

Town of Milton
424 White Mtn Highway
Milton NH, 03851



Planning Board
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Meeting Minutes
September 6, 2016
6:30 PM

Members in Attendance: Peter Hayward, Brian Boyers, Tom Gray, Larry Brown, Bob Bourdeau, Joseph Michaud, Bob Graham Alternate
Also in attendance, Dana Smith Land Use Clerk, Bruce Woodruff Town Planner
Excused Members: Tim Long
Public Attendance: Bob Carrier, John Katwick, Nick Marique, Dennis Wing, Pat Smith, Yogi Patel, Andrew Ward, Betsy Baker, Chris Jacobs, Andy Rawson, Mike Beaulieu, Tom McDougall, Mike Nye, Seth Cohen, Chris Berry, Charlotte Mee

Chairman Boyers called the meeting to order at 6:30.
Alternate member B. Graham sat in for absent member T. Long.

Public Comment: None.

Chairman Boyers noted that there are three Selectmen present, but two are here as citizens only for the discussion of CIP and T. Gray as the liaison for the Planning Board.

Continuation Public Hearing: Site Plan Review: Gold River, LLC applicant/owner. Site plan review for a proposed Multi Restaurant Facility located at 584 White Mountain Highway, Tax Map 42 Lots 128 & 129 in the Commercial/Residential Zone, Milton, NH: Applicant Mike Nye was present. B. Woodruff has been in contact with Jim Hewitt of District 6, Jason Pohopek Surveyor and some of the municipal highway folks in Concord have been looking at the plans, prior to the holiday weekend he received an email from Jim Hewitt to set up an on-site meeting. He thinks that municipal highways and district 6 look like they are going to allow some parking on the narrow strip of land, the control of access is really what has to be hammered out, it will have an effect on the site plan. B. Woodruff commented that he thinks the plans could be conditionally approved pending the parking changes and decisions. B. Bourdeau feels that the plan is still lacking in many aspects, the propane tanks have not been located, still need a lighting plan, and there are a number of issues that need to be addressed along with the parking. He continued that if the other issues were wrapped up he could see a conditional approval pending parking, but that is just one issue that needs to be addressed. B. Bourdeau added that during the Economic Development Committee's meeting they drafted a letter of support that needs the Selectmen's approval on that will be sent to the State. B. Woodruff commented that for full disclosure he has not seen the site plan, he was assuming the only hold up was the parking at the north end, does the board want his help to review the entire site plan to look over the plans with Jason Pohopek. The board was in consensus to have B. Woodruff look over the site plan with Jason Pohopek. B. Woodruff told applicant that they are waiting on a coordination meeting with DOT on site to come to a conclusion on parking. M. Nye commented that as they are waiting on

DOT to make a decision he asked for another month continuation. P. Hayward commented that he thinks the list for the surveyor needs to be precise. B. Bourdeau replied that they need a lighting plan, Fire Department needs final plans, propane tank location, the flooding issue before the doors and the building plan.

B. Bourdeau motions to continue the public hearing for Gold River LLC, till October 4th at 6:30. L. Brown seconds the motion. All in favor, public hearing continued to the October meeting.

Continuation Public Hearing: Yogi Patel applicant. Site Plan review for a proposed Gas Station with Convenience Store located at Commerce Way, Farmington Rd, Milton NH. Tax Map 45 Lot 76-1 in the Industrial Zone. Chris Berry of Berry Engineering attended the meeting to represent the applicant. He passed out a revised copy of the site plan after the peer review by White Mountain Survey and Engineering. C. Berry explained the changes that they have made, they have provided architectural plans, a well location, an easement plan, design of the maintenance roadway to the well head, along with sediment and erosion control to that point, full grading for the construction activity for the well provided as a separate sheet in the plans. He continued they have provided an easement plan for when the property is transferred to have a proper easement from Mr. Frizzell to Yogi Trust for the well (maintenance and access), they have applied for district 6 DOT permit, applied for the UST permit for underground storage tanks as well as pumps, not required to have an alteration of terrain permit, they are required to file a NIFTY's permit for under the phase 2 the production of a storm water pollution prevention plan and notice of intent to the EPA would need to be filed before start of construction, notes to that effect are included in the plan set. That speaks to one of B. Woodruff's conditions and White Mountain Survey and Engineer's recommendations as well, that the storm water design on this project site the construction should be overseen, and the applicant has no issue with, because under the NIFTY's phase 2 that would be required anyway, they would have weekly inspections for storm water control, sediment control, so that silt fence and general stabilization were installed. Those are the minor changes and architectural plans they have to present.

L. Brown questioned #15 outdoor display would be limited to propane sales or other similar products that are cohesive, what does cohesive consist of. C. Berry replied he knew that L. Brown would ask this question when he was writing this, but it refers to of like sales, they would not be selling lawnmowers, it would be other things such as ice, windshield washer fluid and such. L. Brown commented on #20 lighting lumens are not reduced to zero at some property line, the next one he was bothered by says 'is less than the lighting level found on the abutting lot, which is straight out horizontally wall packs, he is not enthused, why is the lighting at the entrance not able to be reduced. C. Berry showed on the plans where the lighting level does not equal to zero at the intersection, he explained it has to do with the side spill from a lamp towards the intersection that is to light an intersection, the lighting that comes off of the building next door is far superior to the lumens being thrown in that general direction, he added that the site plan regulations allow for 1 foot candle across the boundary line, they have at the boundary line .4 foot candles which meets site plan regulations. L. Brown #21 the canopy itself is lit from above or not lit? C. Berry replied the canopy is lit from underneath, the lights sit in the canopy. B. Bourdeau commented that he does not see anything for the sign. C. Berry replied that they are still working on the sign with the applicant. B. Bourdeau commented as part of the sign ordinance it gives the board (under section 5) some flexibility if they come before the board with the sign proposal, he understands there will likely be issues on internally lit signs. C. Berry replied they are not ready to propose a sign yet, Mobile has requested a large sign that is

internally lit, and they responded back with the sign ordinances that that would not work, they have to work with Mobile for a compromise.

Chairman Boyers opened the public hearing to the public. No comment from the public. Closed public hearing.

B. Bourdeau motions to conditionally approve the Yogi Patel applicant, site plan for a Gas Station with Convenience store located at Commerce Way, Farmington Rd, Milton, NH Tax Map 45 Lot 76-1 with the following conditions:

1. Add a scour hole to the drainage plans (from peer review)
2. Add the installation of oil separators to Drain Manhole (DMH) #101 and 102. (From peer review)
3. The Storm Water System Operation & Maintenance Plan and Inspection & Maintenance Manual be attached to and become part of the Site Plan approval. (From peer review)
4. Add a note to the drainage plans that requires monitoring and reporting of the storm water management system's rain garden until the proposed vegetation has been established. (From peer review)
5. Submit the required permits to the Town and add the permit numbers to the plans.
6. The developer/owner shall annually monitor/inspect/report the maintenance and operation of the storm water management system/rain garden to the Town as per recommendation #4. Of White Mountain Survey's Recommendation and Comment Peer Review letter, dated August 15, 2016.
7. Copy of final plans shall be supplied to fire department
8. All state and federal permits shall be obtained.
9. Return to the board for final approval on the sign before building of the sign.

J. Michaud seconds the motion.

Discussion: L. Brown asked where the landscape plans were. C. Berry replied sheet 8 of the plans.

Board vote: In favor (6-0). Site Plan for Yogi Patel conditionally approved.

Chairman Boyers reported to the board that the bill from White Mountain Survey and Engineering has been received for \$1,000. D. Smith reported that the bill has been submitted to be paid from the Planning Board Escrow where the check for \$1,000 from the applicant was placed.

Public Hearing: Capital Improvement Program: Chairman Boyers read into the record the Capital Improvement's Program charge. Chairman Boyers opened the public hearing to the public.

Bob Carrier-commented that he was looking over the report, firstly the department heads, planning board and Bruce Woodruff did an excellent job on the report, he had gone through the report and it is very clear and well written with the classifications of how things were done. He likes the rating and rankings done by the board members. He continued the wellness section was very well done, everything is all laid out, and it creates a blue print for anyone who reads it. B.

Carrier stated that the document puts the overall goals and town in a better financial position. He liked the spreadsheets (fleet sheets) for the Public Works, Police and Fire, showing the vehicles and the life span for them, projected replacement timeline and the ARCs. The bottom line is if we set this up, if we continue to fund these things in the long term it will be spread things out evenly, overall this is so well done. He did comment that when he went looking for the CIP document on the website, he thinks it should be on the home page, as it is such an important document. He thinks that if the people take a look at it and understand the CIP it will go a long way to spread out costs for things that the town already knows it needs.

Dennis Wing- asked when looking at the spread sheet there are a handful of items that have no dollar amount shown over the course of six years are those projected expenses or current needs that have not been addressed? Chairman Boyers replied they are projected needs but unsure of the future cost, that is why it is not filled in. D. Wing picked the transfer building as an example and asked if they could see a number with it next year. Chairman Boyers replied possibly if it gets to that point it will be addressed and plugged in. D. Wing commented for the record he does agree with Bob Carrier's statement.

Chairman Boyers received written questions from members of the public who were unable to attend. *Question one asked with the implementation of the CIP would there be other capital warrant articles?* Chairman Boyers replied that yes there could be but it would not go through the Planning Board. *Question two, did we already vote on the school roof 2016 warrant article #6 was approved for \$32,000 phase 1 of MES roof repair is this amount in the CIP the same money that was already voted on or is it new.* Chairman Boyers replied no it is phase 2.

Chief Krauss on behalf of the department heads he wanted to thank the Planning Board and Bruce Woodruff for taking this project and running with it, as the Chairman knows the department heads got in over their heads knowledge wise and took the CIP as far as they could and thankfully were able to hand it off to the Planning Board and B. Woodruff who finalized the document.

Chairman Boyers replied he thinks everyone should be thanked for their hard work and effort working on the document.

B. Carrier commented that from the meetings he has attended he wanted to note B. Woodruff did a lot of great work and guidance, his knowledge as a town planner is great.

Chairman Boyers closed the public hearing.

L. Brown motions to approve the CIP and send to the Board of Selectmen and Budget Committee. B. Bourdeau seconds the motion.

Discussion: L. Brown commented this is the best example of clear heads up, this is what we need to do of planning and explaining the details. Time after time we will see people say nobody ever tells me about what the budget is doing and why, that excuse is no longer out there, anybody who looks at this document and does the work can see how the operating budget and capital improvement program work together. The gears mesh you have the expenses of the operating budget, the clearly laid out Capital Expenses, and the question that came in on other capital warrant article, possibly, but what is happening is here is all the department heads working together nicely, he looks forward to anyone who would like to attend the Budget Committee meetings to discuss what is going on there next.

Board vote (6-0) CIP accepted.

Cemetery Trustees re: review and recommendation for purchase of Milton Mills Cemetery: John Katwick attended the meeting to present the information regarding the approval process for the Milton Mills Cemetery to become Milton's new public cemetery. He explained that he is here today to get an approval recommendation by the Planning Board to the Selectmen. J. Katwick explained the Cemetery Trustees reviewed all of the land in town boundaries for a public cemetery, they have decided to accept the offer of the donation of the Milton Mills Cemetery from the Milton Mills Cemetery Association with all assets. Per RSA 41:14-a the Planning Board needs to give the Selectmen their recommendation on acquiring the land. J. Katwick gave a brief financial overview and history of the Milton Mills Cemetery, he commented that per RSA 289:2 every town shall provide one or more suitable cemeteries for the internment of the deceased within its boundaries and currently Milton does not own a public cemetery with available graves, they currently have a lease agreement with the Milton Mills Cemetery Association for a \$1. J. Katwick explained to the board the financial responsibility of the Cemetery.

L. Brown moves to recommend accepting the donation of the Milton Mills Cemetery, T. Gray seconds the motion. All in favor (6-0).

Discussion of Planning Board Budget: D. Smith reported to the board some of the expenses they have experienced this year. L. Brown commented that currently the planner is not that expensive. Chairman Boyers replied that the Planner's contract comes from the Code Enforcement Officer's Budget. **B. Bourdeau motions to make no changes to the budget and submit the same budget as 2016 for the 2017 Planning Board Budget. P. Hayward seconds the motion. All in favor.**

Approval of Minutes: August 2, 2016 meeting minutes. J. Michaud motions to accept as written. T. Gray seconds the motion. (P. Hayward abstained) all in favor. Minutes approved.

Other Business: B. Bourdeau commented he will not be at the October meeting.

B. Bourdeau motioned to adjourn. L. Brown seconds the motion. All in favor, meeting adjourned at 7:25pm.

Respectfully submitted,

Dana Smith
Land Use Clerk