

ZBA Application

MILFORD ZONING BOARD OF ADJUSTMENT

TOWN OF MILFORD RECEIVED

Date Received:

Case Number:

Application Number :_

MILFORD ZONING BOARD OF ADJUSTMEN		1100		2019
GENERAL PROPERTY INFORMATION FOR	ALL	APPLI	CAT	IONS

GENERAL PROPERTY INFOR	MATION FOR ALL APPLICATIONS	Hearing Date: 9/19/19
PROPERTY II	Decision Date:	
Street Address: 40 Ashley Drive Milford	HN H	Decision:
Tax Map / Parcel #: 47-027-014-000	Lot Size: 0.459	
PROPERTY CUR	RENTLY USED AS	Zoning District (check one):
single family residential dwelling		☐ Residence A ☐ Residence B ☐ Residence R ☐ Commercial
If the application involves multiple lots we copies of this page.	☐ Limited Commercial ☐ Industrial	
PROPER	□ Integrated Commercial-Industrial	
Name: Patti Ann and Paul G. Lia	mos	☐ Integrated Commercial-Industrial-2
Address: 40 Ashley Drive		
City/State/Zip: Milford NH 03055		Overlay District (check any that apply):
Phone: (603) 673-8715		☐ West Elm Street Overlay
Email: ppncoli40@comcast.net		☐ Nashua/Elm Street Overlay
		☐ Commerce & Community Overlay
		☐ Open Space & Conservation
The applicant is the person who is making the owner or a third party. This is usually might be a tenant, someone who plans to lawyer, etc. If the applicant is the same of and leave the rest of this section blank.	or Groundwater Protection	
APPLICANT/R	EPRESENTATIVE	APPLICATION FEES
SAME AS OWNER	And the state of t	Application Fee: \$75.00
Name:		Abutters Fee: \$4 x A
Address:		Amount received:
City/State/Zip:		Date Received: おしいに
Email:		Check Cash
Phone: ()	Cell: ()	サント
The undersigned property owner(s) hereby agree to comply with all code required from the control of the control	authorize(s) the filing of this application rements applicable to this application. 8/21/1	and DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.



PROPERTY INFORMATION	Hearing Date: 9/19/19
Street Address: 40 Ashley Drive	Decision Date:
Tax Map / Parcel #: 47-27-14	Decision:
A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board of Adjustment. Most special exceptions have a list of additional criteria that must be met in order for the ZBA to approve the application. *Note that in addition to the specific criteria that may be listed for a particular special exception, all special exceptions are subject to the general criteria in Section 10.02.1 of the Zoning Ordinance.	Application for (check all that apply):
What section of the Zoning Ordinance are you applying under?	Home Occupation
Article X Section 10.02.6 Describe the <u>use</u> you are proposing under the above section of the Ordinance. The use is the construction of a 2-bedroom in-law Accessory Dwelling Unit (692 sf) as a residence for	Self-Storage Facilities Accessory Dwelling Unit Office in Res-A & B Wetland Buffer Impact
two (2) elderly disabled immediate family members above 2-car carport. The use is to continue the ability	Change/Expansion of Non-
of the family members to maintain quality of life, financial stability on a limited income,	conforming Use/Structure
and assistance as needed with daily activities.	Side/Rear yard setback reduction Other
General Criteria Section 10.02.1	
Describe the project you are requesting a Special Exception for: Construction of a carport with 2-bedroom in-law Accessory Dwelling U	nit above
Explain how the proposal meets the general criteria as specified in Article X, Secti	on 10.02.1 of the Zoning Ordinance:
A. The proposed use is similar to those permitted in the district because: The property is located in the Residential Zone. The proposed use co in the Residential Zone.	mplies with the permitted uses
B. The specific site is an appropriate location for the proposed use because: In accordance with the Sketch Plan Plot and proposed placement of the requirements and ADU requirements as prescribed in Section 10.02.6	e ADU, the setback
C. The use as developed will not adversely affect the adjacent area because:	
The footprint of the use is within the footprint and setbacks of the exist	ing lot.
D. There will be no nuisance or serious hazard to vehicles or pedestrians because:	
Vehicles will be parked in the existing garage, existing driveway, proportine existing driveway.	osed 2 car carport and next to
E. Adequate appropriate facilities will be provided for the proper operation of the pro The ADU will contain santiation, cooking, sleeping and living facilities. The existing septic sys 114 residents of the PUD. At this time, the addition of 2 individuals will not exceed its permitte	stem at Ashley Commons is constructed for

Case Number:

Application #:___
Date Complete:_



Explain how the proposal meets the specific criteria of the Zoning Ordinance for each section::				
HOME OCCUPATION CRITERIA 10.02.3				
1. The person conducting the home occupation shall reside in the dwelling unit, and there shall be no more than one (1) non-resident person employed in connection with such occupation.				
2. There shall be no evidence outside the dwelling, except permitted signs and required off-street parking, that the dwelling contains a home occupation.				
3. The home occupation shall not exceed 25% of the combined gross floor area of the existing home and any accessory structures, or 1,000 SF, whichever is less.				
4. Accessory finished goods may be provided for sale in conjunction with the home occupation, sold and stored in allowed home occupation space only.				
5. The home occupation and the conduct thereof shall not impair the residential character of the premises nor impair the reasonable use, enjoyment and value of other residential property in the neighborhood.				
SELF-STORAGE FACILITIES 10.02.4				
1. Is the Self-storage facility located in one of the following areas? Frontage on Rte. 13 North, Rte. 13 South, and/or the following lots of land on North River Road: Map 8, Lots 11, 11-1, 19, 48, 49, 50, 51, 53 and 53-5				
2. Is a 15 foot perimeter landscaped buffer along all sides of the property being proposed?				
3. Does the buffer proposed meet 10.02.4.2/3 of the Milford Zoning Ordinance?				
4. Is there any outside storage being proposed?				
5. Are all building set back at least 50 feet from the front lot line?				
6. Has a Site Plan Application been submitted to the Milford Planning Board? Yes No Date:				



ACCESSORY DWELLING UNITS 10.02.6

Is the property going to be Owner Occupied?

The property will be owner occupied and the dwelling unit will be occupied by 2 elderly disabled family members

2. Has a Building Permit application been made? Copy of permit application attached?

Yes, see attached

3. Is the ADU developed in a manner which does not alter the character/appearance of the principal use as a single-family residence?

Yes, see the attached plans

4. Is the ADU intended to be secondary and accessory to a principal single-family dwelling unit?

Yes, principal single-family dwelling unit will have the dwelling unit attached.

5. Does the ADU impair the residential character of the premises or the reasonable use, enjoyment and value of neighborhood?

The ADU will maintain and enhance the residential character of the premises.

6. Is there adequate off-street parking? How many spaces?

Yes, parking will be in the existing garage, existing driveway, proposed 2 car carport and to the side of the existing driveway. There is room for 7 vehicles.

7. Are any additional curb cuts being proposed?

No additional curb cuts.

8. Are all necessary additional entrances or exits located to the side or rear of the building to the maximum extent possible? Please note on the plan.

Yes, the entrance to the dwelling unit is located at the rear. See attached plan

9. Is there adequate sewer/septic and water for the additional inhabitants? Please include septic/sewer approval.

As designed by Ashley Commons Sanitary System Design, there is sewer/septic for 114 individuals in the Ashley Commons residences. To date, Ashley Commons has less than 60 current residents on the septic system.

10. Is there only one (1) ADU on the property?

Yes.

11. Is the ADU no more than 750 square feet? How many square feet is the ADU?

Yes, the ADU is 692 square feet.

12. Does the ADU have no more than two (2) bedrooms? Please show on plans.

Yes, the ADU has 2 bedrooms

13. If inside the existing dwelling, is there at least **one** common wall with a door between the two spaces at least 32 inches wide? Please show on plans.

The ADU is attached at a common wall and with a door to the existing dwelling.

14. If a connecting hall is proposed, is the hallway at least 36 inches wide? Please show on plans.

No hall is proposed

For Existing Unpermitted ADUs

15. Has a Code Compliance inspection been conducted by the Building Inspector? Please include inspection report.

16. Is the ADU incompliance with Section 10.02.6:A of the Milford Zoning Ordinance? How so?

17. If no, has a Variance from Section 10.02.6:A been granted by the ZBA?



OFFICE IN THE RESIDENCE A AND B DISTRICTS 10.02.7
 Is the specific site of the proposed office use located in an existing building that is an appropriate location for the proposed use and ancillary to the Residential Use permitted by right? Please explain.
2. Will the use as proposed adversely affect adjacent Residential areas? Please explain.
3. Will there will be any nuisance, such as but not limited to: noise, odor, hours of operation, traffic, deliveries and lighting associated with this use? Please explain.
4. Will there be any outside storage? Please explain.
 Has the applicant made a site plan application to the Planning Board (hearing subsequent to Zoning Board approval)? Yes No Date of hearing:
WETLAND AND WETLAND BUFFER IMPACT 6.02.6
1. Has the need for the project been addressed? Please explain.
2. Is the plan proposed the least impactful to the wetlands, surface waters and/or associated buffers? Please explain.
3. Has the impact on plants, fish and wildlife been addressed? Please explain.
4. Has the impact on the quality and quantity of surface and ground waters been addressed? Please explain.
5. Has the potential for increased flooding, erosion and sedimentation been addressed? Please explain.
6. Has the cumulative impact if all parties owning or abutting the affected wetland were allowed to alter or impact the wetland or buffer area in the same way? Please explain.
7. Has the impact of the values and function of the overall wetland and wetland complex been addressed? Please explain.
8. Has a comment from the Milford Conservation Commission been solicited? Yes_N

ASHLEY COMMONS c/o William R. Wilson, President 37 Ashley Drive Milford, NH 03055

TOWN OF MILFORD RECEIVED

AUG 292019

PB___ZBA___Office____

August 28, 2019

Town of Milford Community Development 1 Union Square Milford, NH 03055

RE: Application for Special Exception

Patti Ann and Paul G. Liamos 40 Ashley Drive, Milford, New Hampshire

Dear Sir or Madam:

This will confirm that the Board of Directors of Ashley Commons held a Board meeting to discuss the proposed accessory dwelling unit to be built at 40 Ashley Drive, Milford. The Board concluded that there is no objection to the building of the accessory dwelling unit as it is permitted by the Town of Milford Zoning Board and provided that all appropriate permits and approvals are obtained to build the accessory dwelling unit in accordance with the Town of Milford Zoning Ordinance.

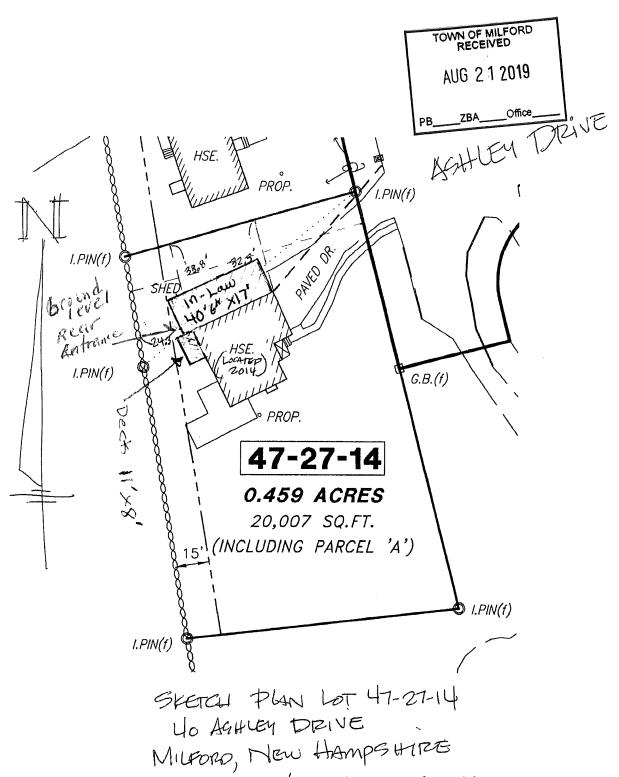
This will also confirm that Ashley Drive contains 19 homes, which utilize Septic System I in Ashley Commons. According to the Sanitary System Design prepared for Ashley Commons dated December 6, 1988, the system is built for a total of 114 residents residing in the 19 homes. To date, the approximate total residents of Ashley Drive utilizing Septic System I is 60 individuals.

Thank you.

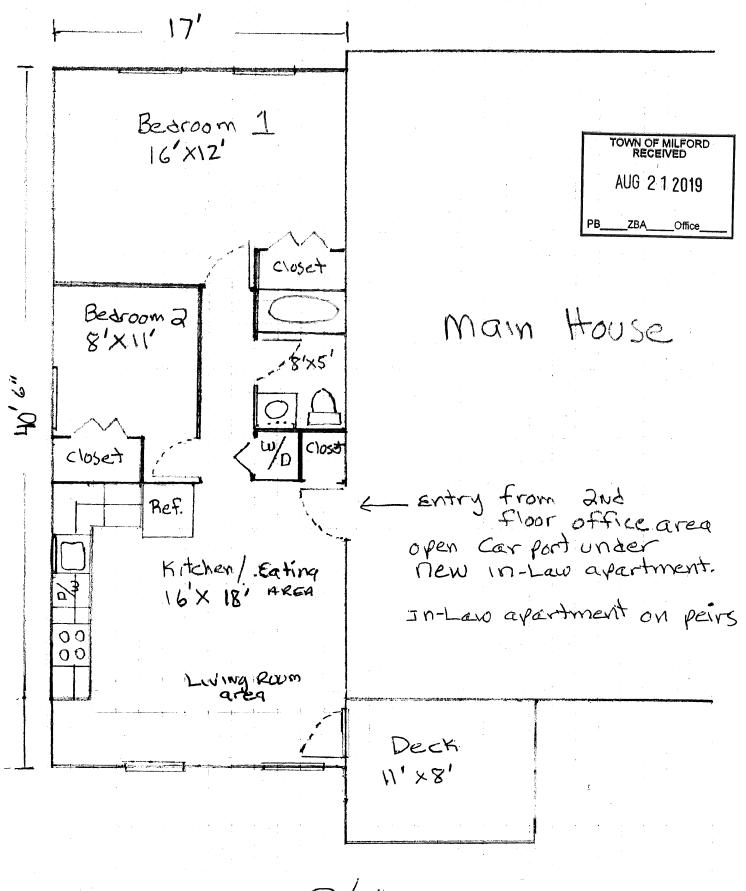
Very truly yours,

William R. Wilson, President

Board of Directors Ashley Commons

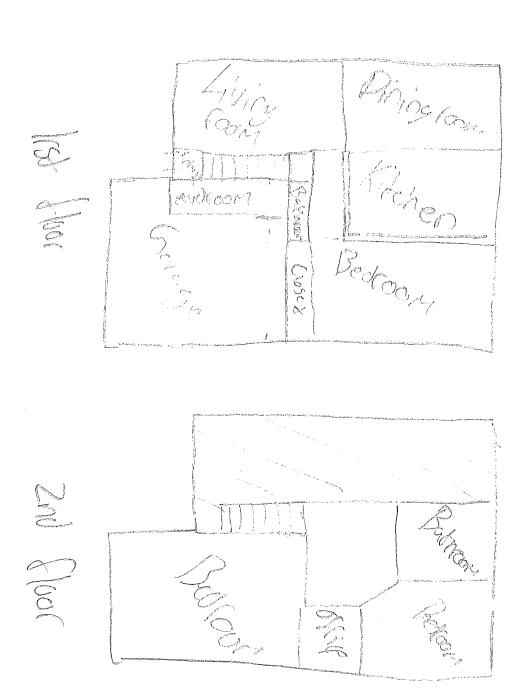


MILFORD, NEW HAMPSHIRE SCALE: 1"=40' AUGUST 7, 2019 MERIDIAN LAND GENVICES, FUC

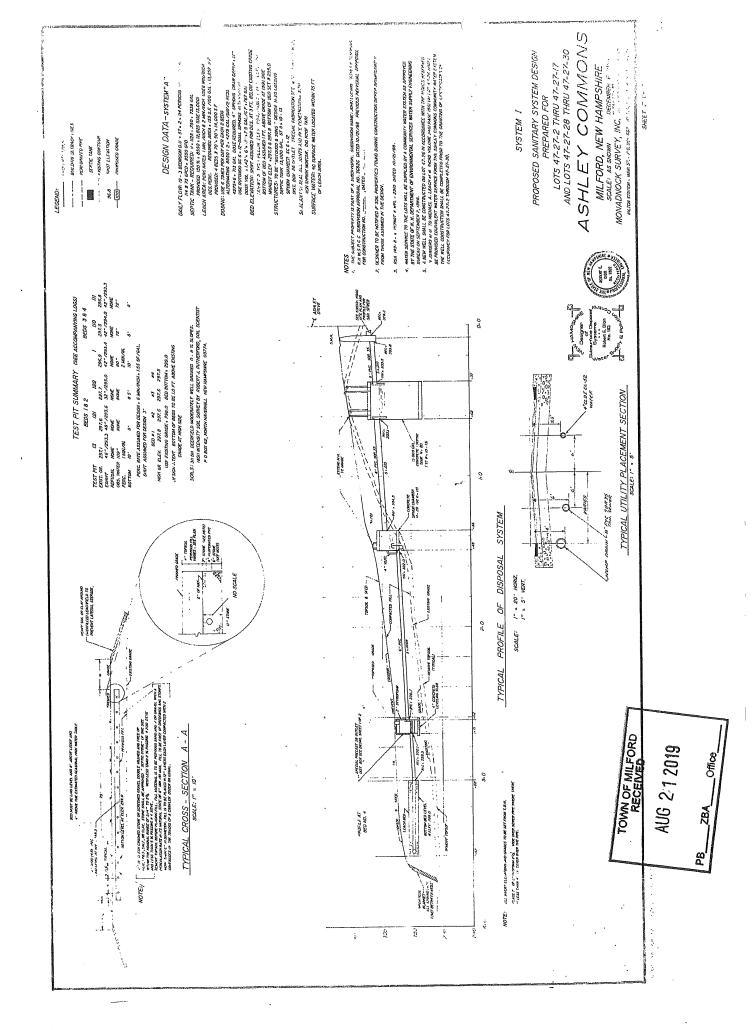


3/16"=1 Ft.

Floor Plan existing dwelling



/





Subject Property:

Parcel Number:

047-027-014-000

CAMA Number:

047-027-014-000

Property Address: 40 ASHLEY DR

Mailing Address: LIAMOS, PAUL G & PATTI ANN

40 ASHLEY DR

MILFORD, NH 03055-3449

Abutters:

Parcel Number:

047-016-000-000

CAMA Number:

047-016-000-000 Property Address: 102 ARMORY RD

Parcel Number:

047-027-012-000

CAMA Number:

047-027-012-000

Property Address: 34 ASHLEY DR

Parcel Number: CAMA Number: 047-027-013-000 047-027-013-000

Property Address: 38 ASHLEY DR

Parcel Number:

047-027-015-000

CAMA Number: Property Address: 39 ASHLEY DR

047-027-015-000

Parcel Number: 047-027-016-000

CAMA Number:

047-027-016-000

Property Address: 37 ASHLEY DR

Parcel Number: **CAMA Number:**

047-027-017-000 047-027-017-000 Property Address: 35 ASHLEY DR

Parcel Number:

CAMA Number:

047-027-032-000

047-027-032-000 Property Address: 0 ASHLEY DR

Mailing Address: NESI REALTY, LLC

15 BRANCH PIKE

SMITHFIELD, RI 02917-1211

Mailing Address:

BERNARD, CAMILLE L

34 ASHLEY DR

MILFORD, NH 03055-3449

Mailing Address: WELCH, RICHARD A & THERESA R

38 ASHLEY DR

MILFORD, NH 03055-3449

Mailing Address: CISEWSKI JR., FRANCIS G

39 ASHLEY DR

MILFORD, NH 03055-3451

Mailing Address: WILSON, WILLIAM R & BRENDA L

37 ASHLEY DR

MILFORD, NH 03055-3451

Mailing Address:

PIKE, JAMIE L PARSONS, JOSHUA N

35 ASHLEY DR MILFORD, NH 03055

Mailing Address: ASHLEY COMMONS COMMON LAND

30/ASHLEY DR

MILFORD, NH 03055

Town of milford

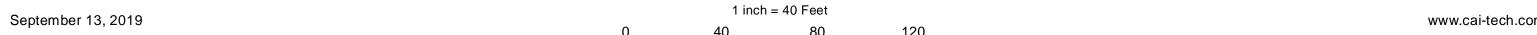


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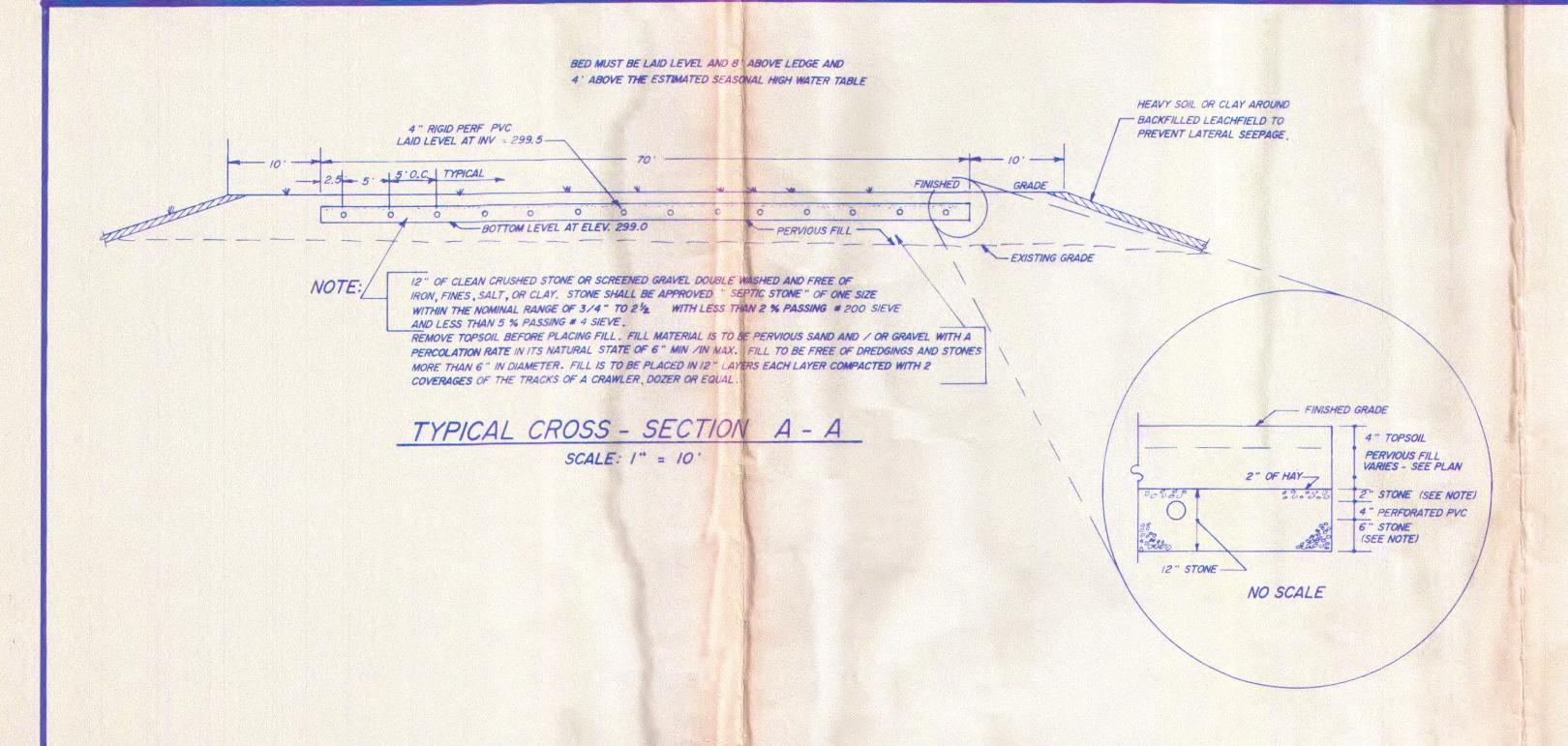




Milford, NH



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



TEST PIT SUMMARY (SEE ACCOMPANYING LOGS)

BEDS 384 TEST PIT 297.7 297.6 42"/293.4 42"/294.0 42"/293.3 OBS. WATER 109" 2 MINJIN. BOTTOM 10'

PERC. RATE ASSUMED FOR DESIGN = 6 MIN/INCH = 1.55 SF/GAL. SHWT ASSUMED FOR DESIGN 3"

BED #1 #2 #3 #4 HIGH GR. ELEV. 297.8 297.6 297.5 USE EXISTING GRADE = 298.0 BED BOTTOM = 299.0 DESIGN INTENT BOTTOM OF BEDS TO BE 1.0 FT. ABOVE EXISTING GRADE AT HIGH SIDE

SOILS: 311 BH DEERFIELD MODERATELY WELL DRAINED 0 - 8 % SLOPES. HIGH INTENSITY SOIL SURVEY BY ROBERT J. RUTHERFORD, SOIL SCIENTIST P O BOX 62, NORTH HAVERHILL NEW HAMPSHIRE 03774.

4°CLOICL-52

WATER

ASHLEY EXTEND M.H. TO GRADE SPECAL PRECAST 28 OUTLET DIST. DX SEE DETAIL SHEET I OF 2 PROFILE AT SEE SUBDIV. ROAD SITE PLAN AND BED NO. 4 TOPSOIL & SEED -PROFILE FOR - PROPOSED GRADE INV. = 305.5 /NV. = 305./--COMPACTED FILL-305.8 LEACH BED --- CONCRETE 300 SIPHON CHAMBER 13 000 GAL H- 20 (50 6 x 12) CONCRETE SEPTIC IMPERVIOUS BLANKET-TANK H- 20 BOTTOM BED LEVEL ALL AROUND BEDS (ST 8 × 10 - 13) - EXISTING GRADE @ ELEV 299.0 - REMOVE TOPSOIL (OMIT BETWEEN BEDS) _4" CONCRETE (TYPICAL) 295 REMOVE TOPSOIL -0+0 2+0 4+0 TYPICAL PROFILE OF DISPOSAL SYSTEM

SCALE: I" = 20' HORIZ.

I" = 5' VERT.

VARIES

TYPICAL UTILITY PLACEMENT SECTION

SCALE: 1" = 5"

LACCMP ORAIN LA" PUC SOR 35

DESIGN DATA - SYSTEM" A"

DAILY FLOW: 19 - 3 BEDROOM D.U. = 57 x 2 = 114 PERSONS (RESIDENTIAL) 114 @ 75 GPCD = 8550 GPD

SEPTIC TANK - REQUIRED: V = 1125 + .750 = 7338 GAL PROVIDED 150 % x 8550 = 12,825 (USE 13,000)

LEGEND:

----- PROPERTY LINES

___ _ PERFORATED PIPE

---- EXISTING CONTOUR

- 100 PROPOSED GRADE

---- BUILDING SETBACK LINES

SEPTIC TANK

SPOT ELEVATION

LEACH AREA: PERC RATES I MIN. /INCH 8 2 MIN./INCH USE6 MIN./INCH DES. PERC. REQUIRED AREA = 155 S.F. /100 GAL = 13,252 S F PROVIDED: 4 BEDS @ 70' x 50' = 14,000 5 F

DOSING: USE 6 TIMES PER DAY PER EACH 2 BEDS ALTERNATING 8550 ÷ 2 = 4275 GAL /DAY /2 BEDS 4275÷6 = 713 GAL DOSE REQUIRED. 4" SIPHONS DRAW DEPTH = 17" USE ROTONDO SC 6 x 12-DUAL SIPHONS ALTERNATING. DOSE VOL = 1.42' x 6' x 12' x 7 5 GAL /C F = 767 GAL

BED ELEVATION: SHWT ASSUMED FOR DES. AT 3 FT. BELOW EXISTING GRADE (SHWT 5 TPS = BELOW ELEV. 294) (SHWT | TPS = ELEV. 295) BOTTOM OF BED ASSUMED I FT. ABOVE GRADE AT HIGH SIDE HIGHEST ELEV =297.5 8 297.8 BOTTOM OF BED SET @ 299.0

STRUCTURES: TO BE "ROTONDO & SONS " DESIGN H-20 LOADING SEPTIC TANK 13,000 GAL. ST 8 x 10 - 13 SIPHON CHAMBER SC 6 x 12

DIST. BOX 28 OUTLET - SPECIAL FABRICATION SEE DETAIL SHEET I OF 2. SEALANTS: SEAL ALL JOINTS AND PIPE PENETRATIONS WITH NON SHRINK MORTAR. (NO ROOF TAR)

SURFACE WATER: NO SURFACE WATER LOCATED WITHIN 75 FT. OF LEACH AREA.

1. THE SUBJECT PROPERTY IS PART OF A SUBDIVISION. SUBDIVISION NAME: JOHN LUDWIG (ASHLEY COMMONS). N.H.W.S.P.C.C. SUBDIVISION APPROVAL NO. 36826 DATED 10/21/88. PREVIOUS INDIVIDUAL APPROVAL FOR CONSTRUCTION NO. _____, DATED _____.

2. DESIGNER TO BE NOTIFIED IF SOIL PROPERTIES FOUND DURING CONSTRUCTION DIFFER SIGNIFICANTLY FROM THOSE ASSUMED IN THE DESIGN.

3. RSA 149: 8 - a PERMIT # WPL - 2910 DATED 10/21/88.

4. WATER SERVICE TO THE LOTS WILL BE SUPPLIED BY A COMMUNITY WATER SYSTEM AS APPROVED BY THE STATE OF N. H. DEPARTMENT OF ENVIRONMENTAL SERVICES WATER SUPPLY ENGINEERING BUREAU ON SEPTEMBER 2, 1988.

5. A NEW WELL SHALL BE CONSTRUCTED ON LOT 47-26 IN ACCORDANCE WITH THE RIGHTS RESERVED IN JOWDERS et al TO MICHAEL A. LEACH et al (HCRD VOLUME 3461 PAGE 156) OR LOT 47-26 SHALL BE PROVIDED EQUIVALENT WATER SERVICE FROM THE ASHLEY COMMONS COMMUNITY WATER SYSTEM THE WELL CONSTRUCTION SHALL BE COMPLETED PRIOR TO THE GRANTING OF CERTIFICATES OF OCCUPANCY FOR LOTS 47-27-2 THROUGH 47-27-30.



SYSTEM I

PROPOSED SANITARY SYSTEM DESIGN PREPARED FOR LOTS 47-27-2 THRU 47-27-17 AND LOTS 47-27-28 THRU 47-27-30

ASHLEY COMMONS

MILFORD, NEW HAMPSHIRE SCALE: AS SHOWN DECEMBER 6, 1988

MONADNOCK SURVEY, INC. LAND SURVEYORS AND PLANNERS

WILTON STATION - MAIN ST. - P.O. BOX 607 - WILTON, N.H. 03086 (603) 654-2345

Subsurface Disposed Systems

. . . Robert E. Dion

No. 193

NOTE: ALL INVERT ELEVATIONS AND GRADES TO BE SET FROM T.B.M.

IS LESS THAN 4' OF COVER OVER THE PIPE.

PLACE 2" OF STYROFOAM 21/2 WIDE OVER SEWER PIPE WHERE THERE