

Town of Milford
Zoning Board of Adjustment
May 20, 2021
Public Hearings
Case 2021-10

Duane S. Myers Revocable Trust, Duane S. Myers Trustee.
Special Exception

Present: Jason Plourde, Chair
Rob Costantino, Vice Chair
Karin Lagro, Alternate
Michael Thornton, Member
Paul Dargie, BOS Representative
Lincoln Daley, Director of Community Development

Absent: Tracy Steel, Member
Wade Campbell, Alternate
Joan Dargie, Alternate

Meeting Agenda

1. Call to Order
2. Public Hearing(s):
 - a. **Case #2021-10**
Duane S. Myers Revocable Trust, Duane S. Myers Trustee, for the property located at 4 Fernwood Drive, Tax Map 48, Lot 55 is 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) within the 30 foot and 15 foot side dimensional setbacks in the Residential 'R' Zoning District.
3. Meeting Minutes: 4/15/21
4. Other Business: TBD
5. Next Meeting: a. June 3, 2021 b. June 17, 2021

1. CALL TO ORDER

Chair Jason Plourde welcomed everyone and declared a State of Emergency as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, the Board of Adjustment is authorized to meet electronically. This meeting is held in accordance with the applicable New Hampshire State statutes, Town of Milford ordinances, and the Zoning Board of Adjustment Rules of Procedure. He stated that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, he confirmed that the Board is:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means.
- b) Providing public notice of the necessary information for accessing the meeting.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- d) Adjourning the meeting if the public is unable to access the meeting.

1 **MINUTES OF THE ZBA MEETING MAY 20, 2021 SPECIAL EXCEPTION**

2 **Public Hearings**

3 **CASE #2021-10 Duane S. Myers Revocable Trust, Duane S. Myers Trustee**

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6 **1. CALL TO ORDER (continued)**

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8 Chair Plourde stated all votes taken during the meeting must be done by Roll Call vote. He started the meeting with a roll
9 call attendance by asking each member to state their name, where they are located and if there was anyone in the room with
10 them during the meeting. This is required under the Right-to-Know Law. Roll Call Attendance: Jason Plourde alone at
11 home, Rob Costantino alone at home; K. Lagro alone at home, M. Thornton at home alone.

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13 Chair Plourde continued stating no alternate members would be needed and there are 4 members and Selectman Dargie.
14 He then went on to start with the only case being heard #2021-10. He then stated there was a continuance submitted by the
15 applicant.

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17 For the record, Chair Plourde read:

18 "On Tuesday, May 18, 2021 at 10:54 a.m., an email was sent to Lincoln Daley, Community Development Director. Hi
19 Lincoln, thank you for the call today. Given new information regarding septic location, I want to investigate if I can locate
20 the 2 car garage on a different location on my property since there is not enough time to do the investigation, and update the
21 ZBA before the May 20th meeting, I would like to request a continuance to the next ZBA Meeting on June 18th. Please let
22 me know if this is acceptable. As always, your help is appreciated and thank you. Dwayne Myers."

23 Before Chair Plourde requested a motion, he stated the next meeting is June 17th and not June 18th. He then asked L. Daley
24 if the motion to approve will be acceptable since the dates are different. L. Daley stated , yes, it was just confusion on Mr.
25 Myers part. The request to continue case #2021-10 will be to hear this case at the meeting of June 17, 2021. Chair Plourde
26 asked for a motion to approve. M. Thornton made a motion to approve the continuance and R. Costantino seconded.

27 Vote to approve the continuance of case #2021-10 to June 17, 2021: M. Thornton, yes; R. Costantino, yes; K. Lagro, yes;
28 Chair votes yes.

29 Chair Plourde stated case #2021-10 will be heard on June 17, 2021. He then asked if there was anything else to discuss.

30
31 **2. PUBLIC HEARINGS**

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33 **CASE #2021-10 Duane S. Myers Revocable Trust, Duane S. Myers Trustee** will be continued to June 17, 2021.

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35 **3. MEETING MINUTES**

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37 There were no minutes to review. Minutes of April 15, 2021 are still being critiqued with L. Daley.

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39 **4. OTHER BUSINESS**

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41 M. Thornton suggested using the available time to discuss any other matters. L. Daley brought up the fact that the Town
42 Hall is now officially open to the public.

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44 L. Daley asked what the preferences would be for the ZBA in regards to future meetings: in person, hybrid meetings, zoom
45 meetings.

46 Chair Plourde is not in favor of hybrid meetings. He feels it should be totally one way or the other; in person or zoom.

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48 M. Thornton stated the Board of Selectmen are conducting hybrid meetings and it appears to be working for them, but for
49 the public, zoom participation is preferred. Chair Plourde asked if there were any other suggestions. R. Costantino prefers
50 in person meetings, Selectmen Dargie stated the hybrid is working well for the Board of Selectmen but it does require more
51 work to make it happen. He suggested try it first to see how it works out. M. Thornton suggested there be a coordinator to
52 recognize those who are in attendance via zoom. Granite Town Media, Chris, also stated there should be an assistant to help
53 with the hybrid meetings to coordinate when there is someone not in the room that wishes to speak. K. Lagro said she has
54 no strong feeling one way or the other.

55 Chair Plourde stated he feels the public portion of the meeting should remain via zoom, but it would be important for the
56 Chair to have a coordinator for this type of hybrid meeting.

57 K. Lagro pointed out some people do have difficulty understanding what is being said if masks are being worn.

58 Chair Plourde asked about masks. It was stated only social distancing would be done with no masks for in person meetings.

1 **MINUTES OF THE ZBA MEETING MAY 20, 2021 SPECIAL EXCEPTION**

2 **Public Hearings**

3 **CASE #2021-10 Duane S. Myers Revocable Trust, Duane S. Myers Trustee**

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6 **4. OTHER BUSINESS**

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8 M. Thornton stated he would not be available for the meeting on June 3, 2021. L. Daley stated there would be no cases on
9 June 3rd. June 17th, however, there will be 4 cases.

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11 Chair Plourde asked if the meeting on June 17, 2021 would be at Town Hall and, if so, should zoom still be made available
12 for the public? Motion to start a hybrid format starting with the June 17th meeting; R. Costantino moved for a motion, M.
13 Thornton seconded. Chair Plourde asked for a vote: R. Costantino, yes; M. Thornton, yes; K. Lagro, yes; Chair votes yes.

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15 Further discussion ensued regarding the meeting with the lawyers about certain wording the ZBA needs to follow
16 especially in regards to cases that are declined. It was also stated the minutes are the official record and not the videos.

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19 **Motion to Adjourn**

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21 Chair Plourde asked if there was anything else. R. Costantino proposed a motion to adjourn, seconded by K. Lagro. All
22 Board Members were in agreement. Meeting adjourned.

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26 **Motion to Approve:** _____

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29 **Seconded:** _____

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32 **Signed** _____

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35 **Date:** _____

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38 **THE MINUTES OF CASE 2021-10 WERE APPROVED** _____

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