

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



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

Members in Attendance: Joseph Michaud, Peter Hayward, Bob Graham Alt. Bob Bourdeau,  
Also in attendance, Dana Crossley Land Use Clerk, Bruce Woodruff Town Planner  
Excused Members: Brian Boyers, Larry Brown, Ryan Thibeault

Public Attendance: Seth Cohen, Yogi Patel, Kim Hazarvartian

Vice Chairman Hayward called the meeting to order at 6:30pm.  
B. Graham was brought to the board as a full voting member in place of L. Brown.

Public Comment: No Comment.

Vice Chairman Hayward informed the board that Tim Long had submitted his resignation letter as he has been appointed as a Selectmen. The board accepted the letter of resignation.

Chris Berry re: Exit 17 Gas Station Update- Seth Cohen representing Yogi Realty Trust for the Gas Station at Exit 17 attended the meeting, Yogi Patel and the traffic engineer Kim Hazarvartian were also in attendance. S. Cohen gave the board an update on the progress of the gas station development. He informed the board after conditional site plan approval, went and applied for all the permits with the State of NH, have gotten the special permits for gasoline, septic approved, water line approved, and have been working with DOT since July of 2016 to get the driveway approved. Continued that in summer of 2017 they had to make a decision to purchase the property or walk away, Kim Hazarvartian and Berry Engineering were hired to do studies and then the State gave them a conceptual approval based on the traffic studies, moved forward and bought the property based on the information and facts they had at the time, they had made it clear to everyone if they had to do the roadwork they were not moving forward, the State understood that. They agreed to do the ramp work and the turn off lane already, expressed they are a family company. Addressed that in December they found out that the Town recommended they do a turn off lane, noted that it was an almost \$200,000 cost for them to do this job, to do the work recommended by the State for that lane with the grading and siding creates a cost prohibitory to move forward at this point for them.

B. Boudreau stated for the record that he was not here for that meeting and he voiced his dissent the following meeting that it was in his opinion the wrong way to do it, the developer should be responsible for their development should not be responsible for what could and might happen down the road, wished he had been at the meeting it was brought up but has voiced his dissent and strongly opposes the recommendation.

S. Cohen expressed that the other future projects are none of their concern and if they had known they had to do the left turn pocket they would not have gone forward with purchasing the

property. He stated that the State of NH will not issue them the driveway permit now based on the Town's recommendation, if the Town does not drop the condition they have to agree to the condition.

(B. Woodruff came into the meeting at 6:40pm) B. Bourdeau explained to B. Woodruff that the State is saying to these applicants that they will not issue the driveway permit/final access permit unless they agree to meet the condition of the left hand turn pocket, the cost they are dealing with now is in the neighborhood of \$100,000 and the left hand turning lane is big money it is breaking the deal. Board discussed with the Town Planner the recommendation of the left hand turn pocket, B. Woodruff noted that the board authorized him to go to DOT with concerns.

B. Bourdeau motion to rescind the recommendation to the State there should be a left hand turn pocket going into the development. B. Graham seconds the motion.

Discussion: P. Hayward noted the cost seems out of line. Seth Cohen replied that they put numbers together and it would cost anywhere near \$120,000 plus the additional work they have agreed to do. P. Hayward questioned how it cost the same to re-do the off ramp as to paint a left hand turn pocket. Kim Hazarvartian from TEPP LLC explained that DOT is requiring the applicant to cold plain off the existing surface and put down a new surface for crisp lines and not confused with the old ones. Seth Cohen added that it was 1,000 linear feet to scrap, noted milling, highway width and topcoat, if it was just lines he was all for it and would do it in a second. Applicants explained to the board that Berry Engineering did the estimate of the work, knows that the State requires cold plain and overlay but is not sure on the depths would need to be reacquainted. B. Woodruff replied that his understanding from the emails was they would be required to either do a grind out or line overlay but encouraged the board to wait before making a decision to get more information on the requirements for the installation of the left hand turn pocket. J. Michaud expressed that the cost is extensive and feels the developer should only have to do the work for their project and not for the future other development.

Vote: 3-0-1 motion carried, the board asks B. Woodruff to rescind the Planning Board's recommendation for a left turn pocket.

B. Woodruff explained that his email will inform the State that the Planning Board has changed their minds, he will discuss with the department heads if their opinion has changed or remained the same.

Review Draft 2018 PB Work Plan: P. Hayward noted that the work plan reflects the changes the board made at the last meeting. B. Woodruff explained drafted the work plan from the board's comments at the last meeting, asking if the board agrees with the plan set up. P. Hayward noted that the March 6<sup>th</sup> meeting the board will not have the two newest members after election, but does not think they should change the schedule for that.

J. Michaud motions to indorse the plan as is. B. Graham seconds the motion. All in favor, motion carried work plan approved.

Review Draft Driveway Regulations: Board reviewed the draft Driveway Regulation update provided by Town Planner B. Woodruff. B. Bourdeau noted that he found issue with page 4 item M. that it notes a specific culvert size, feels it should not be so specific. B. Woodruff replied that he could change it, but it has been called for a 15 inch culvert since the first draft. P. Hayward added that it could be the minimum size for the culvert. B. Woodruff suggested having the Public

Works Director discuss with the board the driveway regulations and get his input, discussed with the board that this draft takes the board out of the engineering business and only involves them when the Public Works Director denies an application. Board asked for a memo/email response from the Public Works Director on culverts.

Town Planner Comments: B. Woodruff asked the Gas Station applicant presented to the board other than the request to change their recommendation, like a new site plan showing the entrance of their property. They did not. It was B. Woodruff's understanding they were coming in tonight to do what they did and to present the board with something for them to look at, the plans, or the newest traffic study.

D. Crossley informed the board that when Chris Berry reached out to be put on the agenda and asked to be informed of what might be needed from them, she had asked for more information such as an updated plan and summary of work that has been done.

Approval of Minutes: January 2, 2018 meeting minutes, J. Michaud motions to table. B. Boudreau seconds the motion. All in favor, minutes tabled till next meeting.

Other Business: No other business.

B. Bourdeau motion to adjourn J. Michaud seconds the motion. All in favor, meeting adjourned at 7:29pm.

Respectfully submitted,

Dana Crossley  
Land Use Clerk