

**Town of Milton
Planning Board
Tuesday, December 02, 2014
Milton Town Hall
6:30PM
Meeting Minutes**

Members in attendance: Brian Boyers, Robbie Parsons, Peter Hayward, Bob Bourdeau, Bob Graham and Larry Brown. Tom Gray and Joe Michaud were absent with excuse. Also in attendance was Kimberly Ladisheff, Land Use Clerk.

Public in attendance: Jerry Coogan, Danny Bouzianis, Keith Gray, Shawn Frank, Larish Kane, Susan Kane and Eric Knapp.

Chairman Boyers called the meeting to order at 6:33pm and appointed alternate B. Graham as a full voting member.

Public Comment

None

Approval of Minutes

B. Bourdeau motioned to approve the October 7, 2014 minutes as written. Motion seconded by P. Hayward. Motion carried.

Public Hearing

Site Plan Review: Delphi Realty Group XIII, LLC applicant/owner. Site plan review for a proposed Retail, Sandwich Shop & Drive-Thru Facility located at 585 White Mountain Highway, Tax Map 42 Lot 125 in the Commercial/Residential Zone, Milton, NH.

Shawn Frank of Sebago Technics gave a brief presentation. The intent is to take the 2 storage units out, redo the existing building creating about 9,600 sq. ft. of retail, 2,100 sq. ft. sandwich shop and 1,600 sq. ft. for a drive-thru Dunkin Donuts. Take existing parking area and redefine, sidewalks, landscaped islands as well as landscaping along the front. They will utilize the existing entrances. Second entrance will allow for truck turning associated with retail area. They will provide green space and have a buffer between parking and loading areas. There will be a totally fenced in dumpster location. There is a pretty good slope coming off the hill so they have an extensive drainage network. There will be less impervious area than what is there today. They will have nice landscaping associated with that in terms of trees and bushes. It will be a colonial looking building, with pitched roof, architectural asphalt shingles, shake siding, false façade associated with the stonework as well as window treatments for the individual units.

They are asking for 3 waivers. One waiver is for a larger sign. The ordinance restricts signs within the CR zoning district to 32 sq. ft. The applicant is proposing a total of 98 sq. ft. of sign to accommodate the multiple tenants that are proposed to occupy the facility. The permitted sign area simply does not

provide adequate space for the multiple tenants. The second waiver they are asking for is from Section H.3 under Article XIII, Wetland Conservation Ordinance. The ordinance requires a 25 ft. undisturbed vegetated buffer around all wetlands. The proposed paved truck turning area adjacent to the northern property boundary will maintain the 25 ft. separation from the existing drainage way but site conditions necessitate grading within 25 ft. This disturbed area will be loamed and seeded after grading to revegetate. They do not anticipate any adverse impact to the drainage way, as runoff from the disturbance does not drain toward the drainage way. The last waiver is from Section IV-2-A.2, Design and Construction Standards, Parking Requirements of the Site Plan Review Regulations. The ordinance requires parking spaces, delivery aisles and interior drives to maintain a minimum setback of 20 ft. from all side and rear property lines and 30 ft. from all front property lines. The current site is paved from the roadway to the buildings and within feet of the side property lines. The applicant proposes to redefine the parking areas to provide a landscaped strip along the side property lines and to create a vegetated island between the roadway and the proposed parking areas. The redeveloped site will be more conforming than the existing property, but will not provide the required setbacks.

B. Bourdeau asked if the waiver for the sign was for the pylon sign or the signs on the building. Shawn Frank stated the specific variance was for the signs on the building. His understanding was the 96 sq. ft. pylon was all set. The lights will all be LED. B. Bourdeau then asked about the lighting plan and said in his review he didn't actually see the plan. D. Bouzianis stated on the site plan it shows where the poles are located but it did not have the photometric but he will get that for the Board. B. Bourdeau stated with abutters on each side he wants to make sure they're not infringing on them. L. Brown asked what the height of the sign would be. It will be 16 ft. high by 8 ft. wide.

P. Hayward mentioned the left turn lane, stating for cars he sees no problem but asked how many truck deliveries a day they anticipate. Danny stated for the sub shop once or twice a week, Dunkin Donuts would be once or twice a week and the retail space only once a week, very few deliveries. B. Boyers mentioned the Police Chief had concerns about the north exit and visibility. Shawn stated they have studied the site distance and it is adequate.

G. Coogan stated the Fire Chief wants to see complete set of building plans when they become available and PWD would like to see sidewalk redone. Shawn stated they did speak with the Fire Chief and he wants to see handicapped areas more defined. Shawn said he also spoke with Sewer Superintendent.

B. Bourdeau motioned to accept the application. Motion seconded by L. Brown. Motion carried.

Public Comments

Larish Kane of 595 White Mt. Hwy. stated he was the northern abutter. He asked if the lighting had timers on them. Danny said lights turn off around 10:45pm and lights stay within the property. Danny stated that he has ordered a photo metric plan to adhere to town requirements. Larish Kane mentioned another issue is privacy fencing as they do not want people looking into their lot. The third issue Mr. Kane has is the drainage in the back corner. He asked if they were aware that the mountain comes down and veers behind Flanagan's property and if they break into that hillside which is mostly all granite, he strongly suggests they take a walk and look at the stream bed, in springtime it is a river. Shawn stated they are not touching the streambed.

Mrs. Kane feels they are underestimating their deliveries. Her other concern is the dumpsters behind the house and she is worried about rats etc. Danny stated they contract out with Modern Pest for pest control and they come once a month. They clean up around dumpsters and the site more than once a day. Mrs. Kane asked how often the dumpsters are emptied. Danny stated 2 times a week.

Close public hearing at 7:20 pm.

Motion by L. Brown to waive a site walk. Motion seconded by R. Parsons. All in favor, motion carried.

B. Graham motioned to grant conditional approval depending on signage and lighting. Motion seconded by L. Brown. There was a discussion on the signage and lighting. B. Bourdeau stated if they are going to grant a conditional approval he would like to make sure all conditions are set along with Jerry Coogan's recommendations. B. Boyers stated the PB has the authority to grant up to 250 sq. ft. for signage. B. Graham and L. Brown withdrew their motions for conditional approval. There was more discussion on the sign and it was decided they will decrease the size of the pylon down from 8 ft. to 6 ft.

B. Bourdeau motioned to grant the waiver for the setback. Motion seconded by L. Brown. All in favor, motion carried.

B. Bourdeau motioned to grant the waiver for the signs for up to 250 sq. ft. total. Motion seconded by L. Brown. All in favor, motion carried.

B. Bourdeau motioned to grant waiver for the wetlands. Motion seconded by L. Brown. All in favor, motion carried.

L. Brown motioned to grant conditional approval with the following conditions:

Show snow storage and lighting plan

Provide signage details

Receipt of State permits; DOT and Shoreland Protection

Agreement to install and maintain all site improvements such as landscaping

Install and maintain a 6 ft. high solid, vinyl fence from the northwest corner, across the dumpster and easterly towards the abutters

Details regarding the water and sewer connection

Handicap access for fire protection

Payment of all fees

Motion seconded by B. Bourdeau. All in favor, motion carried.

Discussion re: H & J Properties, 49 Industrial Way, Milton, NH

Chairman Boyers let the Board know they have a request to put up a pole barn. They are adding on but the previous owner already had an approved site plan with 6 buildings on it. Therefore they do not need to amend the existing site plan.

Proposed Zoning amendment re: High Density Residential (HDR) and Commercial Residential (CR) overlap.

To add the following language to Article III Establishment of Zoning districts, Section 3.2 b at the end of 1) "Note in order to receive the benefits of the HDR zoning district, the parcel shall be served by municipal water and sewer" as included in the Milton Zoning Ordinance.

The Board was in agreement with the amendment.

Discussion re: Updates to Master Plan

G. Coogan stated it is work in progress. The MCC is going to review and give some comments back also.

Other Business

None

Motion by B. Bourdeau to adjourn at 8:05 pm. Motion seconded by R. Parsons. All in favor.

Respectfully submitted,

Kimberly Ladisheff
Land Use Clerk