

1 MILFORD PLANNING MINUTES ~ DRAFT

2 October 21, 2025 Board of Selectmen Meeting Room, 6:30 PM

3
4 **Members Present:**

5 Janet Langdell, Vice Chair
6 Paul Amato, Member
7 Pete Basiliere, Member
8 Tim Finan, Member
9 Tina Philbrick, Selectman’s Representative

Staff:

Terrey Dolan, Town Planner
Nate Addonizio, Videographer

10
11 **VIA Zoom:**

12 Justin Montigny, Alternate

13
14 **Excused:**

15 Doug Knott, Chair
16 Andrew Ciardelli, Member
17 Susan Robinson, Alternate



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19
20
21 1. **Call to order:** Vice Chair J. Langdell called the meeting to order at 6:30 p.m. She introduced
22 Planning Board members that were present and staff.

23
24 2. **Public Hearing:**

25
26 **a. Case SP#2025-06 - Sooner Transportation Auto Repair & Car Sales, 754-756 Elm Street, Map 12 Lot 11.** Re-Hearing of the previously-approved (11/13/2022-Case SP#2022-08) by the
27 Milford Planning Board for the Commercially-zoned & under the West Elm Street Overlay
28 District’s Major Site Plan & the five (5) associated Site Plan Waivers. Re-Hearing is required due
29 to the applicant not meeting the once-extended deadline expiration (date) for the applicable Final
30 Plan filing of the Sooner Transportation Major Site Plan for Case SP#2022-08.

31
32
33 Katie Weiss of Bedford Design presented the case for the owner, Jerry Johnson. They were before
34 the planning board in 2022 and the application was approved. As part of the approval, the planning
35 board wanted them to work with DOT to put a bus stop at the end of the sidewalk which proved
36 to be difficult and the owner decided to stop the project. Since then, J. Johnson decided to reapply
37 for the same project with a couple of changes in the right of way. P. Amato reminded the board
38 that a new application must be accepted.

39
40 J. Langdell asked for a motion to accept the application. P. Amato made the motion, P. Basiliere
41 seconded. All were in favor with none opposed and no abstentions. Passed. J. Langdell asked for
42 a motion to state there was no potential regional impact with this application. T. Finan made the
43 motion, P. Amato seconded. All were in favor with none opposed and no abstentions. Passed. T.
44 Dolan then read the abutter list into the record.

45
46 K. Weiss continued with the presentation and pointed out the revision box at the lower right of
47 the plan. A-C were approved in 2022. D was a condition on the plan and E-G were DOT
48 requirements. The original plan had no grass at the front of the property; DOT told them to extend
49 the grass to create an island between the property and Route 101. DOT also wanted them to close
50 up an island to the front left of the property and add “do not enter” signs and a 7’ sidewalk. Abutter
51 information was also updated.
52

53 She continued by noting the project is located on Route 101 in the Milford Gateway District. They
54 are proposing a building at the back of the property; the first floor is 7200sf with a 3100sf second
55 floor. There is a sidewalk with 21 parking spaces in the front of the building for automotive sales
56 and repair plus employee parking and 37 display spaces. They will be attaching to the existing
57 sewer line at the front of the property. They will not be using the existing water line but will add
58 2 new lines – for fire and for domestic use. They will get electricity from the pole on the other
59 side of the road and then will have it go underground at the property. The drainage will go into
60 an infiltration pond to the right of the building and the parking will have a pervious pavement
61 area.

62
63 She then moved on to landscaping – there are 3 large trees to the left of the property, 2 at the right
64 and one in each of the islands plus 2 additional trees out front. There will be a perennial garden
65 in the right of way portion as well. The exterior of the building will include a cupola that was
66 requested by the planning board. There are 4 garage doors and a paint booth inside. The second
67 floor is located on the left side of the building as you look at it front the street. The truck entrance
68 is located at the right of the parking area with the exit to the left. The fire truck entrance is the
69 same. They have received their DOT permit and the sight distance has been approved. There is
70 an agreement from DOT that needs to be signed by the town regarding the bus stop in the right
71 of way. There would also be an agreement with the town and J. Johnson for maintenance of it. T.
72 Dolan said it has been reviewed by town counsel. He also noted interdepartmental review was
73 done with no comments.

74
75 K. Weiss discussed waivers that were approved the last time. The first one is parking within 10'
76 of the right of way. DOT has a very large right of way there so it makes it difficult to stay away
77 from it. P. Amato asked if the parking is in the way of the exit. K. Weiss said it was an exit only
78 for tractor trailers on specific days. P. Amato asked about the property to the east, as it was
79 discussed the last time they came before the board. K. Weiss said the applicant rents that property
80 and there is access to and from that property on the left side. The next waiver request was for
81 periphery buffer plantings. There are plantings on the left side and south side and now there are
82 some on the north side, which weren't there the last time. They would like to use the 2 sites
83 together and leave it paved, without buffer plantings. The next request is for the Elm Street
84 Gateway District, which says parking should be located at the side or rear of the buildings. She
85 showed 2 concepts where that requirement doesn't work for this site. With the requirement of
86 having the building at the front of the parking, it eliminates the display parking. The property
87 owner would also have to shut down business because the old building is located where the new
88 one would go. It would be an awkward design if the building was located to the side; it would
89 also allow for only a few display parking spaces. Another requirement in the district is that
90 proposed buildings should maintain an appropriate street edge to adjacent structures. The average
91 distance from the curb to buildings along that corridor is 82' for 13 buildings. The proposed
92 building is 145' from the curb line, there are 2 other buildings on Route 101 that are further away
93 than this one. Due to the location of the railroad line, the only option is to locate the building to
94 the front of the property. There is also a waiver from Milford Zoning Ordinance Section
95 6.076.E.5.a and e.1.a, for parking lots located at the rear and side of the building in the Gateway
96 District. J. Langdell noted they require signed waiver request forms for the file. P. Amato noted
97 the last time they requested waivers, the property owner name was different. T. Dolan noted the
98 owner was the same, the name is different. J. Langdell noted these need to be included upon
99 conditional approval. She asked if the board had any questions on the waivers. P. Amato said the
100 proposed location of the building makes sense for this property. P. Basiliere noted the railroad
101 was now CXS. K. Weiss said the name provided was on the GIS as the owner. J. Langdell noted
102 CXS owns the line and the railroad has the rights to use it. P. Amato noted the last time this project
103 was presented, there was a discussion on what happens when there are more cars than parking

104 spaces. K. Wiess said there will only be 37 cars in the display spaces. P. Amato would like the
 105 number of cars allowed on the lot to be shown on the plan. Note 10 has the parking requirement
 106 for the town. The board wanted the number of display spaces to be shown on the plan – no more
 107 than 37 display spaces and a total of 58 parking spots. J. Langdell asked if K. Weiss had discussed
 108 the size of the parking spaces. K. Weiss said she had not; the ADA requirements talk about the
 109 width of the spaces but there is no requirement of the depth of parking spaces. She is requesting
 110 a waiver for 18’ of depth instead of the required 20’. J. Langdell noted that the additional 2 feet
 111 creates 14’ between display spaces. T. Dolan noted there has been a lot of clean up on the site in
 112 the last couple of weeks. K. Weiss noted all the junk tires and rail cars have been removed. T.
 113 Dolan noted the project wasn’t large enough to require a stormwater permit. A pre-application
 114 meeting will be required before the project can begin.

115
 116 J. Langdell then opened the hearing for public comment. There were no comments so she closed
 117 the public hearing. She noted there would be a condition regarding the waiver applications being
 118 completed and included in the file and a note on the plan regarding the total number of parking
 119 spaces on site. P. Amato wanted to vote on waivers 1-3 together, then 4 and 5 separately. She
 120 then asked for a vote. P. Amato made the motion to grant waivers 1,2 &3 (parking within 10’ of
 121 the right of way, landscape strip and accessible parking space length). T. Philbrick seconded the
 122 motion. All were in favor with none opposed and no abstentions. Passed. P. Amato then made the
 123 motion to grant waivers 4 & 5. P. Basiliere seconded. All were in favor with none opposed and
 124 no abstentions. Passed. T. Finan made the motion to grant conditional approval (change #10 to
 125 list the total number of parking spaces to 58 and staff needs to complete the required waiver
 126 forms) to application SP#2025-06: Major Site Plan Request. DISCUSSION: J. Langdell asked K.
 127 Weiss to discuss the conditions from the previous application and whether or not they were
 128 completed. K. Weiss noted the following: **1.** Revise the sheet adding 37’ - done, **2.** Update parking
 129 spaces to reflect 21 spaces-done, **3.** Parcel must comply with performance standards of the
 130 Groundwater Protection and Shoreland Zone -done, **4.** The approved stormwater and drainage
 131 design must be constructed as show on the plan, dated November 2, 2022. Any changes will
 132 require a review and approval by the town’s consultant – done – NA, **5.** The life safety code
 133 occupancy classification is a special purpose industrial occupancy and must comply with Chapter
 134 40 of the LSC (Live Safety Code) –not done, **6.** An automatic fire detection, a notification fire
 135 alarm system and sprinkler system must be installed – done (note 18), **7.** On November 4, 2022,
 136 plans were reviewed and approved by the fire department – done, **8.** Fire department approval of
 137 site plans did not constitute issuance of approval of a building permit, nor does it address fire and
 138 life safety code requirements for a building constructed as part of the project – done, **9.** The
 139 applicant is working towards a lease to own agreement for the adjacent property to the east. A
 140 note should be added to the plan stating, if future ownership is obtained on map 12, lot 10, where
 141 the uses on both properties are integrated, then the owner must submit a revised site plan. – still
 142 open (note 22) **10.** Include a note on the plan stating that loading and unloading of vehicles may
 143 not occur within NH DOT right of way – done (note 20), **11.** Work with the DOT and town staff
 144 to explore the feasibility of extending the north island to the eastern entrance and locating trees
 145 within this area – done, **12.** What needs to be submitted to get the plan signed. #1,5,6,12 still need
 146 to be completed. T. Finan amended the motion to include conditions 1,5,6 and 12. T. Philbrick
 147 seconded the motion. All were in favor with none opposed and no abstentions. Passed.

148
 149 **b. Case SD#2025-07-Robert LaMattina- Single Condominium (Unit “4”) Division to create**
 150 **a new Unit “4’ & add Unit “5”), 20 Hammond Road, M43 L73.** The applicant, Robert
 151 LaMattina-Owner, is requesting that the existing & previously approved “Unit 4”- (a “Mixed-
 152 Use” Two-Story Condo Unit), now be divided as separate condominiums for each floor level.
 153 This Condominium Conversion, subject to Section 5.06 of the Milford Development Regulations
 154 process, shall retain Unit “4” as dedicated for the first-floor commercial floor space; while

155 creating a new “Unit 5”, as dedicated for the second level’s new single residential multi-family
156 unit floor area of the existing building, located @ 20 Hammond Road, Map 43 Lot 73.
157
158 J. Langdell asked for a motion to accept the application. T. Philbrick made the motion, T. Finan
159 seconded. All were in favor with none opposed and no abstentions. Passed. J. Langdell asked for
160 a motion to state there was no potential regional impact with this application. P. Amato made the
161 motion, P. Basiliere seconded. All were in favor with none opposed and no abstentions. Passed.
162 T. Dolan then read the abutter list into the record.
163
164 Jim Axton, Fieldstone Land Consultants, presented the application. This was already presented
165 as two residential units with a karate studio on the first floor. An addition was approved to add a
166 second floor over the karate studio. They are here to ask to make the second-floor unit another
167 condominium to be known as unit 5, while the bottom floor will remain as condominium unit 4.
168 There is no additional construction proposed and they are only asking to separate the two units
169 into separate condominium units. P. Amato asked what the size of the units were. J. Axton replied
170 the first floor is 2034sf and the second floor is 1772 sf. which was on the previous plan. J. Langdell
171 clarified the top floor is going to be a condo unit (#5), which is the only change. P. Amato said
172 there were 4 apartments and a karate studio.
173
174 J. Axton continued by noting the building is on town water and septic. There is a separate system
175 for units 1-3. When the Salt Creek property is developed, there will be a sewer line coming from
176 that, that this will tie into. J. Langdell asked if there was a note on the plan stating this. J. Axton
177 replied it was not but will do so. T. Dolan noted the draft utility easements are being reviewed by
178 the WWT director. J. Langdell noted any conditional approval would include that note.
179
180 J. Langdell asked the board if they had any questions. P. Amato asked how big the total parcel
181 was. J. Axton replied it was 1.37 acres. P. Amato noted they are allowed 5 units per acre in this
182 zone. J. Langdell asked if this went out for interdepartmental review. T. Dolan replied it had not
183 but prior application had. P. Amato asked if a sprinkler system was required. J. Axton replied the
184 fire department looked at this and they are using a barrier firewall. There is a pre-existing firewall
185 between unit 3 and the karate studio and there will be a barrier between the first and second floor.
186 There was a discussion on whether or not an additional residential unit was added. The original
187 unit 4 was both the karate studio and the unit above. Now the unit above will be a separate condo
188 unit. T. Dolan noted the fire department looked at this before when the residential unit was being
189 added upstairs. J. Langdell clarified there are no additional residential units, just an additional
190 condo unit – 4 became 5. She proposed to add fire department review to the conditions of
191 approval. P. Amato felt that had to be done before voting on this. T. Dolan noted at the May 20,
192 2025 meeting, review was done by Deputy Chief Riley Sanchina, knowing there was going to be
193 a 1772sf residential unit above the 2034 sf karate studio, then known all as unit #4. J. Langdell
194 felt this might be a technical question, relative to the number of units for the fire department to
195 take another look at. Regulations show that multi-family units under 3 units have different rules
196 than those over 3 units. P. Basiliere noted from the March 14, 2025 fire department review states
197 that “if the upper units no longer use a portion of the martial arts studio, then both the upper and
198 lower floors of the existing two-story studio would then be required to “install a comprehensive
199 fire suppression/sprinkler system.” J. Axton said they did work with the fire department and he
200 thought they decided that the existing firewall was fine between unit 3 and 4 and a barrier would
201 be installed between the karate studio and the apartment above, in lieu of a sprinkler system. It
202 was a dwelling unit from the beginning. Robert LaMattina said the fire department came by 2
203 weeks ago and inspected everything and approved it. There are 4 layers of fire-resistant sheet rock
204 in the ceiling and 2 layers in the walls. T. Dolan noted there is a building permit for the expansion
205 and reconstruction of the upstairs and downstairs and is 75% complete. The fire department

206 knows exactly what is going on here. The condo conversion has nothing to do with the physical
 207 structure. J. DeMontigny said the condos could be sold individually now, correct. It was an
 208 interesting question to determine. J. Langdell still thought the condition should be added that the
 209 fire department should provide a determination after review. T. Finan asked if the tree issue from
 210 before had been addressed. R. LaMattina said it was and looks beautiful.

211
 212 J. Langdell then opened the hearing for public comment. There were no comments so she closed
 213 the public hearing. She noted they need to add a note regarding the future connection to town
 214 sewer, one regarding the pending approval of the utility easements by the WWT director and
 215 follow up with the fire department regarding the impact of a 5th condo conversion on life safety
 216 code and sprinkling, if any. P. Amato felt this was not a condo conversion with the addition of
 217 another unit. J. Langdell clarified the applicant came in before and was approved for 4 condo
 218 units. This request is for an additional unit – the conversion of the second floor of an existing
 219 condo unit into another unit. P. Basilier made the motion to approve SD2025-07 with the
 220 previously mentioned 3 conditions. T. Philbrick seconded. P. Basiliere – yes, T. Philbrick – yes,
 221 T. Finan – yes, J. Langdell – yes, P. Amato – abstained. Passed.

222
 223 **3. Informal Discussion:** with Ms. Ruth Infanti-Owner, in regards to ongoing Site Operations at 75 North
 224 River Road, Map 8 Lot 48 (Case #0-572-25, Pl. Bd.-Approved on February 24, 1997; with Major Site
 225 Plan Amendment last approved on January 20, 2010).

226
 227 T. Dolan noted there was a complaint regarding 75 North River Road. The property in question has a
 228 long history into the mid 1980's. He provided a timeline for the property. The last approval for the
 229 property was in January 2010. There was a map of the property from 16 years ago that shows the areas
 230 for vehicle storage and materials storage plus the 5 buildings on site. The property has more than what
 231 was allowed the last time the planning board had authorized in 2010. Shattuck paving has stockpiled old
 232 asphalt for processing in 2 locations on the site, which is not an allowed use. There are also some trailers
 233 that are parked over the lot line of another property owned by Ruth Infanti, who is here to explain her
 234 intentions with that use of the property. T. Dolan said there are several unregistered and derelict vehicles
 235 on the property that need to be addressed to bring the property into compliance.

236
 237 R. Infanti noted tenants rent spaces then fit additional vehicles into the rented spaces. She noted there are
 238 50 spaces on site, where 25 are required. She did receive the letter sent by T. Dolan and Camille Pattison,
 239 and noted the tenants are cleaning up but aren't quite finished. J. Langdell asked what vehicles were
 240 stored on the site. R. Infanti said there were a few campers, landscape trailers, boats and the owners pay
 241 to park them there. P. Amato clarified that it wasn't a junkyard where vehicles aren't registered and can't
 242 move. R. Infanti said she was working with the owners of the rough looking vehicles to get them removed.

243
 244 P. Basiliere asked what were they trying to accomplish. J. Langdell said staff was trying to make the site
 245 comply with the approved plan. The processing of the asphalt is creating a noise issue. R. Infanti said she
 246 was formally notified that the asphalt processing wasn't allowed. Ron Shattuck told her he will stop
 247 processing and remove what is there; cleanup would take approximately one week. T. Philbrick noted
 248 the processing wasn't allowed – why not just get someone to take it someplace else to process? P. Amato
 249 noted this has been allowed to happen for a period of time. A week or 2 to process isn't too much time.
 250 T. Philbrick felt it should be removed and not processed on site. T. Finan wasn't sure why this was being
 251 discussed here. T. Dolan wanted R. Infanti to come and explain her current thoughts on the site. In
 252 addition, they are dealing with complaints by legal abutters about the noise of the processing. R. Infanti
 253 noted the processing happens twice a year; the intention is for it to stop. P. Amato asked if there was an
 254 approved site plan for the other property. R. Infanti said it was approved for 200-300 min-storage units.
 255 P. Amato asked if it was possible to store the trailers on that site; a site plan would be required for the
 256 storage of the trailers. T. Dolan noted both sites are in the Residential "R" district. T. Dolan felt the

257 trailers could simply be moved back onto this lot and would then not be straddling the lot line. He felt all
258 the unprocessed asphalt could be ground up, stored then removed in April and there would be no noise
259 in the winter. J. Langdell said the point was for the tenant to move the material. R. Infanti noted that all
260 the other material that is allowed on site also involves some noise when moved. T. Dolan said there were
261 videos from abutter Mr. Fairchild, who was present with his attorney, Mr. Hogan. This is “R” zoned and
262 not “industrial” zoned property. This is not an allowed use. P. Amato noted the transfer station is across
263 the street and was noisy.
264

265 J. Langdell noted they are not under any obligation to hear testimony – this was just a discussion. Scott
266 Hogan, attorney for Mr. Fairchild, land use attorney noted site plans usually have appropriate and
267 adequate buffering and screening for long standing, existing residential properties. The use on the
268 property, since last seen by the planning board in 2010, has evolved beyond the approved storage facility.
269 The asphalt processing has become a daily nuisance and an interference with the use, value, enjoyment
270 and future marketability of his client’s property. All uses like this, next to a residential property, have an
271 appropriate fence, hedgerow or some kind of light, noise, odor and vibration buffer. The asphalt
272 processing should have been issued a cease-and-desist order by the town as this has gone on for too long.
273 He noted the trucks are going in and out all the time; it’s not twice a year. He felt the convenience of
274 processing the asphalt on site isn’t relevant – it’s illegal. There are specific environmental concerns about
275 whatever processing is going on with that, separately from what the storage facility was approved to be.
276 It’s also in the aquifer protection district. J. Langdell said that was a DES issue. S. Hogan felt the town
277 should be involved in the process along with DES. He suggested, should this come back before the board
278 in a formal way, the board take a site walk. J. Langdell remembered when the original applicant came
279 before the board, there was a significant discussion regarding buffering. R. Infanti said there is a fence
280 and trees there. J. Langdell said they can ask staff to do a reevaluation of the status of the buffering that
281 was requested at the time.
282

283 S. Hogan continued by stating the original use required a variance which had the condition of no on-site
284 retail or wholesale sale be allowed along with no automotive repair on site, which was noted by T. Dolan.
285 He continued by noting “accessory commercial equipment stored on site shall not pose a threat to abutting
286 properties or the environment”. This use is loud and a nuisance. If the town allows the remaining asphalt
287 to be processed and removed was not acceptable. Looking at Google Earth, P. Amato asked if the buffer
288 of trees was present. T. Dolan said it was. P. Amato felt saying there was no buffer doesn’t seem to be
289 true. R. Infanti noted the fence does need to be repaired. P. Amato said there doesn’t appear to be any
290 open space, other than the middle of the parking lot. J. Langdell noted this was an existing entity when it
291 first came before the planning board. The asphalt needs to go and she hoped they would just remove it
292 and not process it. T. Philbrick agreed. P. Basiliere noted R. Infanti has agreed to get rid of the material
293 and the planning board can’t direct it. The material should be removed sooner rather than later; he was
294 also concerned what was in the material, in reference to the aquifer. J. Langdell thought that could be a
295 request to staff to engage with the Conservation Commission. P. Amato noted they knew there was
296 increased pressure by the town and they could have processed it all and had it removed last week; it
297 would have been a non-issue. R. Infanti replied they tried to do it as quickly as possible but the machine
298 wasn’t available. P. Amato agreed the material has to go and be dealt with elsewhere. Chris Labonte said
299 asphalt was not hazardous. S. Hogan noted a violation was issued by the town in 2009 for lack of
300 compliance and cleaning up and removing unpermitted items. “Remedial action was described to involve
301 the immediately required cessation of any ongoing commercial operations not approved by either the
302 planning board or the zoning board. Also, the immediate cessation of any unpermitted junk or salvage
303 operations not approved by the zoning board”. R. Infanti said she had gotten rid of all the salvage. J.
304 Langdell said to call Mr. Shattuck, get rid of the asphalt and follow up with T. Dolan.
305

306 R. Infanti noted she does not allow any automotive repair unless it is owned by the tenant. There are no
307 retail or wholesale sales and no state inspections. J. Langdell thought it might be helpful to have D. Knott

308 or someone knowledgeable to go over the site plan with her. T. Dolan noted the 3 times he's been on site;
309 it's been quiet. As a courtesy to the neighbors, try to keep the noise as minimized as possible and keep
310 the cleanup between the hours of 8-4:30. T. Philbrick thought staff should check progress in a week or
311 two.

312
313 Charles Fairchild, Jr., abutter, said he had a conversation with R. Infanti about this over a year ago, so
314 this is not new to her. She hadn't done anything; that's why he was here tonight. R. Infanti had not known
315 this wasn't an allowed use at that time. J. Langdell said they will get it fixed and get it rectified.

316
317 **4. Fiscal Impact Analysis (October 2025 Update):** Review of the Analysis Update provided by
318 consultant RKG Associates, Inc.

319 T. Dolan noted one the RKG partners, Erik Alverson, will be coming to the worksession in November,
320 with changes that resulted from a prior conversation.

321
322 **5. Approval of Meeting Minutes:** October 7, 2025 - Work Session

323 J. Langdell had the following changes: she submitted a redline document to T. Dolan with corrections –
324 no substantial information was changed. She then made the motion to approve the minutes as amended.
325 T. Philbrick seconded. T. Finan, P. Basiliere, T. Philbrick and J. Langdell approved with P. Amato
326 abstaining. None were opposed. Passed.

327
328 **6. Other Business:** T. Dolan handed out an information sheet laying out the zoning ordinance change
329 timeline, including the newspaper, town and state deadlines. Hearing dates are December 16 and
330 January 6. J. Langdell asked if there were substantive changes on January 6, was there time for another
331 meeting if necessary? T. Dolan felt there was time at the 2nd meeting in January. P. Amato asked how
332 many warrant articles will be proposed. J. Langdell asked for a list for the next meeting. She wanted
333 required changes to be called out on the list.

334
335 **7. Adjournment:**

336 D. Knott asked for a motion to adjourn the meeting. P. Amato made the motion to adjourn; A. Ciardelli
337 seconded. ROLL CALL VOTE: P. Amato – yes; T. Philbrick – yes; J. Langdell – yes; P. Basiliere – yes;
338 A. Ciardelli – yes; T. Finan – yes; D. Knott - yes. Motion passed; the meeting was adjourned at 8:38 pm.

339
340
341 Respectfully submitted by: Kathryn Parenti

342
343
344
345
346 _____ Date: _____
347 Signature of the Chairperson/Vice-Chairperson:
348