# **TOWN OF MILFORD**

Office of Community Development Planning • Zoning • Building Safety • Code Enforcement • Health Economic Development • Active Projects

#### **Administrative Review**

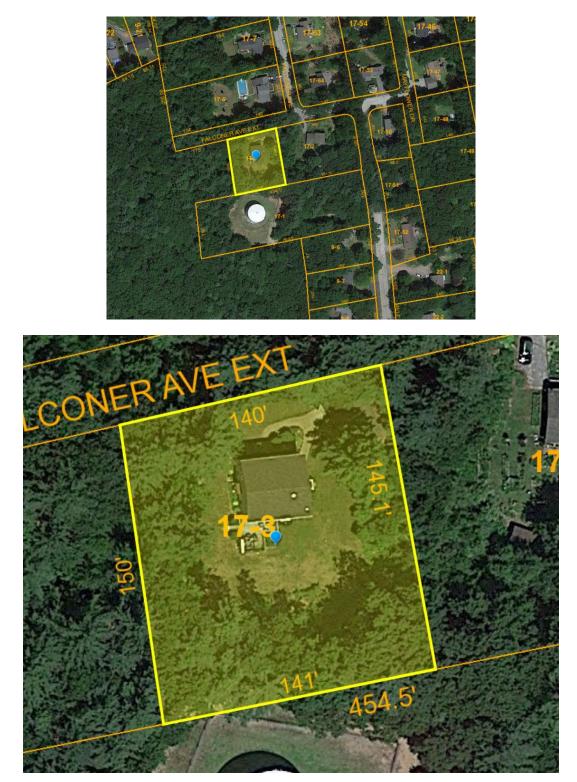
| Date:    | April 7, 2021   | EST. 1794           |
|----------|---|---------------------|
| To:      | Jason Plourde, Chair, Zoning Board of Adjustment  | SAANITE -           |
| From:    | Lincoln Daley, Community Development Director   |                     |
| Subject: | <b>Case #2021-09:</b> Michael and Michelle Sacco, 14 Falconer Avenue, Milford Special Exception Application | Tax Map 17, Lot 3 – |

The applicants are before the Board of Adjustment seeking a Special Exception from the Milford Zoning Ordinance, Article X, Section 10.2.6 to allow the construction of an attached accessory dwelling unit addition to the existing single-family residence in the Residential 'A' district. In reviewing the files for this property, I offer the following comments:

- 1. Existing Conditions:
  - a. The subject property is approximately .47 acres in area with approximately 140 linear feet of frontage on Falconer Avenue.
  - b. The property consists of a 2-story, 3 bedroom, single-family residence and is serviced by municipal sewer and water.
  - c. The subject property is situated in an established single-family residential area and directly abuts Town conservation land. To the west of the subject property lies dedicated Town open space. The property is bounded to the north and east by residential uses. To the south of the subject property is the Town property.
- 2. The proposal calls for the construction of a 1,050 square foot addition to eastern side of the existing singlefamily residence. The proposed addition will include a 696 square foot accessory dwelling unit. Based on the aerial tax maps, the limits of the proposed residential expansion will exceed the 15 foot eastern dimensional setback.
- 3. The proposal will increase the total number of bedrooms in the residence. As stated earlier, the property is serviced by municipal water and waste water.
- 4. The proposed elevations are consistent with the existing residence and will not impact the character of the neighborhood.
- 5. The property appears to have sufficient parking to manage the single-family residence and the proposed addition of the accessory dwelling unit.
- 6. An ADU is a permitted use in the Residential 'A' zoning district through the issuance of a Special Exception pursuant to Zoning Ordinance, Article X, Section 10.2.6.
- **7.** No survey is available/had been provided to determine the distance/location of the addition to the property line. The applicant should verify the approximate distance to the side setback.



## Aerial Photos of Subject Property:



| ZBA Application<br>MILFORD ZONING BOARD OF ADJUSTMENT<br>GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS       Case M<br>Decision<br>PROPERTY INFORMATION         Street Address: 14 Falconer Ave<br>Tax Map / Parcel #:017-003-000-000       Lot Size: .47 acres       Zonint         Residental home       PROPERTY CURRENTLY USED AS       Zonint         If the application involves multiple lots with different owners, attach additional<br>copies of this page.       PROPERTY OWNER       In         Name:       Michael & Michaelle Sacco       Address:       14 Falconer Ave       Over         City/State/Zip:       Milford, NH 03055       Phone: ( ) 603-673-4063       W       Nate         Email:       msacco0627@comcast.net       W       Nate       Case M<br>Mingothe a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>might be a tenant, someone who plans to purchase the property owner, but<br>mi  |   |
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| PROPERTY INFORMATION       Decision         Street Address:       14 Falconer Ave         Tax Map / Parcel #: 017-003-000-000       Lot Size: .47 acres         PROPERTY CURRENTLY USED AS       Zonii         Residental home       Re         If the application involves multiple lots with different owners, attach additional copies of this page.       PROPERTY OWNER         Name:       Michael & Michelle Sacco       Address:         Address:       14 Falconer Ave       Over         City/State/Zip:       Milford, NH 03055       W         Phone: ( )       603-673-4063       W       N         Email:       msacco0627@comcast.net       W       N         Might be a tenant, someone who is making this proposal on behalf of themselves, the opplicant is the gene as the owner, just check "Same as owner" and leave the rest of this section blank.       M       N         Mame:       AppLiCANT/REPRESENTATIVE       AppLiCANT/REPRESENTATIVE       AppLiCANT/REPRESENTATIVE         SAME AS OWNER       AppLicANT/Representative       Abut         Name:       Address:       Amo         City/State/Zip:       Cell: ( )       The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       MARAC   | eceived: $3 - 18 - 71$<br>lumber: $2031 - 09$<br>complete: $3/31/21$<br>a Date: $4 - 15 - 21$   |
| PROPERTY INFORMATION       Decision         Street Address:       14 Falconer Ave         Tax Map / Parcel #: 017-003-000-000       Lot Size: .47 acres         PROPERTY CURRENTLY USED AS       Zonin         Residental home       Image: Residental home         If the application involves multiple lots with different owners, attach additional copies of this page.       Image: Residental home         Name:       Michael & Michael & Sacco       Image: Residental home         Name:       Michael & Michael & Sacco       Image: Residental home         Image:       PROPERTY OWNER       Image: Residental home         Name:       Michael & Michael & Sacco       Image: Residental home         Image:       PROPERTY OWNER       Image: Residental home       Image: Residental home         Image:       PROPERTY OWNER       Image: Residental home       Image: Residental home         Image:       PROPERTY OWNER       Image: Residental home       Image: Residental home         Image:       Michael & Michael & Sacco       Image: Residental home       Image: Residental home       Image: Residental home         Image:       Michael & Michael & Sacco       Image: Residental home       Image: Residental home       Image: Residental home       Image: Residental home         Image:       Resoner or a third party. This is usualy the   | g Date: <u>9-15-2</u>   |
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| copies of this page.       Image: PROPERTY OWNER         Name:       Michael & Michelle Sacco         Address:       14 Falconer Ave         City/State/Zip:       Milford, NH 03055         Phone: ( )       603-673-4063         Email:       msacco0627@comcast.net         might be a tenant, someone who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.         Mame:       AppLICANT/REPRESENTATIVE         Address:       Appl.         City/State/Zip:       Date         Phone: ( )       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       THE FILE         Matheway       3 - 19 - 21       THE FILE   | esidence A<br>esidence B 📮 Residence R<br>ommercial<br>mited Commercial   |
| Name:       Michael & Michelle Sacco         Address:       14 Falconer Ave         City/State/Zip:       Milford, NH 03055         Phone: ( )       603-673-4063         Email:       msacco0627@comcast.net         Image:       Image:         Address:       Image:         1       Image:   | dustrial  |
| Name:       Michael & Michelle Sacco         Address:       14 Falconer Ave         City/State/Zip:       Milford, NH 03055         Phone: ( )       603-673-4063         Email:       msacco0627@comcast.net         Image:       Image:         Address:       Image:         Address:       Image:         Address:       And         Address:       And         Address:       And         Address:       And         City/State/Zip:       Date         Image:       Abut         Address:       And         Address:       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.         MILLANDY       3 - 19 - 21   | egrated Commercial-Industrial<br>tegrated Commercial-Industrial-2   |
| City/State/Zip:       Milford, NH 03055         Phone: ( )       603-673-4063         Email:       msacco0627@comcast.net         Image:       Image:         AppLiCANT/REPRESENTATIVE       Au         Mame:       Abutt         Address:       City/State/Zip:         City/State/Zip:       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       The requirements applicable to this application.   |   |
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| Email:       msacco0627@comcast.net         Email:       msacco0627@comcast.net         Imail:       Cell: ( )         Imail:       Msacco07         Imail:       Cell: ( )         Imail:       Chel   | lay District (check any that apply):  |
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| Name:       Abut         Address:       Amo         City/State/Zip:       Date         Email:       Cell: ( )         Phone: ( )       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       THE FIL DO NO.         MILL       3 - 19 - 21       MILL   | PPLICATION FEES   |
| Address:       Amo         City/State/Zip:       Date         Email:       Chell: ( )         Phone: ( )       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       The FR AND ADDRESS         MILL Solution       3 - 19 - 21       Million   | ication Fee: \$75.00  |
| City/State/Zip:       Date         Email:       Che         Phone: ( )       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       THE FIL DO NO.         MILL       3 - 19 - 21       MILL   | ters Fee: \$4 x \$0,53  |
| Email:       Cell: ( )         Phone: ( )       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       The FR AU DO NO. FOR AU IMPAC         MILL Solution       3 - 19 - 21   | unt received:   |
| Phone: ( )       Cell: ( )         The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       The Filing of this application and DO NC FOR ALL IMPACE         MILL       3 - 19 - 21       The Filing of this application.   | Received: 3-19-3  |
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| The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.       DO NC         MILL       Same agree a |   |
| Property Owner's signature Date:  | EES ASSOCIATED WITH THIS APPLICATION<br>DT APPLY TO ANY OTHER FEES REQUIRED<br>PPROVAL OF THIS PROJECT. PLANNING,<br>TT, BUILDING AND OTHER FEES MAY APPLY. |
| EIUUEIUUWIELA AUUUUUE   | TOWN OF MILFORD   |
|   | RECEIVED  |

| <b>ZBA Application – Special Exception</b> Town of Milford<br>Received<br>MILFORD ZONING BOARD OF ADJUSTMENT<br>MAR 18 2021   | Date Received: $3 - 18 - 21$<br>Case Number: $2021 - 09$<br>Application #: $2021 - 0686$<br>Date Complete:  |  |  |  |  |
|---|---|--|--|--|--|
| PROPERTY INFORMATION     PB     ZBA     Office       Street Address:     14 Falconer Ave  | Date Complete:<br>Hearing Date:<br>Decision Date:<br>Decision:  |  |  |  |  |
| Tax Map / Parcel #:       17/3         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. |   |  |  |  |  |
| What section of the Zoning Ordinance are you applying under?         Article 10.2.6       Section         Describe the use you are proposing under the above section of the Ordinance.         Construction of a attached living space for the owner and primary occupant         to live in.   | <ul> <li>Change/Expansion of Non-conforming Use/Structure (2.03.1.C)</li> <li>Wetland Buffer Impact (6.02.6)</li> <li>Accessory Dwelling Unit (10.2.6)</li> <li>Office in Res-A &amp; B (10.2.7)</li> <li>Home Business (7.12.6)</li> <li>Side/Rear Yard Setback Reduction (Zoning District Specific)</li> <li>Other</li> </ul> |  |  |  |  |
| General Criteria Section 10.02.1  |   |  |  |  |  |
| Describe the project you are requesting a Special Exception for:<br>Construction of addition including a ADU, for a attached seperate living space for son  |   |  |  |  |  |
| <ul> <li>Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:</li> <li>A. The proposed use is similar to those permitted in the district because:</li> <li>Meets all requirments for a ADU and is designed to look like it was always part of the house, will be used by the same occupants that are in the current house</li> </ul>   |   |  |  |  |  |
| <ul> <li>B. The specific site is an appropriate location for the proposed use because:</li> <li>Is attahed to the existing dwelling, and design to match, and not to encroach on any setbacks.</li> </ul>   |   |  |  |  |  |
| C. The use as developed will not adversely affect the adjacent area because:<br>Will be attached to the existing house, and design to look like it was already part of the existing residence. Proposed space above the<br>garge will just look like rest of home.  |   |  |  |  |  |
| D. There will be no nuisance or serious hazard to vehicles or pedestrians because:<br>No change of traffice follow to the house, parking will proposed garage.  |   |  |  |  |  |
| E. Adequate appropriate facilities will be provided for the proper operation of the propose   | d use because:  |  |  |  |  |

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#### ZBA Application – Special Exception MILFORD ZONING BOARD OF ADJUSTMENT

| 9.<br>yes | Is there adequate sewer/septic and water for the additional inhabitants? Please include septic/sewer approval.   |
|-----------|--|
| ·         | Is there only one (1) ADU on the property?   |
|           | Is the ADU no more than 750 square feet gross floor area? How many square feet is the ADU?<br>J space is 696.  |
|           | Does the ADU have no more than two (2) bedrooms? Please show on plans.<br>/ 1 bedroom is proposed  |
|           | If inside the existing dwelling, is there at least one common wall with a door between the two spaces at least 32 inches wide?<br>Please show on plans.<br>, opening is 36" wide   |
|           | If a connecting hall is proposed, is the hallway at least 36 inches wide? Please show on plans.For Existing Unpermitted ADUscommon mudroom, laundry space proposed then entence to ADU   |
|           | Has a Code Compliance inspection been conducted by the Building Inspector? Please include inspection report. permit in with the town for review now  |
|           | Is the ADU incompliance with Section 10.02.6:A of the Milford Zoning Ordinance? How so?  |
| 18.       | If no, has a Variance from Section 10.02.6:A been granted by the ZBA?  |
| OF        | ICE IN THE RESIDENCE A AND B DISTRICTS 10.02.7   |
| 1.        | Is the specific site of the proposed office use located in an existing building that is an appropriate location for the proposed use<br>and ancillary to the Residential Use permitted by right? Please explain.   |
| 2.        | Will the use as proposed adversely affect adjacent Residential areas? Please explain.  |
|           | with the second se |

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.

designed to allow space cosce to the entropian strate (amily destino with allowing ability to have separate own spa

5. Has the applicant made a site plan application to the Planning Board (hearing subsequent to Zoning Board approval)? Yes \_\_\_\_ No \_\_\_\_ Date of hearing:\_\_\_\_\_\_

In these adequate off-street parking? How many spaces.

wo car garage in propused, along with enough spars in driveway for 2+ more cars.

Are any additional curb cuts being proposi

023

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

Section continued on next adda

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### ZBA Application – Special Exception MILFORD ZONING BOARD OF ADJUSTMENT

| HO  | ME BUSINESS CRITERIA 7.12.6 (Continued)   |  |
|-----|---|--|
| 6.  | Retail sales of goods incidental to Home Business are allowed. Please explain if there will be retail sales of goods incidental to  |  |
|     | Home Business. Fytiegong and no UCA (1) and another all all and a second and the UCA (1) and all a second and all all all all all all all all all al  |  |
| 7.  | There shall be not more than sixteen (16) clients or deliveries per day. If applicable, please provide the anticipated number of clients or deliveries per day.   |  |
|     |   |  |
| 8.  | There shall be no parking of or deliveries by vehicles with more than two (2) axles. Only one (1) commercial vehicle may be parked on the property in conjunction with the Home Business. Please summarize the anticipated size of the delivery vehicles  |  |
|     | and number of commercial vehicles serving the Home Business.  |  |
| 9.  | A Home Business shall not be conducted in a way that is perceptible in external effects (such as but not limited to noise, odors,   |  |
|     | traffic) from beyond the lot line between the hours of 9:00 p.m. and 7:30 a.m. Please explain the hours of operation.   |  |
|     |   |  |
| 10. | The use shall not involve the storage or use of hazardous, flammable or explosive substances, other than types and amounts commonly found in a dwelling. The use shall not involve the use or storage of toxic substances. If applicable, please explain if there will be the storage of hazardous, flammable or explosive, or toxic substances associated with the Home Business and its |  |

ACCESSORY DWELLING UNITS 10.02.6

location on the property.

1. Is the property going to be Owner Occupied?

Yes own will be in princical dwelling, owners son will be occuping ADU and Cadebard between and lade

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

Yes, appliation has been made and copy is attached with application.

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

Proposed space, is attached to existing house, inluded garage for both space below.

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

Is designed to allow spare space to the principlan single family dwelling with allowing ablity to have seperate own space.

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

Proposed addition is designed to match the existing home and look like it was always there.

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

two car garage is proposed, along with enough space in driveway for 2+ more cars.

7. Are any additional curb cuts being proposed?

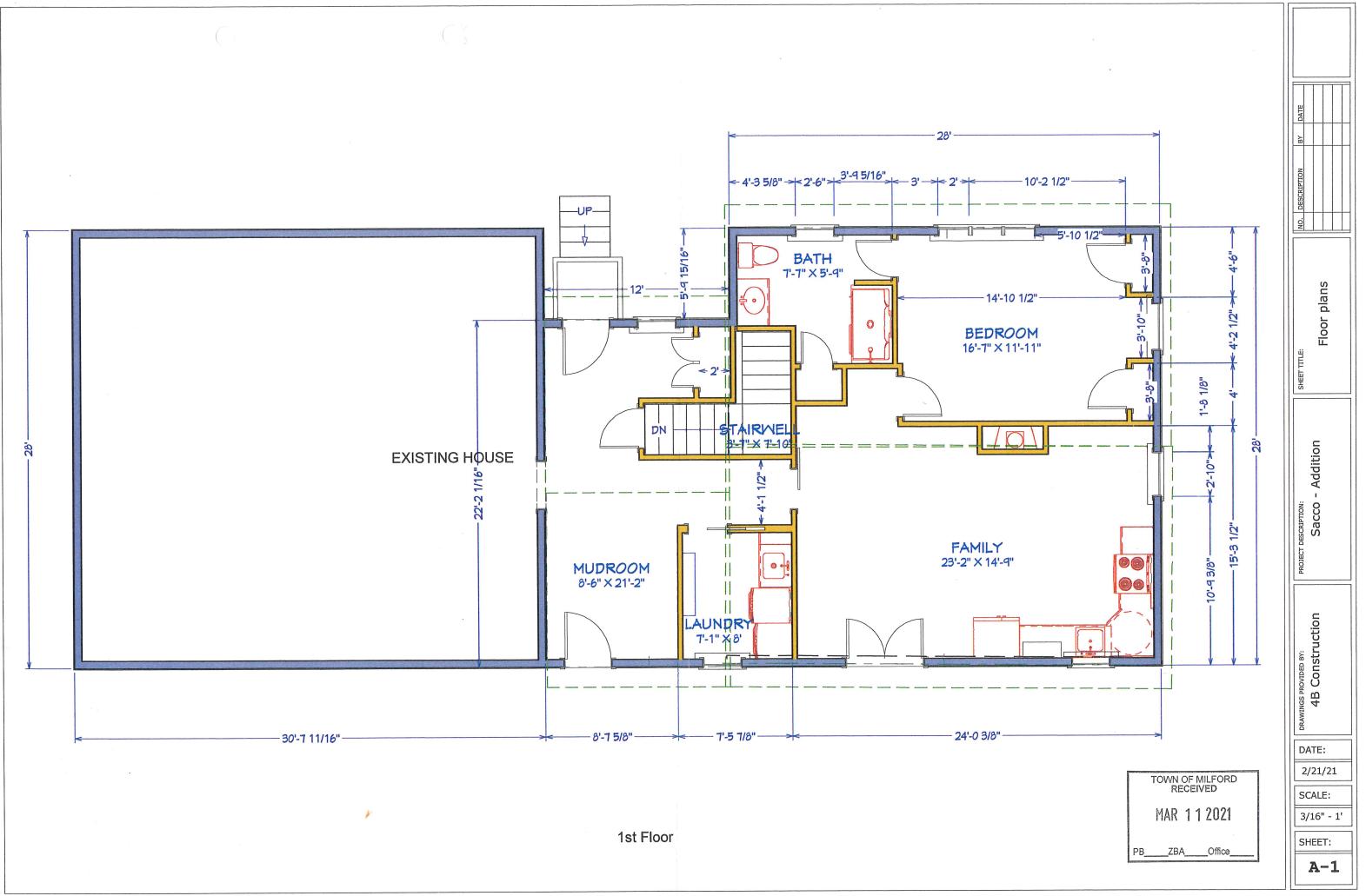
No 8.

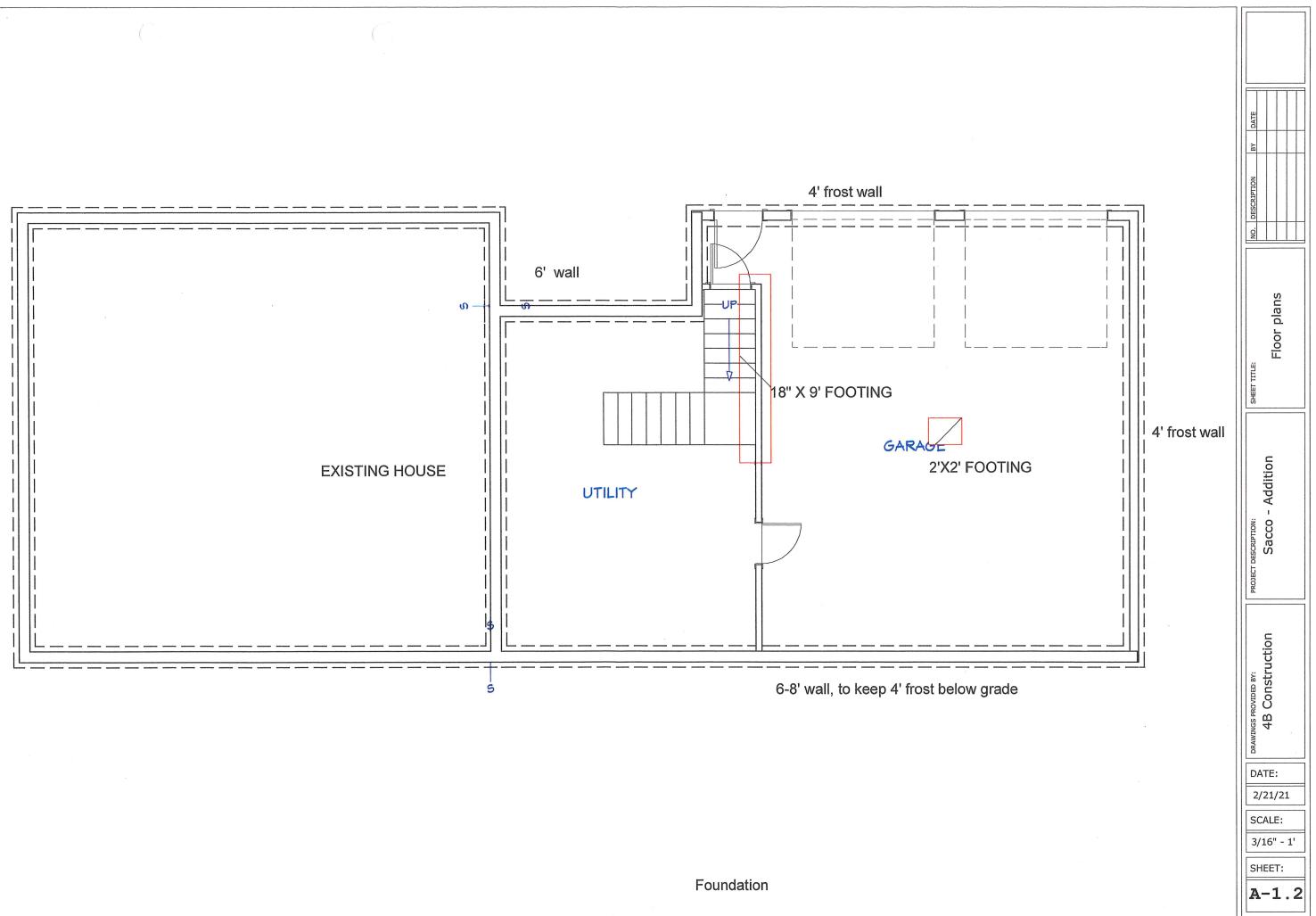
Are all necessary additional entrances or exits located to the side or rear of the building to the maximum extent possible? Please note on the plan.

Yes one enternce is through garage below, second exit, is through slider in back of house.

Section continued on next page.

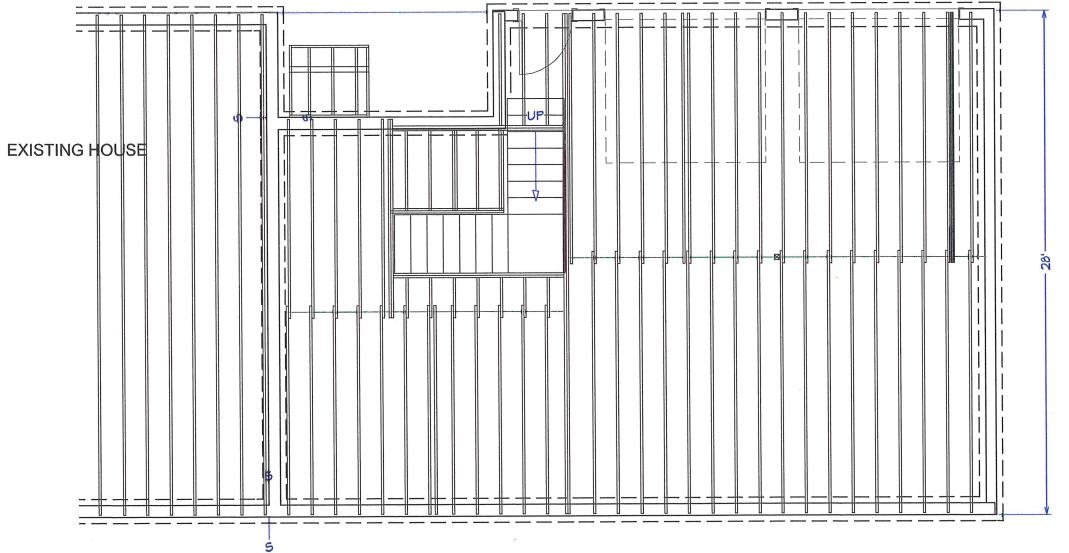
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2x10 floor joist - 16" O.C. 2x10 rim band 3/4" Adventech sheeting

Garage space - 3- 9-1/4" LVL beam - 1 lally column center Storage space - 2 - 11-7/8" LVL beam

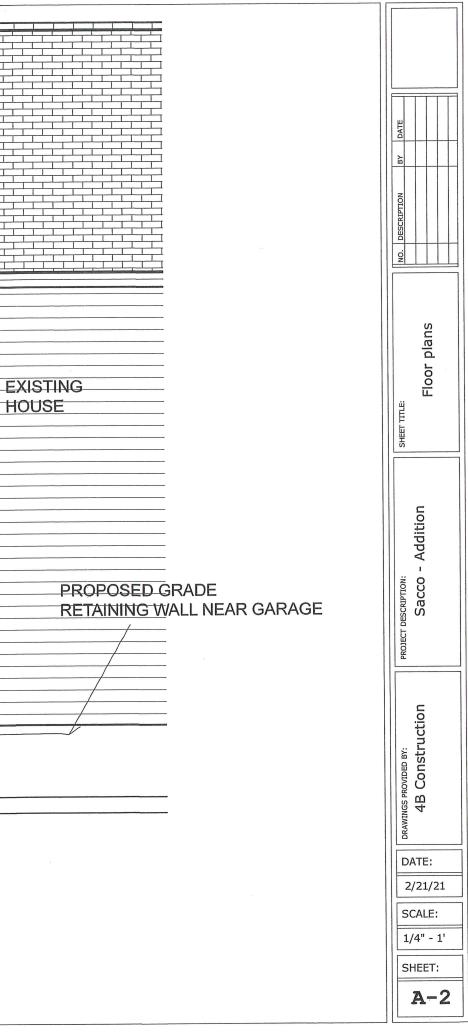


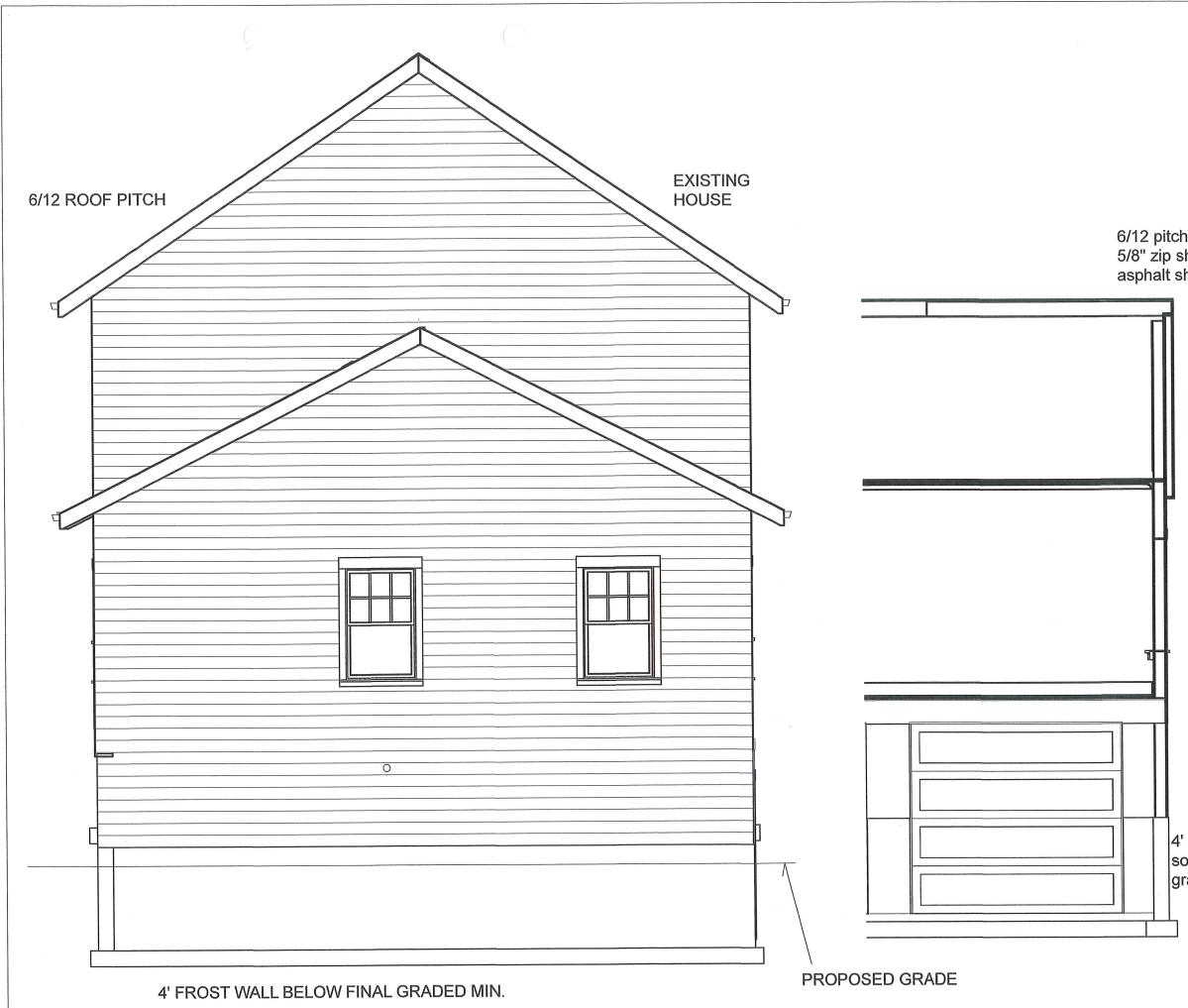


Elevation 1



6/12 ROOF PITCH





| h roof<br>sheeting<br>shingles<br>2x10 16" OC rafters<br>2x6 collar ties every rafter<br>2x8 rafter tie/ ceiling joist 16" OC<br>meet on carry beam in middle | SHEET TITLE:     No. DESCRIPTION     BY     DATE       Elevation/ cross section     Image: Comparison of the levation of the levatio of the levation of the levatio |
|---|---|
| 2x6 wall 16" O.C.   | scription:<br>Sacco - Addition  |
| 1.5" zipR sheeting<br>R21 batt insulation   | PROJECT DESCRIPTION:<br>Sacco   |
| 2x10 floor joist<br>3/4" advtech sub floor  | DRAWINGS PROVIDED BY:<br>4B Construction  |
| ' below grade frost wall min.<br>ome place 6'-8' wall to stay above<br>rade   | DATE:<br>2/21/21<br>SCALE:  |
| 18"X12" Footing<br>with 2 #5 bars   | 1/4" - 1'<br>SHEET:<br><b>A-3</b>   |