

**Town of Milford  
Zoning Board of Adjustment  
June 17, 2021  
Public Hearings**

**Case 2021-10 Duane S. Myers Revocable Trust, Duane S. Myers Trustee, Special Exception  
Case #2021-11 Hannah and Kenneth Wiggins Special Exception  
Case #2021-12 Vicki Bissonnette, Special Exception  
Case #2021-13 Colleen Johnson, Special Exception**

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

**Absent:** Tracy Steel, Member

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**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. (Request to continue to 7/1/21)
    - b. **Case #2021-11 Hannah and Kenneth Wiggins** for the property located at 14 Dearborn Street, Tax Map 22, Lot 66 is seeking a Special Exception from the Milford Zoning Ordinance, Article V, Sections 5.02.2 and 5.02.5.B to allow the construction of a 26' x 36' accessory structure (detached garage) 13 feet within the 15 foot side dimensional setbacks in the Residential 'A' Zoning District.
    - c. **Case #2021-12 Vicki Bissonnette** for the property located 25 Merrimack Street, Tax Map 27, Lot 24 is seeking a Special Exception from the Milford Zoning Ordinance, Articles V, VII, X, Sections 5.02.2.A.1, 7.12.6, and 10.02.1 to permit a Home Based Business, a dog training operation, within the first floor of the existing barn structure located within the Residential 'A' Zoning District.
    - d. **Case #2021-13 Colleen Johnson** for the property located 103 Webster Street, Tax Map 35, Lot 6-1 is seeking a Special Exception from the Milford Zoning Ordinance, Article V, Sections 5.02.2 and 5.02.5.B to allow the construction of a single family residence and accessory structure (pool) within the 15 foot side and 30 foot dimensional setbacks in the Residential 'A' Zoning District.
  3. Meeting Minutes: 4/15/21
  4. Other Business: TBD
  5. Next Meeting: a. July 1, 2021 b. July 15, 2021
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**1. CALL TO ORDER**

**MINUTES OF THE ZBA MEETING JUNE 17, 2021**

1 Chair Plourde opened the meeting by welcoming everyone and introducing himself. He welcomed those attending in person  
2 and electronically since this meeting is being conducted in a unique manner.

3 He stated you may also attend this meeting in person at the Milford Town Hall, Board of Selectmen’s Meeting Room with  
4 all Covid protocols in place.

5 If you would like to participate in the public meeting, please call this number from home: +1 646-558-8656 and enter the  
6 Meeting ID: 851 6407 7601 and Password: 269952 or log in via www.zoom.com using the Meeting ID and Password  
7 previously stated.

8 A digital copy of the meeting materials can be found on the Town website at: [https://www.milford.nh.gov/zoning-board-  
9 adjustment/agenda/zba-agenda-17june2021](https://www.milford.nh.gov/zoning-board-adjustment/agenda/zba-agenda-17june2021). We will also be live streaming the meeting on Granite Town Media,  
10 Government Channel 21: <http://gtm.milford.nh.gov/CablecastPublicSite/watch/2?channel=2>

11 He then went on to inform everyone about the procedures of the Board.

12  
13 Chair Plourde stated all votes taken during the meeting must be done by Roll Call vote. He started the meeting with a roll  
14 call attendance by asking each member to state their name, where they are located and if there was anyone in the room with  
15 them during the meeting. This is required under the Right-to-Know Law. Roll Call Attendance: Jason Plourde in attendance  
16 at Milford Town Hall, Board of Selectmen’s Meeting Room with J. Dargie present; K. Lagro present; M. Thornton present;  
17 Attending remotely R. Costantino present alone in room.

18  
19 There are 4 members present with 1 alternate; there is a quorum. J. Dargie, Alternate will be seated as a full member for  
20 this meeting.

21  
22 Chair Plourde stated there is one continued case and 3 new cases.

23  
24 **2. PUBLIC HEARINGS**

25  
26 **a. CASE #2021-10 Duane S. Myers Revocable Trust, Duane S. Myers Trustee**

27 For the property located at 4 Fernwood Drive, Tax Map 48, Lot 55 is seeking a Special Exception from the Milford Zoning  
28 Ordinance, Article V, Section 5.04.2.7 to allow the construction of a 24’ x 28’ accessory structure (detached garage) within  
29 the 30 foot and 15 foot side dimensional setbacks in the Residential ‘R’ Zoning District. (Request to continue to 7/1/21)

30  
31 Case is continued from May 20, 2021 due to a postponement. The applicant is again seeking a postponement. The Chair  
32 read into the record an email from Duane Myers to Lincoln Daley dated June 7, 2021 stating a request for a postponement  
33 until the July 1, 2021 meeting. Chair asked for a motion to postpone. J. Dargie presented a motion to postpone  
34 case #2021-10 to July 1, 2021 and K. Lagro seconded the motion. Chair asked for a vote on the motion: J. Dargie yes; K.  
35 Lagro yes; M. Thornton yes; R. Costantino yes; chair votes yes.

36  
37 Case #2021-10 will be postponed to first meeting in July.

38  
39  
40 **b. CASE #2021-11 Hannah and Kenneth Wiggins**

41 For the property located at 14 Dearborn Street, Tax Map 22, Lot 66 is seeking a Special Exception from the Milford Zoning  
42 Ordinance, Article V, Sections 5.02.2 and 5.02.5.B to allow the construction of a 26’ x 36’ accessory structure (detached  
43 garage) 13 feet within the 15 foot side dimensional setbacks in the Residential ‘A’ Zoning District.

44  
45 Chair asked if the applicant was present. Kenneth Wiggins, applicant, was not present due to a family emergency. Their  
46 neighbor across the street (P. L. Larginon) was standing in for the applicant at the Milford Town Hall Location. At that  
47 time, the applicant became present via Zoom and Mr. Larginon sat down.

48  
49 Chair asked the applicant to explain his application. He presented an aerial map of the location. A garage is needed for his  
50 business storage needs and to keep the property neat. It has been difficult to find an appropriate location due to the shape of  
51 the lot. The driveway is positioned in such way that it makes it difficult to move the location of that. He discussed the  
52 difficulties that would be created if the driveway had to be moved to accommodate a garage in a different location such as  
53 in the middle of the front yard. He then presented a picture view of the lot with the house to show that the proposed location  
54 appears to be appropriate in relation to the house, driveway and lot. He has talked to the neighbors and they are in  
55 agreement. He concluded by saying this garage is essential for his family and the proposed location would also be essential  
56 for his families’ needs.  
57

## MINUTES OF THE ZBA MEETING JUNE 17, 2021

1 Chair Plourde: He expressed his concerns regarding the amount of space the garage will go into the setback (13 ft. when 15  
2 ft. is required). He asked about what the neighbors view would be. L. Daley presented a drawing of the structure and stated  
3 it will be about 15 ft. high.

4 J. Dargie: the top of the roof will be within 10-11 ft. withing the setback  
5 L. Daley: agreed

6 R. Costantino: his concern is that the structure will be only 2 ft. from the property line. While the current neighbor is  
7 agreeable to the new structure, at some point there may be a new neighbor and what happens when the Wiggins need to  
8 walk around the garage and they need to go into the abutters' property. Understands the location at the end of the driveway  
9 is the best place, but it is so close to the abutter.

10 J. Dargie: reminded the board about a previous case that was approved within 1 ft. of the property line  
11 J. Plourde: is the garage being built at an angle or will it be straight along the property line?  
12 L. Daley: the closest point will be 2 ft. at the corner but the other part will be 4 ft.

13 L. Daley: what alternatives were considered? He presented the scale drawing. He asked if the structure on the right could be  
14 moved to the left side.

15 K. Wiggins: he stated it would be extremely inconvenient to move that to the left side.  
16 L. Daley: is this section of the garage a necessity?  
17 K. Wiggins: stated he needs to have the cover over that section and it is necessary for the needed storage he requires.  
18 L. Daley: asked about the equipment that will be stored in the garage  
19 K. Wiggins: he is a carpenter and needs to store a 16 ft. enclosed trailer, his tools, family vehicles, yard tools, etc.  
20 L. Daley: asked if he is an independent contractor or if he works with a company?  
21 K. Wiggins: he and his wife renovate homes; the 16 ft. trailer is used for his own person carpentry tools.  
22 M. Thornton: are you involved in a home based business?  
23 K. Wiggins: he does work for a carpentry business and he does some work on the side and he does have an LLC set-up,  
24 and does use it for business sometime.

25 L. Daley: There appears to be a need for another Special Exception as part of this application based on the previous  
26 discussion. He expressed his appreciation for the forwardness of the applicant. At this point he questioned if this application  
27 can be moved on especially since the intended use by the applicant is for a business. The Board may want to consider  
28 tabling or combining this application with an additional Special Exception.

29 K. Lagro: pointed out that the water run-off will go directly into the neighbor's property  
30 J. Dargie: asked if the applicant could remove or move the carport  
31 M. Thornton: is this design and use appropriate to the neighborhood?  
32

33 L. Daley: Can this applicant go through with this application and then come back with an additional Special Exception  
34 application?  
35 J. Plourde: To summarize: 1. To proceed tonight with the Special Exception from the board for the set back and  
36 then come back to seek a second Special Exception application for the home based business OR 2. continue the case to a  
37 later date for both cases.

38 Chair Plourde then presented these options to K. Wiggins.  
39 K. Wiggins: he would prefer to continue the cases.  
40 J. Plourde: suggested he confer with L. Daley on the additional Special Exception and how to proceed.  
41 J. Plourde: should we continue with opening this case to the public for comments?  
42 L. Daley: feels this would be a good idea to get feed back  
43

44 J. Plourde: this will be opened to the public to get feedback.  
45

46 Paul Dargie, Prospect Street at Milford Town Hall stepped forward: At the setback is it measured from where the post hits  
47 the ground or from the furthest point of the roof ?  
48 J. Plourde: it is my understanding it is the furthest part of the structure that is closest to the property line  
49 Paul Dargie: So it is measuring off the roof?  
50 J. Plourde: yes, the eve of the roof  
51 J. Dargie: so that will give even more room around the structure  
52

53 P. L. Larginon, 19 Dearborn Street at Milford Town Hall stepped forward: pointed out the abutting home is at least 40 ft.  
54 away from the driveway of the proposed structure; he spoke in favor of the applicant and how he handles his equipment in  
55 the neighborhood. Also, the elevation is a lot higher on the abutter's property so they would be looking over the proposed  
56 structure. The home for the proposed structure is set back and down a hill. There should not be a problem with the water.  
57 J. Plourde: asked about the water run-off from the carport; so, you are suggesting because of the grading on the property  
58 (going down a hill), the water will be going to the back of the property

## MINUTES OF THE ZBA MEETING JUNE 17, 2021

1 P. L: yes, that is correct, there is a steep drop on the driveway  
2 I have no problem with what is being proposed.

3  
4 Kyle McShea, Shea Lane stepped forward: he was there to support the application; he questioned the ordinance; feels he  
5 should be able to build what he wants on his own land.

6 J. Plourde: stated the need for ordinances in general and for this specific ordinance voted on by residents of Milford

7  
8 J. Plourde is there anyone else? Seeing none and hearing none he opened it to the Board. The Board had no further  
9 questions.

10  
11 J. Dargie: just want to make one comment about the statements from the previous speaker; if we just went by the ordinance  
12 there would be no need for a Zoning Board. The Zoning Board is there to supply relief from the ordinance.

13  
14 J. Plourde asked for a motion to continue case #2021-11 to the meeting of August 5, 2021. J. Dargie proposed a motion to  
15 continue case #2021-11 and K. Lagro seconded.

16  
17 K. Wiggins: wants to move to an even later date; he is feeling discouraged and is considering withdrawing the application.  
18 L. Daley: if you choose to do that you can ask the board to withdraw the case without prejudice so if you decide to return at  
19 a later point in time you would have the ability to re-apply with the same application or a similar application.

20 R. Costantino: asked the applicant to wait on his decision and apologized for the burden. He explained why applicant  
21 should reconsider his decision.

22 J. Dargie: agrees with R. Costantino and the applicant should talk with L. Daley first.

23  
24 K. Wiggins: agrees and will wait on withdrawing his application.

25  
26 J. Plourde: There is a motion to continue case #2021-11 to August 5, 2011. Those in favor: J. Dargie yes; K. Lagro yes; M.  
27 Thornton yes; R. Costantino yes; chair votes yes.

28  
29 Chair Plourde then moved to the next case.

### 30 31 32 **c. CASE #2021-12 Vicki Bissonnette, SPECIAL EXCEPTION**

33 For the property located 25 Merrimack Street, Tax Map 27, Lot 24 is seeking a Special Exception from the Milford Zoning  
34 Ordinance, Articles V, VII, X, Sections 5.02.2.A.1, 7.12.6, and 10.02.1 to permit a Home Based Business, a dog training  
35 operation, within the first floor of the existing barn structure located within the Residential 'A' Zoning District.

36  
37 Vicki Bissonnette stepped forward to present her application.

38  
39 She explained her business operation. None of the business will be conducted in her home. It is a separate structure; a  
40 single room approximately 360 sq. ft. Hours of operation: Tuesday – Friday, 11: 00 a.m. to 7:00 p.m. and Saturday 11:00  
41 a.m. to 2:00 p.m. (the last sessions end at the exact closing times). Classes will be: Private Sessions; a one on one session  
42 (owner and dog) with the instructor and Group Classes with a maximum of 3 dogs and owners. Each class will be one hour.

43  
44 M. Thornton: Will you be having classes on your property outside?

45 V. Bissonnette: No, classes will be held in the barn away from the property.

46 M. Thornton: There will be a number of car trips because of the Group Classes.

47 V. Bissonnette: There will be 3 Group Classes a day but that may not be every day.

48 J. Plourde: What will be the break time between classes?

49 V. Bissonnette: 30 minutes

50 J. Plourde: Will there be a dog guardian there as well?

51 V. Bissonnette: yes, absolutely required; she can present her waivers of liability, COVID Response; Policies and Consents  
52 which require that all dogs on the property must be leashed for safety purposes. She stated there are very strict policies  
53 regarding which dogs can attend.

54 J. Plourde: Based on his own personal experience, he asked what kind of training will be done?

55 V. Bissonnette: She explained the procedures on the type of training. She did say it would be better to exclude certain dogs  
56 from a Group Session but will only know until she becomes familiar with the dogs.

57 V. Bissonnette: she added that Puppy Recess sessions will be 4 dogs.

58 R. Costantino: asked if she has her own dogs

## MINUTES OF THE ZBA MEETING JUNE 17, 2021

- 1 V. Bissonnette: her dogs will be in her home and not on the property close to the barn; she feels her dogs will not be an  
2 issue.
- 3 J. Plourde: asked if there were any other questions
- 4 J. Dargie: no questions
- 5 K. Lagro: asked about the length of the driveway and how the traffic will be handled
- 6 V. Bissonnette; She explained how her driveway will be expanded to accommodate extra vehicles.
- 7 J. Plourde: asked if there might be some overlap of classes coming and going.
- 8 V. Bissonnette: she explained that the 10 minutes will be a wrap up of the class and discourages any lingering
- 9 L. Daley: please walk us through how the client with a dog will enter the facility
- 10 V. Bissonnette: explained there are double doors for entry and there are signs that clearly show where the entry is; also she  
11 will be waiting for the clients as they arrive.
- 12 M. Thornton: have you considered a second entry way as a “no escape” barrier?
- 13 V. Bissonnette: no, I have not but feel it will block off more usable space on the driveway
- 14 M. Thornton: he is concerned about dogs getting loose even on a leash
- 15 V. Bissonnette: stated she will be right there when dogs arrive
- 16 L. Daley: pointed out the application states 350 sq. ft. but she stated 360 sq. ft. Asked how she will manage the business?  
17 Will there be an office in the house?
- 18 V. Bissonnette: she indicated she did put on the application there is a space in her house for an office
- 19 L. Daley: asked about fences and protective measures?
- 20 V. Bissonnette: will have sound barrier insulation, new double paned windows, entire room will be sound proofed
- 21 L. Daley: asked about driveway being pushed back? Is there a plan to enclose the extended driveway from the abutting  
22 property? He noted her property is already fenced.
- 23 V. Bissonnette: there is already a 4 ft. wire fence around the entire property and it is completely contained but may be  
24 changing it to a 5 ft. privacy fence in the future.
- 25 L. Daley: given the variety of the types of dogs do you feel a 4 ft. fence will suffice? Dogs can get over a fence that size
- 26 V. Bissonnette: she again stated dogs will be on leashes as well as the fact that she will step in if there is a situation
- 27 K. Lagro: stated what about dogs that may just jump out when getting out of the car
- 28 V. Bissonnette: she explained her training should prevent this from happening
- 29 M. Thornton: pointed out it is legally binding on the owner and on the property of the owner to be held fiscally responsible
- 30 V. Bissonnette: she will be covered with the necessary insurance
- 31 L. Daley: on the street view map he pointed out where the parking will be and that there will a turn around
- 32 L. Daley: he is concerned about the need for a privacy fence on the side of the driveway extension
- 33 V. Bissonnette: she stated she is not opposed to that
- 34 L. Daley: regarding signage; the town allows a 6 sq. ft. sign
- 35 V. Bissonnette: on the street view map she pointed out a bear on the property that can hold a sign; above the barn door will  
36 also be a sign; she also wants to do clarifying signs on the property further back; the only sign will be the small sign  
37 hanging on the bear in order to minimize impact to the neighborhood
- 38 L. Daley: you can have directional signs just not a sign larger than 6 sq. ft. stating the name of the company
- 39 J. Plourde: any further questions?
- 40 V. Bissonnette: answered a question about headlights coming into the driveway; the driveway faces the back of a garage  
41 with no windows. There will be outdoor lights that have sensors and are solar.
- 42 J. Plourde: expressed concern about lights not spilling over beyond the property line
- 43 V. Bissonnette: assured the Board there would be no spillage of lights and the business does close at 7:00 p.m.
- 44 J. Plourde: any further questions? R. Costantino no; J. Dargie no; K. Lagro no;
- 45 M. Thornton: questioned the total square footage
- 46 L. Daley: the application is within the limit
- 47
- 48 J. Plourde opened the meeting to the public
- 49
- 50 Dawn McMillan, stepped forward. She sent a letter and will go over the major points. Safety is her biggest concern because  
51 she does have grandchildren in her yard. There is a clear view from her property to the applicant’s property. The wire fence  
52 is only a chicken wire fence that really could not hold back a loose dog. Also, there is debris there. Her main concern is  
53 about the existing fence. She strongly feels there is going to be a huge noise problem and she doesn’t want that situation in  
54 her neighborhood. She feels this business will impact the safety, quality of life and characteristics of the neighborhood. She  
55 is also concerned about all the outdoor lights that will be going off and on. A privacy fence needs to be put on her side too.  
56 She is concerned about property values in the area being decreased.
- 57 J. Plourde: expressed his appreciation for her letter and the points that were raised.
- 58 M. Thornton: is there one thing that can be done to make you feel better?



## MINUTES OF THE ZBA MEETING JUNE 17, 2021

1 D. McMillan: yes, install a 6 ft. privacy fence  
2 J. Plourde: is there a way to compromise? This process is the place to bring up solutions.  
3 L. Daley asked if the board wants to see the video D. McMillan sent.  
4 R. Costantino: no questions  
5 L. Daley: will products be sold to the public?  
6 V. Bissonnette: yes, there will be but only for the clients and not the public  
7 V. Bissonnette: I spoke to all abutters close by but did not speak with Dawn because she is a further distance away. I do  
8 want to say I do not have active/aggressive dogs come onto the property. If there are dogs like that, my business is to work  
9 with these types of dogs in their home. She is totally fine with putting in a 6 ft. privacy fence before opening. In regards to  
10 noise, this is not a doggy daycare but a training session. Part of the training is to keep the dogs quiet.  
11 J. Plourde: moving onto D. McMillan's video presented to the ZBA and the public  
12 D. McMillan: feels the fence will solve the safety issue; also feels the noise issue has been addressed; not in agreement with  
13 the Saturday classes and potential noise factor.  
14 V. Bissonnette: on Saturday there will be a puppy recess from 11:00-11:30 a.m. that is held inside and one group class from  
15 12:00 p.m.-1:00 p.m., also held inside.  
16  
17 Kyle McShea, Shea Lane stepped forward: asked about the additional driveway space and the privacy fence for abutters,  
18 and stated Ordinance 7.12.C requires a privacy fence to screen the view of new parking areas from all public roadways  
19 J. Plourde: He then stated K. McShea is correct the we do have that ordinance. He then read the ordinance into the record.  
20 J. Plourde: Stated to the applicant there needs to be some additional screening on the right of the driveway for privacy.  
21 L. Daley: the applicant did state there would be a fence added  
22 J. Plourde: stated the applicant can decide if the screening is with a fence or plantings  
23 L. Daley: wants to make sure the design that is laid out works for the applicant and the abutters  
24 Start a privacy fence from just in back of the fire hydrant up to where the box truck is  
25 Discussion ensued among the Board members and the applicant regarding placement of the fencing brought up with this  
26 ordinance.  
27 Gary Worcester, owner of the property, stepped forward to speak. He explained where he already has fences. Further  
28 discussion continued about the location of a new fence.  
29 K. McShea: is there a fence in front of the house to keep the dogs in or a gate across the driveway?  
30 Is the property going to be air conditioned?  
31 V. Bissonnette: yes it will be air conditioned  
32 K. McShea: questioned the number of classes and the breaks between classes  
33 J. Plourde: stated it will be limited and the number of attendees will vary with a maximum of 3; the ZBA is there to ensure  
34 the right precautions are in place  
35 Discussion then ensued about traffic flow.  
36 J. Plourde: cited traffic regulations for a home based business.  
37 V. Bissonnette: stated the prime hours will be the evening hours; also stated she will be the only trainer, therefore, there  
38 cannot be that many attendees.  
39  
40 J. Plourde: any further questions from the public or the Board? The fencing issue still needs to be resolved.  
41 L. Daley: The applicant addressed concerns from the direct abutter and D. McMillan, but need to resolve the screening  
42 from the street or the side facing the direct abutter with his operation. Possibly survey the property to determine where to  
43 place a fence.  
44  
45 J. Dargie: stated the next applicant is waiting and it is late.  
46 J. Plourde: the next case is **CASE #2021-13 Colleen Johnson, SPECIAL EXCEPTION**. More than likely the board will  
47 not get to that case. Therefore, the case needs to be postponed to the next meeting on July 1, 2021 at 7:00 PM.  
48  
49 J. Plourde: need to discuss the fence  
50 Discussion went on about the type of the fence.  
51 R. Costantino: pointed out the owner said he already had a post and beam fence in place.  
52 J. Dargie: the owner did say that, but we don't have photos of that; feels if they agree to screen it and it is up to the Building  
53 and Planning Department that it has been done, feels that is sufficient and the ZBA does not need to define what that is  
54 going to be.  
55 J. Plourde: but if that is not sufficient, then they need to work that out with the Office of Community Development.  
56 He then stated the applicant did say there is already a post and rail fence there and it will be up to the Building and Planning  
57 Department as to what the screening is.

## MINUTES OF THE ZBA MEETING JUNE 17, 2021

1 L. Daley: stated there is a safety issue about the extended parking area and there should be fencing around the parking area;  
2 not vegetation.  
3 V. Bissonnette: agrees and stated it is something that she has wanted to do  
4 L. Daley: he has a general understanding about the location of a screened privacy fence and he will work with the applicant  
5 to maximize the area and minimize the cost as much as possible; this will be done to address safety, visualization, and the  
6 movement of the dogs from the vehicles to the facility as well as provide screening to Merrimack Rd.  
7 J. Plourde: are there any other questions or comments?  
8 J. Dargie: it seems like just safety and the mitigation issues are the only items outstanding.  
9 K. Lagro: everything else has been addressed  
10 J. Plourde: I agree  
11 J. Dargie: brought up a previous case for a grooming business and the need for a fenced in area  
12 R. Costantino: does not think the purpose or the spirit of the ordinance is being broken by letting the dogs outside to do  
13 their business; feels the purpose was to stop businesses from doing significant things outside and he doesn't think this is a  
14 significant part of what the applicant's business is.  
15 Discussion went on about outside activity.  
16 K. McShea pointed out that there is a need for puppy training to be done outside with the puppy. He disagrees with R.  
17 Costantino's comment.  
18 J. Plourde: are there any further comments from the public?  
19 J. Dargie: what about the fact that the dogs are outside when getting out of the vehicles? This should not be considered to  
20 be part of the home business  
21 Further discussion went on about Puppy training and whether the fenced in area for dogs to urinate and defecate should be  
22 considered to be part of the home based business.  
23 J. Plourde: To L. Daley he stated, the application has been presented as a home based business and the question is that if the  
24 outdoor activities for the puppies or other dogs are such that they go outside to do their business, then should this be a home  
25 based business or a home based industry? Home Based Industry is the only home based business that would allow for any  
26 kind of outdoor activity.  
27 L. Daley: Yes, that is correct.  
28 J. Plourde: then from a procedural standpoint, if the ZBA looks at this case as a Home Industry would it have to be re-  
29 advertised?  
30 L. Daley: that would require a different level of review and would take it out of the ZBA and bring it to the Planning Board  
31 for a special use permit.  
32 R. Costantino: there was a similar case for an animal rescue which is down the road from my home; he never hears the dogs  
33 and there is an outside pen. It was brought before the ZBA.  
34 J. Plourde: would the fenced in area be considered an outside structure?  
35 L. Daley: no it would not  
36 R. Costantino: still feels the spirit would not consider the fenced in area to be considered to be part of the home based  
37 business.  
38 J. Plourde: trying to look at it based on the definitions available within the home based businesses especially the home  
39 business; trying to figure out how the board can take into consideration the outside activity as being inconsequential and  
40 how it would be able to fit within the category of a home based business.  
41 J. Dargie: Can we put a condition on this that any outside activity will be only for the dogs to relieve themselves?  
42 J. Plourde: I believe we can  
43 J. Dargie: Let's do that; make a condition that limits outside activity.  
44 M. Thornton: That would then be a second condition in addition to the fencing.  
45 J. Plourde: Correct.  
46  
47 J. Plourde is there anything else from the public? Is there a motion to close the public portion of the meeting?  
48  
49 Applicant for **Case #2012-13** stepped forward to express why their case could not be heard at this meeting? The Board  
50 explained there simply would not be enough time and that Case would be postponed to July 1, 2021 at 7:00 PM.  
51  
52 J. Plourde is there a motion to close the public portion of the meeting? J. Dargie made a motion and K. Lagro seconded.  
53 Those in favor: J. Dargie yes; K. Lagro yes; R. Costantino yes; M. Thornton yes; chair votes yes.  
54  
55 J. Plourde then moved onto deliberations.  
56  
57 **Deliberations:**  
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59 He stated there are 10 points to cover under Home Based Business Criteria 7.12.6.

**MINUTES OF THE ZBA MEETING JUNE 17, 2021**

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1. Is the Home Business located in the Residential ‘A’, Residential ‘B’, or Residential ‘R’ Zoning District?  
J. Dargie yes it is.
  2. Please explain if the Home Business is conducted entirely within the dwelling or accessory structure.  
J. Dargie there will be a condition for this.
  3. A sign of not more than six (6) square feet is allowed and shall not advertise in such a way that would encourage customers or salespersons to come to the property without an appointment. Please provide the dimensions, design, and approximate location of the sign.  
J. Plourde the business sign will be placed on the wooden bear.
  4. There shall be no more than two (2) non-resident employees of the Home Business. Please provide the total number of non-resident employees.  
J. Plourde only one employee who would be a resident.
  5. The Home Business shall not be more than 25% of the combined floor area of all structures on the property. Please detail the total combined floor area of all structures on the property used for Home Business.  
J. Plourde it is 360 sq. ft.
  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.  
J. Dargie there will be but only for the clients.
  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.  
J. Plourde there will be 12 but below the 16.
  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.  
J. Plourde standard delivery vehicles such as UPS, Fedex; otherwise, only vehicles from clients.
  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.  
J. Plourde applicant explained the hours of operation in the presentation and in the application. Noise will be handled with new windows and sound proof insulation.
  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 location on the property.  
J. Plourde in the application only the cleaning supplies.
- J. Plourde: Stated that concluded the presentation for the Home Business portion of the application. Now the Special Exception portion 10.2.1 needs to be discussed.
- Special Exception 10.2.1:
- a. **Criteria: proposed use is as described for the district**  
J. Dargie: yes, we have already addressed this
  - b. **Criteria: specific location for the proposed site**  
J. Dargie: yes, we have gone over this in detail
  - c. **Criteria: the use will not adversely affect the area**  
M. Thornton: yes, with 2 mitigating conditions
  - d. **Criteria: no nuisance or serious hazard to vehicles or pedestrians**  
J. Dargie: yes, with 2 mitigating conditions



**MINUTES OF THE ZBA MEETING JUNE 17, 2021**

**e. Criteria: adequate and appropriate facilities will be provided for the proposed use**

J. Dargie: yes

J. Plourde we have discussed all the criteria. No voting is needed for the Home Business criteria because that criteria was discussed and explained previously, but voting is necessary for the Special Exception Criteria.

**Voting Case #2021-12**

**Special Exception**

J. Plourde asked L. Daley to reiterate the conditions the ZBA had previously discussed during the meeting.

L. Daley: the applicant shall provide a privacy fence around the extended parking area to mitigate the visual impact of the parked cars as well as safety for the area and provide privacy to the abutting areas as well as Merrimack St. This will also address the concerns of the abutting property owner in the rear of the property that was presented and discussed earlier.

J. Plourde asked for a motion to approve the conditions. J. Dargie made a motion to approve these conditions and it was seconded by K. Lagro. Those in favor: J. Dargie yes; K. Lagro yes; M. Thornton yes; R. Costantino yes; chair votes yes. J. Plourde the conditions are approved.

J. Dargie made another motion to approve the second condition for allowing an outside relief area for the dogs that is incidental to the operation of the business.

L. Daley: to reiterate what R. Costantino said earlier that the element involving the outdoor operations is incidental to the primary use of the home based business which is dog training.

J. Plourde: J. Dargie has made a motion; seconded by K. Lagro. Those in favor: J. Dargie yes; K. Lagro yes; M. Thornton yes; R. Costantino yes; chair votes yes.

J. Plourde: Both conditions have been approved, therefore, we can move ahead to the voting on the special exception criteria.

Is the Special Exception allowed by the Ordinance? R. Costantino: yes; K. Lagro yes; M. Thornton yes; J. Dargie yes; the chair votes yes.

Are all the specified conditions present under which the Special Exception may be granted? K. Lagro yes; M. Thornton yes; J. Dargie yes; R. Costantino yes; the chair votes yes.

The ZBA voted on the Special Exception 10.2.1.

- a. M. Thornton yes; J. Dargie yes; R. Costantino yes; K. Lagro yes; the chair votes yes.
- b. J. Dargie yes; R. Costantino yes; K. Lagro yes; M. Thornton yes; the chair votes yes.
- c. R. Costantino yes; K. Lagro yes; M. Thornton yes; J. Dargie yes; the chair votes yes.
- d. K. Lagro yes; M. Thornton yes; J. Dargie yes; R. Costantino yes; the chair votes yes.
- e. M. Thornton yes; J. Dargie yes; R. Costantino yes; K. Lagro yes; the chair votes yes.

Chair Plourde stated all of the criteria for the special exception were unanimously voted on by the board members.

Chair Plourde asked if there is a motion to approve CASE #2021-12 Vicki Bissonnette for the property located 25 Merrimack Street, Tax Map 27, Lot 24 is seeking a Special Exception from the Milford Zoning Ordinance, Articles V, VII, X, Sections 5.02.2.A.1, 7.12.6, and 10.02.1 to permit a Home Based Business, a dog training operation, within the first floor of the existing barn structure located within the Residential 'A' Zoning District.

J. Dargie made a motion to approve and K. Lagro seconded.

J. Plourde: A motion has been made to approve Case #2021-12. Those in favor: M. Thornton yes; J. Dargie yes; K. Lagro yes; R. Costantino yes; chair votes yes.

Chair Plourde stated the criteria for the special exception request had been satisfied and application approved. There is a 30 day appeal process that can be filed with the Zoning Board.

**3. MEETING MINUTES**

4/15/2021:

**MINUTES OF THE ZBA MEETING JUNE 17, 2021**

1 L. Daley stated the minutes presented were already changed by Chair Plourde, therefore he expressed his desire to move  
2 ahead with approval.  
3 M. Thornton moved to approve and J. Dargie seconded; Those in favor: M. Thornton yes; J. Dargie yes; K. Lagro yes; R.  
4 Costantino yes; chair votes yes.  
5

6 **4. OTHER BUSINESS**

7 J. Plourde stated that Wade Campbell has submitted his resignation from the Zoning Board, therefore on May 27, 2021  
8 Wade Campbell sent an email to all concerned parties stating his need to step down from his Zoning Board positon. His  
9 email was entered into record.  
10

11 L. Daley expressed his appreciation for Wade Campbell’s contributions. He also stated there is a need for recruitment of  
12 new members. All members of the board expressed their thanks to Wade.  
13

14 **Motion to Adjourn**

15  
16 Chair Plourde asked if there was anything else. M. Thornton motioned for adjournment and J. Dargie seconded. All Board  
17 Members were in agreement. Meeting adjourned.  
18

19  
20 **Motion to Approve:** \_\_\_\_\_  
21

22  
23 **Seconded:** \_\_\_\_\_  
24

25  
26 **Signed** \_\_\_\_\_  
27

28  
29 **Date:** \_\_\_\_\_  
30

31 **THE MINUTES OF CASE 2021-12 WERE APPROVED** \_\_\_\_\_  
32