers closed public comment.

**Motion: P. Hayward motions to approve the renewal of the excavation permit. L. McDougall seconds the motion all in favor, motion carried. (6-0)**

**Public Hearing: Site Plan Review- Applicant Christopher Penta, 1 Jug Hill Rd (Map 9 Lot 97) Milton Mills for a Retail Antique Shop:**

Chairman Boyers questioned if all the fees had been paid. D. Crossley replied yes.

Chairman Boyers questioned if the application was complete. D. Crossley replied yes with the consideration of the waivers being requested.

Chairman Boyers noted that the project went through TRC in September 2018 and all comments have been either addressed or completed, referred board members to the TRC notes included in their packets, notes from the TRC meeting were read into the record. Also noted that this project was granted approval to allow Retail Sales and Services as presented in the application for 960sq. ft. of the first floor by the Zoning Board of Adjustment on September 28, 2018.

Motion to accept application as complete: **B. Graham motions to accept the application as complete (with consideration of waivers). L. McDougall seconds the motion all in favor motion carried.**

Applicant Testimony: Chris Penta (applicant in attendance) explained to the board that they applied for a minor site plan and feel that with the change of use, based on the building and what it has been historically feel that the waivers being requested are appropriate because it is a minor site plan and they are changing the use of the current building, no modifications or alterations to the land, besides the parking which was put into the site plan.

Town Planner Comments: B. Woodruff stated that he recommends approval of all of the waivers because of the minor nature of the plan and nothing is changing with the building, there will be a use in it, which is a good thing. Advised the board that as there were so many waivers and some very minor to approve or disapprove the waivers as a package, unless the board members felt differently.

Continued Applicant Testimony: Michele Penta explained to the board a history of the building that it was a previously operating Grange Hall, herself and Chris sell antiques when the opportunity to purchase the building arose purchased it and have been working on restoring the building, have been selling antiques successfully in other locations and online plan using the first floor for antiques and be open a couple of days a week to operate the store.

**Chairman Boyers opened the public hearing for public comment:**

Ramiro Lopez Acton ME, Chairman of the Board of Trustees for Liberty Chapel: Stated at the Zoning meeting discussion of the use of the Liberty Chapel parking lot, they as the church would be looking at contacting their insurance company if the applicant's need arises and if they possible put a rider onto their (the applicants) insurance there might be the possibility of opening the church parking lot for their use.

**Chairman Boyers closed the public comment.**

**Review and approval of waivers requested:**

- (A) *Base Survey:*
  - (1) *Bearings of boundaries of parcel*
  - (2) *Topography and contours*

- (3) *Reference to established permanent benchmarks*
- (4) *No waiver requested.*
- (5) *Boundaries of existing natural features*
- (6) *Surface cover of total area*
- (7) *Any important specimen trees & existing and proposed to remain limits of vegetated cover.*
- (8) *Any existing features within minimum fifty (50) ft of parcel.*
- (9) *Change in use table of expected change in demand for parking, water and sewer and traffic (applies here)*
- (B) *Site Plan*
  - (1) *Sheet size of 36" x 24"*
  - (2) *Scale between 1"=20' and 1"=40'*
  - (3) *Title block requirements including professional seals and signatures*
  - (4) *North Arrow*
  - (5) *Locus*
- (C) *Site Plan Detail*
  - (f) *Site Plan Development & Existing Conditions locations*
    - (1) *Parking area, location, dimensions, method, capacity, surface type*
    - (2) *Finish grade, finished floor elevation*
    - (3) *Proposed grades*
    - (5) *Limits of lawn and landscaping*
    - (10) *Screening*
    - (11) *Drainage*
    - *Dumpster w/impervious pad & screening*
- (D) *Additional Material or Information Required*
  - (1) *Through (3)- not required because there is no septic or sewer hookup*
  - (4) *through (7) not required because negligible traffic increase.*
- (11) *Design Standards*
  - (A) *Off-street parking and loading General Requirements*
    - (1) *through (8) except for determining required spaces which has been done in a note.*
  - (B) *Signs: sign to be on the building and this needs to be explained to the Planning Board.*
  - (C) *Landscaping- waivers of (1) through (7) because this is an existing site*
  - (D) *Building Design and Layout*
    - (1) *through (5) because the building already exists*
    - (6) *Special Flood Hazard Area building requirements because the building is not in that area*
  - (E) *Internet Access Design and Layout*
    - (1) *All new commercial developments shall install, etc. waiver because building exists.*

**M. Morrill motions to approve waivers as requested. J. Michaud seconds the motion. All in favor, motion carried.**

Board discussed Potential Regional Impact, it was noted that the Zoning Board of Adjustment made the determination that there was not potential regional impact. No member disputed that decision.

**Motion: B. Graham motions to approve the site plan for 1 Jug Hill Rd for the Antique Retail Store, J. Michaud seconds the motion all in favor, motion carried site plan approved. (6-0)**

**Driveway Permit Request:** Susan & Wallace Langley Ashwood Rd (M43 L27.3): Susan Langley was in attendance at the meeting, requesting approval and waivers for a driveway permit that was denied by the Public Works Director. B. Woodruff explained that the board is being asked to grant a waiver for the length of the driveway in order to approve the driveway permit, waiver is supported by the comments from the Fire Chief in the included letter to the board, the design of the driveway will support the Fire Apparatus and allow for turn around, supports and recommends granting the waiver because of the Fire Chief's comments. B. Woodruff explained to the board for full disclosure is an abutter to the applicant and the property line where the driveway is intended to go, in support as both an abutter and Town Planner, the design is a good design in regard to the location of the driveway in the area of least impact for wetlands, is in line with the change in layout of the right of way that was predicated on the merger of lots, the merger of those lots eliminated the right of way of Ashwood Rd. extension capping it where the two properties come together which is exactly where the design proposes to build a paved apron at the end of the cul-de-sac to save the cul-de-sac pavement, is a positive application. Chairman Boyers noted he spoke with the Public Works Director who expressed that the Town would not have any responsibility for that right of way off the cul-de-sac (S. Langley agreed as they have merged the lots so eliminate that part of the subdivision which removed the right of way, B. Woodruff also agreed to that statement) Chairman Boyers continued that the other concern expressed was in regards to when the Town plows Ashwood Rd cul-de-sac, as it is very tight currently for plowing, concerned there will be a lot of snow deposited onto that driveway (S. Langley expressed that they will do their best clearing snow on their driveway to make it easier to plow, understands that it is New England)

B. Woodruff noted he submitted a letter of permission (as an abutter) with the wetlands permit since it would impact wetlands within 20' of his property, the letter gave his permission to move forward with the plan.

**Motion: J. Michaud motions to grant the waiver and driveway permit as requested. B. Graham seconds the motion. All in favor, motion carried.**

**Continued:** Discussion of potential Zoning Amendment-Table of Principal Uses, Uses Requiring Special Exceptions: B. Woodruff requested the board to table this topic till next meet. Chairman Boyers granted the tabling.

Discussion of Potential Re-Zoning Changes: B. Woodruff provided the board with a handout, informed the board him and the Town Administrator met with some people from the state in regards to the Economic Revitalization Zone, one hang up in their ERZ application the statue cannot approve an ERZ if the land is zoned residential. Asked the board to think about

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considering a zoning amendment that would change at the very least the 53 acre parcel (45-23) to industrial, are others that could be included as well such as (45-18) (45-19) (44-19 and 44-77) believes it is important to at least recommend a zoning amendment to go to the voters for a change of (45-23) as there is a local business that is looking to expand there.  
Discussion of possibility of this rezoning amendment.

Asked for the board to think it over and then give him guidance to allow him to move forward with a solid plan to present to them.  
Chairman Boyers asked the board to come to the next meeting with a decision.

Town Planner Comments: No additional comments.

Approval of Minutes: October 2, 2018 meeting minutes, J. Michaud motions to accept the minutes as written, L. McDougall seconds the motion (B. Graham abstained) All in favor motion carried.

Other Business: D. Crossley updated the board on the status of the GIS process and that it is moving along.

B. Graham motions to adjourn, J. Michaud seconds the motion all in favor, meeting adjourned at 7:44pm.

Respectfully submitted,

Dana Crossley  
Land Use Clerk