

TOWN OF MILFORD

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



Administrative Review

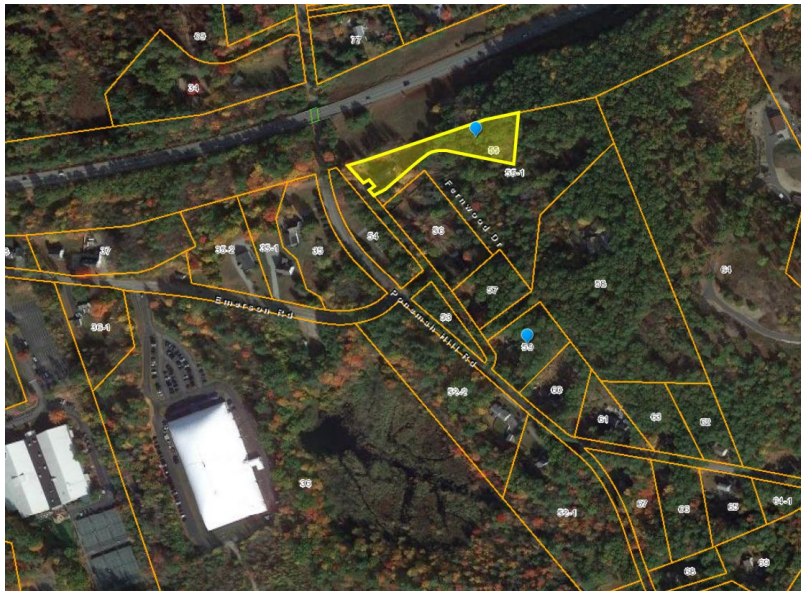
Date: May 12, 2021
To: Jason Plourde, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2021-10:** Duane Myers, 4 Fernwood Drive, Milford Tax Map 48, Lot 55 – Special Exception Application for Dimensional Setbacks

The applicant is before the Board of Adjustment seeking a Special Exception from the Milford Zoning Ordinance, Article V, Section 5.04.2.7 to allow the construction of a 24' x 28' accessory structure (detached garage) approximately within the 30 foot front dimensional setback, within the 15 foot side setback of the Fernwood Drive right of way, and within the 15 foot eastern property side setback in the Residential 'R' Zoning District. In reviewing the files for this property, I offer the following comments:

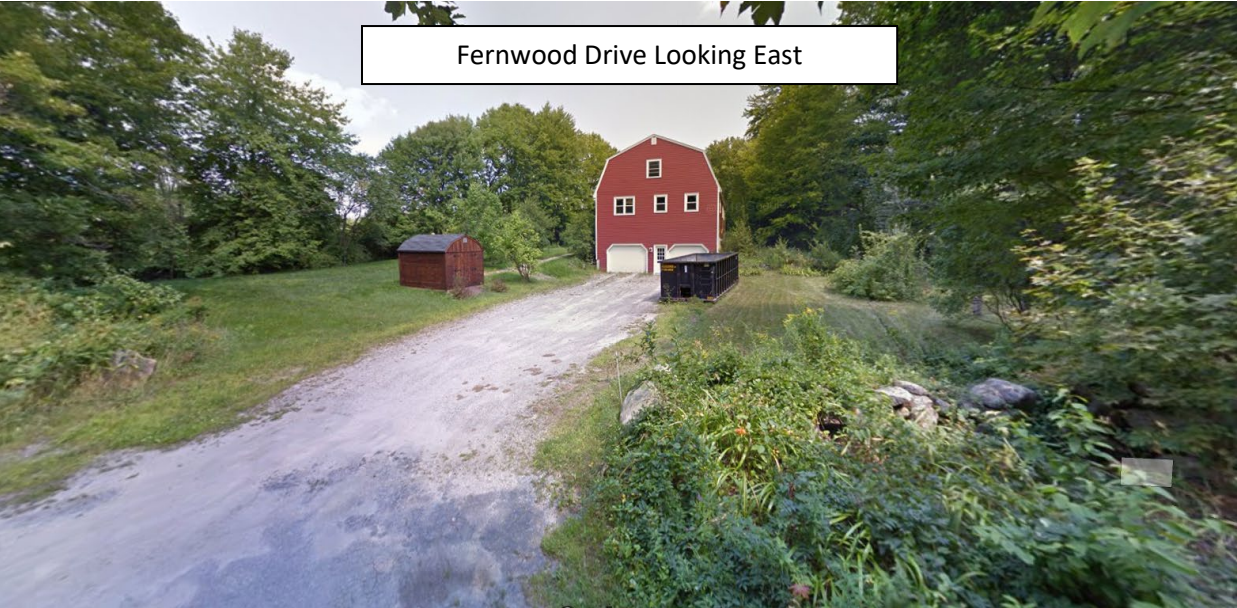
1. Existing Conditions:
 - a. The subject property is approximately 1.449 acres in area with approximately 195 linear feet of frontage on Fernwood Drive and situated at the very end of the subject Class V roadway.
 - b. The property consists of a 2-story, 3 bedroom, single-family residence and is serviced by private well and septic
 - c. The subject property is situated in an established single-family residential area and directly abuts Town owned property and Route 101 right of way. To the west of the subject property lies NH Route 101 Right of way and to the east Town owned property (Tax Map 48-55-1). The property is bounded to the south and east by residential uses.
 - d. A 25' x 32' square foot section of the Fernwood Drive right of way extends into the subject property. This portion of the Fernwood Drive functions as the turn-around on the dead-end cul-de-sac for town maintenance and emergency vehicles.
2. The proposal calls for the construction of a 24' x 28' square foot (672 sf) detached garage along the southeasterly portion of the subject property. The proposed garage is located approximately 1 foot from the easterly section of the Fernwood right of way (turnaround area) and approximately 5.47 feet from the easterly property line. The minimum side dimensional setback is 15 feet within the Residential 'R' Zoning District. In addition, the proposed accessory structure is situated 17 feet from the front property line where a minimum of 30 feet is required.
3. The no elevations of the detached garage have been provided. In order to better understand the scale and potential visual presence/impact to abutting properties, the applicant will need to provide rendering/elevations for the proposed structure.
4. The detached garage is categorized as an accessory structure and permitted within the Residential 'R' District. Pursuant to Section 5.04.2.7, a structure can be placed within the front (30') and side (15') dimensional setbacks with the issuance of a Special Exception by the Board of Adjustment.

5. The applicant should be prepared to provide information regarding any/all alternative locations considered for the placement of the detached garage.
6. Community Development staff has requested information/input from the Public Works Department relative to the proximity of the proposed structure to the Fernwood right of way and will forward to members prior to the meeting.

Aerial Photos of Subject Property:



Street Photos of Subject Property:



Fernwood Drive Looking Northeast



Fernwood Drive Looking Southeast



From: [Duane Myers](#)
To: [Lincoln Daley](#)
Cc: [Duane Myers](#)
Subject: Milford NH 4 Fernwood Drive - Parcel: 48-55 - ZBA - Request for Continuance.
Date: Friday, June 25, 2021 2:55:19 PM

Dear Mr. Daily,

I would like to request a continuance until the July 15'th meeting for my previously submitted ZBA application so I can properly locate my septic field so that I can maintain the minimum setbacks from the tank and septic field that are required by the state DEC.

Can you please check if there was a septic plan submitted that actually got built? That would be very helpful and speed up the process..

Please note, I already contacted the Subsurface Bureau, Land Resources Management and they had nothing on file in that regard.

Thank you as always!

Duane Myers

----- Forwarded Message -----

From: "Lincoln Daley" <ldaley@milford.nh.gov>
To: "Duane Myers" <hemhane@comcast.net>
Cc: "Plourde, Jason" <jplourde@vhb.com>
Sent: 6/25/2021 8:13:38 AM
Subject: Re: Re[5]: Milford NH 4 Fernwood Drive - Parcel: 48-55 - ZBA Special Exemption Submission for 2 car garage

Duane,

Please send me an email requesting to continue the application to July 15th. We may need to re-advertise your application in the paper and to abutters due to the Number of continuances and possible amendments to the application (due to location of septic). The other option would be to withdraw your application without prejudice and reapply when you finalize the location of your garage.

Thank you in advance.

Regards,

Lincoln

From: Duane Myers <hemhane@comcast.net>
Sent: Thursday, June 24, 2021 6:54:26 PM
To: Lincoln Daley

Cc: Duane Myers

Subject: Re[5]: Milford NH 4 Fernwood Drive - Parcel: 48-55 - ZBA Special Exemption Submission for 2 car garage

Hi Lincoln,

Don't think I'll make July 1 either. Still trying to figure out where my septic field is.

I do want to get to try to get to the July 15 meeting, I'll let you know if as soon as I figure things out.

Thanks for your help.

Duane

| | | | |