

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



**Planning Board**  
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**Meeting Minutes**  
**December 5, 2017**  
**6:30 PM**

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

Public Attendance: Joshua Fox, Melissa Fox

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

Public Comment: No public comment.

Public Hearing: to receive public input on the proposed zoning amendment language for 'Accessory Dwelling Units': Chairman Boyers opened the public hearing to the public. No public comment. Closed public comment.

Opened to the board for comments: L. Brown asked from previous discussion if the two doors on the same side to avoid looking like a mirror image duplex is addressed in the document. B. Woodruff replied that it was removed from the draft, it was the one item the board found issue with during the last meeting. P. Hayward questioned the approval of the ADU for the activity or the structure. B. Woodruff replied that it is both, ADU's are not the same as a duplex, the process would be that the permits are pulled and then when a certificate of occupancy is issued it becomes approved, it abides by different rules than a duplex. T. Long asked if ADU's can be changed into a duplex. Chairman Boyers replied you could if you get the right permits through the Town. L. Brown asked if an apartment of record exists on the property, is that an accessory dwelling unit, does accessory dwelling residence include apartment. B. Woodruff if you have an apartment already to have it seen as an ADU you have to make sure the criteria has been met, and a CO that says it is an ADU, you won't have three residents (the apartment, the home and an additional ADU). Chairman Boyers added that a home with an existing apartment cannot have an additional ADU because then it becomes multi-family. L. Brown asked the minimum of the ADU, B. Woodruff replied that there was no minimum, they have been advised to not have a minimum size. (Building code does have a minimum room size)  
Chairman Boyers Closed the public hearing.

T. Long motions to approve the draft language for the proposed zoning amendment Accessory Dwelling and to send to the Selectmen for Warrant Article Approval. L. Brown seconds the motion. All in favor, motion carried.

Voluntary Merger of Map 41 Lots 68.11, 68.12, 68.13, 68.14, 68. 15 and roadways: (First agenda posted noted lot 68.15 as 38.15, NOTE 68.15 is correct) B. Woodruff informed the board that the Conservation Commission had previously addressed the board to see this portion of (tax deeded land) the subdivision to be revoked, after further investigation of the subdivision, it was found that the subdivision was all part of one plan, with one bond therefor the board could not revoke half of the subdivision and would instead merge the lots through a voluntary merger. The Conservation Commission's goal is to merge the tax deeded lots and dedicated roadways and the to submit a warrant article for the people to vote if they would approve these lots to go into conservation, if granted to then be merged with the Casey Road conservation piece. The Voluntary merger had been approved by the Selectmen as the owners of the property on November 21, 2017.

Chairman Boyers motions to merge the 5 lots and roadways and for the chairman and vice chairman to sign the merger. R. Thibeault seconds the motion. All in favor, motion carried. Chairman Boyers and Vice Chairman Hayward signed the merger.

Driveway Permit: Park Place Map 39 Lots 4 & 6: Joshua and Melissa Fox attended the meeting. The Driveway is about sixteen hundred feet, the board received input from the Fire Chief and the Public Works director, and as long as the road is constructed with 20' clearance the home does not need sprinkler systems. B. Woodruff noted that since the driveway runs on two lots, it would be in the owner's best interest to put a driveway easement in the front lot's deed granting the back lot the right to pass and re-pass. J. Fox attested that the driveway was at least 20 plus feet. The board received input from the Fire Chief and Public Works Director, both were comfortable with the driveway. L. Brown dislikes wide driveways. T. Long motions to approve the driveway permit, L. Brown seconds the motion. L. Brown and T. Long rescind their motions/seconds. L. Brown motions to approve the driveway permit with the waiver of the sprinkler systems given the jurisdiction of the Fire Chief and the current construction of 20' plus. T. Long seconds, all in favor motion carried and driveway permit approved.

B. Woodruff addressed the driveway regulations and that the board should only be responsible for considering waivers, and if the board would like could revise the regulations.

Master Plan: Continue Review of Natural Resource Chapter Draft: B. Woodruff made the changes that the board had finalized at the last meeting, if there are no further changes they can move forward to sending the document to public hearing for approval and adoption. R. Thibeault motions to approve the language and hold a public hearing on the draft natural resource chapter of the master plan on December 19 at 6:30pm (snow date December 20, 2017) and a second public hearing on January 2, 2018 (snow date 1-3-18) if necessary. T. Long seconds the motion. All in favor, motion carried.

Discuss: Groundwater Protection Overlay District Zoning Amendment: B. Woodruff addressed that the current Groundwater Protection Overlay District Ordinance does not currently meet the best practice of the State and places where it does not meet the underlying statutes, he has reviewed the draft ordinance prepared by Conservation Commission and Strafford Regional Planning Commission, and has made sure the ordinance is up to date and is Milton centric. The board reviewed the changes made. The ordinance is already existing in the Zoning Ordinance, this language updates the ordinance to be most current. P. Hayward motions to post the language

of the Groundwater Protection Overlay District Zoning Amendment update for public hearing on December 19<sup>th</sup> with a snow date of December 20<sup>th</sup> and a snow date if required on January 2<sup>nd</sup> Snow Date of January 3, 2018. L. Brown seconds the motion. All in favor, motion carried.

Town Planner Comments: B. Woodruff noted that for the 2017 work schedule, once the public hearings are held they will have accomplished all but one task, the only task that has not been done is any editing of other chapters of the Master Plan. Very successful year. He handed out to the board documents he received at the NHMA conference, one is a draft 'Local Regulation of Agriculture Toolkit', the toolkit discusses the waivers that can be asked for, for agricultural projects. He asked the board to review it to prepare themselves for future cases. L. Brown's farmer uncle assisted him through college and is not insensitive to farmers. B. Woodruff updated the board on the Exit 17 Gas Station, they are close to DOT approval, he had received a set of plans and forwarded it to the Selectmen, Town Admin, Fire Chief, Police Chief and DPW Director. He expressed his concern is there is no left turn pocket heading west on 75. L. Brown motions that the Planning Board supports the need for a westbound left turn pocket on 75 into Commerce Way and any other necessary mitigations. P. Hayward seconds the motion. All in favor, motion carried.

Approval of Minutes: November 7, 2017 meeting minutes, T. Long motions to approve, R. Thibeault seconds the motion. All in favor, minutes approved.

Other Business: D. Crossley let the board know there had been a public hearing held by NHDOT in regards to toll price increases.

T. Long motions to adjourn, R. Thibeault seconds the motion, all in favor, meeting adjourned at 8:08pm

Respectfully submitted,

Dana Crossley  
Land Use Clerk