

Town of Milford
Zoning Board of Adjustment
SEPTEMBER 2, 2021
Public Hearings

CASE #2021-16 Gretchen Davidson, VARIANCE
CASE #2021-20 Thomas and Lisa Burnett, SPECIAL EXCEPTION
CASE #2021-21 Wade Methe & Kyle Todd, VARIANCE

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

Not Present: Tracy Steele, Member
Joan Dargie, Alternate
Jane Hesketh, Recording Clerk

Meeting Agenda

1. Call to Order

2. Public Hearing(s):

a. **Case #2021-16** Gretchen Davidson for the property located at 64 Federal Hill Road, Tax Map 48, Lot 43 is seeking a Variance from Milford Zoning Ordinance, Article V, Section 5.02.4 to allow the creation/subdivision of a lot with less than the minimum required frontage (150') on a principle route of access on a Class V road or better in the Residential 'A' Zoning District. (Request to postpone to September 16, 2021)

b. **Case #2021-20** Thomas and Lisa Burnett for the property located at 130 Ball Hill Road, Tax Map 51 Lot 27 is seeking a Special Exception from the Milford Zoning Ordinance, Article X, Sections 10.02.1 and 10.02.6 to allow the construction of an accessory dwelling unit totaling approximately 700 square feet in the basement of the existing single-family residence located in the Residential 'R' Zoning District.

c. **Case #2021-21** Wade Methe & Kyle Todd, for the property located at 26 Amherst Street, Tax Map 26, Lot 9 are seeking a VARIANCE from the Milford Zoning Ordinance, Article V, Section 5.02 to allow the conversion of the existing two-family residence to a three-family residential dwelling in the Residential 'A' District.

3. Meeting Minutes: 8/5/21, 8/19/21

4. Other Business: TBD

5. Next Meeting

1 **1. CALL TO ORDER**

2
3 Chair Plourde opened the meeting by welcoming everyone and introducing himself. He welcomed those attending in person
4 and electronically since this meeting is being conducted in a unique manner. J. Plourde explained that the meeting could be
5 attended either in person or remotely.

6
7 He continued by reviewing the procedures of the Board. He then explained the process of the case hearings for the
8 applicants and the public. He then asked for a motion to take the cases out of order. R. Costantino made a motion to hear
9 the cases out of order and K. Lagro seconded the motion. The Chair asked for a vote on this motion: M. Thornton yes; R.
10 Costantino yes; K. Lagro yes; K. Lagro yes; chair votes yes. He then went on to the first case.

11
12 **2. PUBLIC HEARINGS**

13
14 **a. Case #2021-16** Gretchen Davidson for the property located at 64 Federal Hill Road, Tax Map 48, Lot 43 is seeking a
15 VARIANCE from Milford Zoning Ordinance, Article V, Section 5.02.4 to allow the creation/subdivision of a lot with
16 less than the minimum required frontage (150') on a principle route of access on a Class V road or better in the
17 Residential 'A' Zoning District. (Request to postpone to September 16, 2021)

18
19 Chair Plourde read an email from the applicant requesting a postponement to September 16, 2021 at 7:00 p.m. He asked for
20 a motion on this request. R. Costantino made a motion to postpone this case to September 16, 2021 at 7:00 p.m. and K.
21 Lagro seconded the motion. M. Thornton yes; R. Costantino yes; K. Lagro yes; K. Lagro yes; chair votes yes.

22
23 **b. Case #2021-21** Wade Methe & Kyle Todd, for the property located at 26 Amherst Street, Tax Map 26, Lot 9 are seeking
24 a VARIANCE from the Milford Zoning Ordinance, Article V, Section 5.02 to allow the conversion of the existing two-
25 family residence to a three-family residential dwelling in the Residential 'A' District.

26
27 Chair Plourde read an email asking the case be withdrawn without prejudice. He asked for a motion on this request. R.
28 Costantino made a motion to withdraw this case without prejudice and K. Lagro seconded the motion. M. Thornton yes; R.
29 Costantino yes; K. Lagro yes; K. Lagro yes; chair votes yes.

30
31 **c. Case #2021-20** Thomas and Lisa Burnett for the property located at 130 Ball Hill Road, Tax Map 51 Lot 27 is seeking a
32 SPECIAL EXCEPTION from the Milford Zoning Ordinance, Article X, Sections 10.02.1 and 10.02.6 to allow the
33 construction of an accessory dwelling unit totaling approximately 700 square feet in the basement of the existing single-
34 family residence located in the Residential 'R' Zoning District.

35
36 Chair Plourde addressed Thomas Burnett who was attending via zoom.

37
38 J. Plourde briefly explained the voting process with only four members present and asked the applicant if they wanted to
39 proceed or postpone to a subsequent meeting. The applicant, T. Burnett responded in the affirmative and asked the Board to
40 proceed.

41
42 T. Burnett started his presentation by showing the Layout/Orientation Plan. He explained the only change to the outside of
43 the house will be the two windows on the left of the house. All the other changes will be inside. He went on to explain these
44 changes. L. Daley went over the plans to confirm the changes with the applicant and to inform the board.

45
46 M. Thornton asked about upgrade to the septic. It was stated this will be in the future. L. Daley provided additional
47 information on this subject and confirmed that that the septic design was updated to include the ADU and approved by
48 NHDES.

49
50 J. Plourde asked about other changes and confirmed that the Burnett's will be using the primary residence. It was asked
51 how many people will be living in the ADU and how many additional vehicles. T. Burnett 2 people with 1 vehicle.
52 R. Costantino asked about the square footage. T. Burnett went over the dimensions of the new space.

53
54 J. Plourde stated that based on the staff's memo, the proposed ADU satisfies all the requirements under 10.2.6.

55
56 J. Plourde asked if there were any further questions. There were no questions but just some comments. He then opened it to
57 the public.

1 Seeing none he stated he would move to deliberations. He then asked T. Burnett if he had anything further. He closed the
2 public portion of the meeting.

3
4 **Deliberations:**

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6 J. Plourde asked if there were any concerns under 10.2.6. There were no concerns expressed from the board.

7
8 J. Plourde stated deliberations will be for the 5 Special Exception criteria under 10.2.1:

9
10 **a. Criteria: proposed use is similar to those permitted in the district**

- 11 M. Thornton: known ADU
- 12 R. Costantino: ADU's are allowed by special exception
- 13 K. Lagro: agrees
- 14 J. Plourde: agrees

15
16 **b. Criteria: specific site is in an appropriate location for the proposed use**

- 17 K. Lagro: ADU is appropriate for the location
- 18 R. Costantino: agrees
- 19 M. Thornton: it is within the dwelling
- 20 J. Plourde: agrees it is within the dwelling; sees no problem

21
22 **c. Criteria: the use as developed will not adversely affect the adjacent area**

- 23 R. Costantino: it will be in the house; sees no issues
- 24 K. Lagro: essentially invisible from the outside
- 25 M. Thornton: agrees
- 26 J. Plourde: agrees

27
28 **d. Criteria: no nuisance or serious hazard to vehicles or pedestrians**

- 29 M. Thornton: it is within the dwelling
- 30 R. Costantino: he does not see any problems
- 31 K. Lagro: agrees
- 32 J. Plourde: agrees; everything inside

33
34 **e. Criteria: adequate and appropriate facilities will be provided for proper operation of the proposed use**

- 35 K. Lagro: they have addressed the issue with the septic
- 36 R. Costantino: agrees
- 37 M. Thornton: agrees
- 38 J. Plourde: agrees

39 **ADU**

40 J. Plourde will respond and board members are to interject if they disagree with his response. Chair Plourde read all of the
41 ADU Requirements and responded positively to all.

42
43 **Special Exception**

44
45 The ZBA voted on the 5 criteria under Special Exception 10.2.1.

- 46 a. R. Costantino yes; K. Lagro yes; M. Thornton yes; chair votes yes
- 47 b. K. Lagro yes; M. Thornton yes; R. Costantino yes; chair votes yes.
- 48 c. M. Thornton yes; R. Costantino yes; K. Lagro yes; chair votes yes.
- 49 d. R. Costantino yes; K. Lagro yes; M. Thornton yes; chair votes yes.
- 50 e. K. Lagro yes; M. Thornton yes; R. Costantino yes; chair votes yes.

51
52 Is the Special Exception allowed by the Ordinance? M. Thornton yes; R. Costantino yes; K. Lagro yes; chair votes yes.

53
54 Are all the specified conditions present under which the Special Exception may be granted? R. Costantino yes; K. Lagro
55 yes; M. Thornton yes; chair votes yes.

56
57 Chair Plourde asked if there is a motion to approve Case #2021-20 Thomas and Lisa Burnett for the property located at 130
58 Ball Hill Road, Tax Map 51 Lot 27 is seeking a Special Exception from the Milford Zoning Ordinance, Article X, Sections

1 10.02.1 and 10.02.6 to allow the construction of an accessory dwelling unit totaling approximately 700 square feet in the
2 basement of the existing single-family residence located in the Residential 'R' Zoning District.

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4 R. Costantino made a motion to approve Case #2021-20 and seconded by K. Lagro the motion.

5
6 L. Daley interjected to state 12 ft. within the setback.

7
8 J. Plourde: A motion has been made to approve Case #2021-20 as amended. Those in favor: R. Costantino yes; K. Lagro
9 yes; M. Thornton yes; chair votes yes.

10
11 Chair Plourde stated the criteria for the special exception request had been satisfied and the application approved. There is a
12 30 day appeal period that can be filed with the Zoning Board.

13
14 **3. MEETING MINUTES**

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16 8/5/2021 Meeting Minutes:

17 J. Plourde reviewed the minor edits to the minutes with the Board and Staff.

18 R. Costantino made a motion to approve the minutes from 8/5/2021 and K. Lagro seconded. All were in favor.

19
20 8/5/2021 Meeting Minutes 8/19/2021

21 R. Costantino made a motion to approve the minutes from 8/5/2021 and M. Thornton seconded. All were in favor.

22
23
24 **4. OTHER BUSINESS**

25
26 None.

27
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29 **Motion to Adjourn**

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31 Chair Plourde asked if there was anything else. M. Thornton made a motion to adjourn and R. Costantino seconded. All
32 Board Members were in agreement. Meeting adjourned.

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34
35 **Motion to Approve:** _____

36
37 **Seconded:** _____

38
39 **Signed** _____

40
41 **Date:** _____

42
43
44
45 **THE MINUTES OF CASE 2021-20 WERE APPROVED** _____