## **TOWN OF MILFORD**

#### **Office of Community Development**

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



#### **Administrative Review**

**Date:** April 20, 2020

To: Jason Plourde, Chair, Zoning Board of Adjustment

From: Lincoln Daley, Community Development Director

Subject: Case #2020-04: Leisure Acres Mobile Home Park Associates (LAMHP), Map 42 Lot

73M5, 26 Melendy Road - Special Exception Application

The applicant is before the Board of Adjustment seeking a SPECIAL EXCEPTION from the Milford Zoning Ordinance, Article II, Section 2.03.1.C to replace the existing 14' x 70' sq.ft. mobile home and attached porch with a new 26' x 52' sq.ft doublewide mobile home with a 10' x 12' sq.ft. deck in the Residential 'R' district. In reviewing the files for this property, I offer the following comments:

- 1. Existing Conditions This 37.49 acre property is located in the Residential R district and is a pre-existing non-conforming mobile home park.
- 2. The property is owned by Leisure Acres Mobile Home Park Associates. The individual "lots" are areas that the mobile home owners lease from LAMHP Associates.
- 3. Mobile Home Parks are no longer permitted per the Milford Zoning Ordinance and as such are deemed pre-existing, non-conforming uses. The alteration, expansion, or change of a pre-existing non-conforming use requires the issuance of a Special Exception pursuant to Section 2.03.1.C.
- 4. The proposed alteration, expansion or change shall not change the nature of the original use or structure and the proposed alteration, expansion, or change shall involve no substantially different effect on the neighborhood.
- 5. Dimensions of the proposed replacement mobile home are as per plan submitted as a part of the application.
- 6. Setbacks are for the entire lot and not the individual "lots" leased to the mobile home owners.

Respectfully submitted

Lincoln Daley

Cc: file



### ZBA Application

#### MILFORD ZONING BOARD OF ADJUSTMENT

#### GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

PROPERTY INFORMATION
Street Address: 26 MELEISTY RID # 76
Tax Map / Parcel #: 47/13/M/Mo Lot Size: 9:7845.7.
PROPERTY CURRENTLY USED AS
HIXTO' NOBILE HOME WITH 9'XIT' ENCLOSED PORCH, TECK, ABOUT GROUND POOL, 8'XIZ' SHED
If the application involves multiple lots with different owners, attach additional copies of this page.
PROPERTY OWNER
Name: LAWAP ASSOCIATES
Address: 20 COTTON ROAD
City/State/Zip: NASHUA NH 03063
Phone: 603 889-6318
Email: STABILECOLPANIES. GOM
NA CREEK, NO.
The applicant is the person 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, 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.
APPLICANT/REPRESENTATIVE
☐ SAME AS OWNER
Name: RICHARD CADE GERERAL PARTIES
Address: 22 SALOPITED LANG
City/State/Zip: MERRIMACK DH 03054
Email: RLCANT & AOL, CON
Phone: (603) 595-7113 Cell: (603) 494-6548
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.  3-2-20

Property Owner's signature

· /	
Date Received:	3-2-2020
Case Number:	2020-04
Date Complete:	
Hearing Date:_	4-2-2020
Decision Date:_	
Decision:	
(MO)	1.30200514

app.	20200	514
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Zoning District (check one):

Resi	dar	200	Λ
Resi	aei	ice	A

- Residence B
- Residence R
- ☐ Commercial
- ☐ Limited Commercial
- ☐ Industrial
- ☐ Integrated Commercial-Industrial
- ☐ Integrated Commercial-Industrial-2

#### Overlay District (check any that apply):

- ☐ West Elm Street Overlay
- ☐ Nashua/Elm Street Overlay
- ☐ Commerce & Community Overlay
- ☐ Open Space & Conservation
- ☐ Wetlands Conservation
- ☐ Groundwater Protection
- ☐ Floodplain Management

#### **APPLICATION FEES**

Application Fee:

\$75.00

Abutters Fee: \$4 x 9

36

Amount received:

Date Received:

Check Cash

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.

> TOWN OF MILFORD RECEIVED

MAR 0 2 2020

ZBA

Town Hall • 1 Union Sq, Milford, NH 03055 • Phone: 603-249-0620 • www.milford.nh.gov

Date:



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

Date Received:	
Case Number:	
Application #:	
Date Complete:	
Hearing Date:	
Decision Date:	
Decision:	

Application for (check all that

#### PROPERTY INFORMATION

Street Address: 26 NEVENDO ROAD \$70

Tax Map / Parcel #: 42-73-14-70

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 203 Section (.C.

Describe the <u>use</u> you are proposing under the above section of the Ordinance.

REPLACE EXISTING DETERIORATED MOBILE HOME WITH A 26'x 57' DOUBLEWIDE WITH A 10'X 12' DECK, REFLACE EXISTING 8'X12' SHED.

apply):

- ☐ Home Occupation
- ☐ Self-Storage Facilities
- ☐ Accessory Dwelling Unit
- ☐ Office in Res-A & B
- Wetland Buffer Impact
- Change/Expansion of Nonconforming Use/Structure
- ☐ Side/Rear yard setback reduction ☐ Other

#### **General Criteria Section 10.02.1**

Describe the project you are requesting a Special Exception for:

THE STALL A 26'KSZ' DOWBLE WITE HOBILE HOME WITH 10'KIZ' DECK

REPLACING EXISTING 14'X70' M.H. EXISTING M. H. IS 3 PSEDROOM

AND 2 BATIE AS 15 PROPOSED DOWBLE WIDE HOME.

Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

A. The proposed use is similar to those permitted in the district because:
PROPOSED DURIEURIDE HEART CANDE FOUND IN OTHER MOBILE HOME
PARKS SUCH AS TOWN AND COUNTRY AND IS SIMILAR TO WHITE FOUND
AT LAMBER AND THE CENTERM DEIGHBORHOOP.

B. The specific site is an appropriate location for the proposed use because:

THE PROPOSED USE IS THE SAME AS EXISTING LOT 70 USE. THE

DOUBLE WITE IS COUSESTEDT WITH N. H.'S ON LOTS, 5, 34 + 63

AT LAMER AND OTHER MOBILE HAVE PARKS.

- C. The use as developed will not adversely affect the adjacent area because:
  THE PROPOSED USE IS THE SAME RESIDENTIAL USE AS SIMULAR
  USES FOUND AT LAMEP AND THE SEMBRAC WEIGHBORGOOD
- D. There will be no nuisance or serious hazard to vehicles or pedestrians because:

  SINCE THE PROPOSED USE IS THE SAME AS THE EXISTING LOT TO RESIDENTIAL USE, IT WILL NOT CREATE A NUISANCE OR SERIOUS HAZARD TO VEHICLES OR DECESTRIANS
- E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

  THE PROPOSED USE IS THE SAND AS THE EXISTING USE AND

  HAS ASSEQUATE FACILITIES INCLUDING PUBLIC WATER

  A COMMUNITY SEPTIC SYSTEM AND OFF STREET PARTINGE.



Explain how the proposal meets the specific criteria of the Zoning Ordinance for each section::			
HOME OCCUPATION CRITERIA 10.02.3 .			
1. The person conducting the home occupation shall reside in the dwelling unit, and there shall be no more than one (1) non-resident person employed in connection with such occupation.			
2. There shall be no evidence outside the dwelling, except permitted signs and required off-street parking, that the dwelling contains a home occupation.			
3. The home occupation shall not exceed 25% of the combined gross floor area of the existing home and any accessory structures, or 1,000 SF, whichever is less.			
4. Accessory finished goods may be provided for sale in conjunction with the home occupation, sold and stored in allowed home occupation space only.			
5. The home occupation and the conduct thereof shall not impair the residential character of the premises nor impair the reasonable use, enjoyment and value of other residential property in the neighborhood.			
SELF-STORAGE FACILITIES 10.02.4 $\mathcal{M}$ .			
1. Is the Self-storage facility located in one of the following areas? Frontage on Rte. 13 North, Rte. 13 South, and/or the following lots of land on North River Road: Map 8, Lots 11, 11-1, 19, 48, 49, 50, 51, 53 and 53-5			
2. Is a 15 foot perimeter landscaped buffer along all sides of the property being proposed?			
3. Does the buffer proposed meet 10.02.4.2/3 of the Milford Zoning Ordinance?			
4. Is there any outside storage being proposed?			
5. Are all building set back at least 50 feet from the front lot line?			
6. Has a Site Plan Application been submitted to the Milford Planning Board? Yes No Date:			

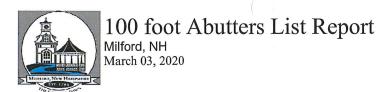


## ACCESSORY DWELLING UNITS 10.02.6 Is the property going to be Owner Occupied? Has a Building Permit application been made? Copy of permit application attached? Is the ADU developed in a manner which does not alter the character/appearance of the principal use as a single-family residence? Is the ADU intended to be secondary and accessory to a principal single-family dwelling unit? Does the ADU impair the residential character of the premises or the reasonable use, enjoyment and value of neighborhood? Is there adequate off-street parking? How many spaces? Are any additional curb cuts being proposed? 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. Is there adequate sewer/septic and water for the additional inhabitants? Please include septic/sewer approval. 10. Is there only one (1) ADU on the property? 11. Is the ADU no more than 750 square feet? How many square feet is the ADU? 12. Does the ADU have no more than two (2) bedrooms? Please show on plans. 13. If inside the existing dwelling, is there at least one common wall with a door between the two spaces at least 32 inches wide? Please show on plans. 14. If a connecting hall is proposed, is the hallway at least 36 inches wide? Please show on plans. For Existing Unpermitted ADUs 15. Has a Code Compliance inspection been conducted by the Building Inspector? Please include inspection report. 16. Is the ADU incompliance with Section 10.02.6:A of the Milford Zoning Ordinance? How so? 17. If no, has a Variance from Section 10.02.6:A been granted by the ZBA?



Date of Conservation Commission Meeting attended:

### OFFICE 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 and ancillary to the Residential Use permitted by right? Please explain. Will the use as proposed adversely affect adjacent Residential areas? Please explain. 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. Will there be any outside storage? Please explain. Has the applicant made a site plan application to the Planning Board (hearing subsequent to Zoning Board approval)? 5. Date of hearing: No Yes WETLAND AND WETLAND BUFFER IMPACT 6.02.6 Has the need for the project been addressed? Please explain. Is the plan proposed the least impactful to the wetlands, surface waters and/or associated buffers? Please explain. Has the impact on plants, fish and wildlife been addressed? Please explain. 3. Has the impact on the quality and quantity of surface and ground waters been addressed? Please explain. Has the potential for increased flooding, erosion and sedimentation been addressed? Please explain. Has the cumulative impact if all parties owning or abutting the affected wetland were allowed to alter or impact the wetland or buffer area in the same way? Please explain. Has the impact of the values and function of the overall wetland and wetland complex been addressed? Please explain. Has a comment from the Milford Conservation Commission been solicited?



#### **Subject Properties:**

Parcel Number:

042-073-00M-000

CAMA Number:

042-073-00M-000

Property Address: 26 MELENDY RD

Mailing Address: LAMHP ASSOCIATES % STABILE

**COMPANIES** 

20 COTTON RD #200 NASHUA, NH 03063-1262

Parcel Number:

042-073-00M-000

042-073-00M-001

CAMA Number: Property Address: 26 MELENDY RD #1

Mailing Address: DION, JOSEPH K

26 MELENDY RD 1

MILFORD, NH 03055

Parcel Number:

042-073-00M-000

CAMA Number: 042-073-00M-002

Property Address: 26 MELENDY RD #2

Mailing Address: ERIQUEZZO, GENO & DIANE

27 BERKLEY ST

MERRIMACK, NH 03054-3277

Parcel Number: CAMA Number: 042-073-00M-000

042-073-00M-003

Mailing Address: WARD, HARRY AND MICHELLE

D'ALESSANDRO, DEBORAH A

26 MELENDY RD #3 MILFORD, NH 03055

Parcel Number: CAMA Number: 042-073-00M-000

042-073-00M-004 Property Address: 26 MELENDY RD #4

Mailing Address: PERT, WARREN W & MARY B

26 MELENDY RD #4 MILFORD, NH 03055-3466

Parcel Number:

042-073-00M-000

042-073-00M-005 CAMA Number: Property Address: 26 MELENDY RD #5

Mailing Address: DECOTEAU, DONALD & LINDA

26 MELENDY RD #5 MILFORD, NH 03055

Parcel Number:

CAMA Number:

Property Address: 26 MELENDY RD #7

Property Address: 26 MELENDY RD #3

042-073-00M-000 042-073-00M-006

Property Address: 26 MELENDY RD #6

Mailing Address: BEEK, DENISE M GABRIELSEN, ALAN E

**6B JEWETT ST** 

PEPPERELL. MA 01463-1220

Parcel Number: CAMA Number: 042-073-00M-000

042-073-00M-007

Mailing Address: BOURDEAU, CHESTER & JENNIFER

TRSTEES TRUST OF CHESTER W.

SOJKA FOR THE

BENEFIT OF JOYCE H. BOURDEAU 26

MELENDY RD #7

MILFORD, NH 03055-3466

Parcel Number: CAMA Number:

3/3/2020

042-073-00M-000

042-073-00M-009 Property Address: 26 MELENDY RD #9

Mailing Address: LEDOUX, MARJORIE

26 MELENDY RD UNIT 9 MILFORD, NH 03055-3466





Parcel Number: **CAMA Number:**  042-073-00M-000 042-073-00M-061

Property Address: 26 MELENDY RD #61

Mailing Address: LUNDERVILLE, CHRISTOPHER L & DANA

26 MELENDY RD 61

MILFORD, NH 03055-3470

Parcel Number:

042-073-00M-000

Mailing Address: HOSKOTE, JOAN L

CAMA Number:

042-073-00M-062 Property Address: 26 MELENDY RD #62 26 MELENDY RD UNIT 62

MILFORD, NH 03055-3470

Parcel Number:

042-073-00M-000

Mailing Address: ZAKER, MONA

CAMA Number: Property Address: 26 MELENDY RD #63

042-073-00M-063

26 MELENDY RD #63 MILFORD, NH 03055

042-073-00M-000

Mailing Address: SWENSON, AMBER MARY

Parcel Number: CAMA Number:

042-073-00M-064

Property Address: 26 MELENDY RD #64

5 LYNCH FARM RD AMHERST, NH 03031

Parcel Number:

042-073-00M-000

Mailing Address: STRAKER, SARA A

CAMA Number: Property Address: 26 MELENDY RD #65

042-073-00M-065

26 MELENDY RD #65

MILFORD, NH 03055

Parcel Number: CAMA Number:

042-073-00M-000 042-073-00M-066

Mailing Address: GDANIAN, JOSIAH G

26 MELENDY RD 66

MILFORD, NH 03055

Parcel Number:

042-073-00M-000

Mailing Address: BOWMAR, DORIS M

CAMA Number: 042-073-00M-067 Property Address: 26 MELENDY RD #67

Property Address: 26 MELENDY RD #66

26 MELENDY RD #67

MILFORD, NH 03055

Parcel Number:

042-073-00M-000

Mailing Address: MURRAY, ELIZABETH M

26 MELENDY RD #69

CAMA Number:

042-073-00M-069

Property Address: 26 MELENDY RD #69

MILFORD, NH 03055-3471

Parcel Number: CAMA Number: 042-073-00M-000 042-073-00M-070

Mailing Address: KRUMMES, JAMES C REV TRUST HEIRS OF KRUMMES, JAMES C REV TRUST

Property Address: 26 MELENDY RD #70

26 MELENDY RD #70

MILFORD, NH 03055

Parcel Number:

042-073-00M-000

HAGOPIAN, ELLEN R

CAMA Number:

042-073-00M-071

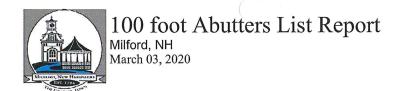
Mailing Address:

26 MELENDY RD 71

Property Address: 26 MELENDY RD #71

MILFORD, NH 03055





Parcel Number: CAMA Number: 042-073-00M-000

042-073-00M-072

Mailing Address: THOMPSON, SHERYLE

26 MELENDY RD #72 MILFORD, NH 03055

Property Address: 26 MELENDY RD #72

Parcel Number: CAMA Number: 042-073-00M-000

Mailing Address: SNEDEKER, STEVEN MACEY, PATRICIA

042-073-00M-073

36 BOGG RD

Property Address: 26 MELENDY RD #73

CONCORD, NH 03303

Parcel Number:

042-073-00M-000

Mailing Address: UPPERMAN, MICHAEL D

CAMA Number: Property Address: 26 MELENDY RD #74

042-073-00M-074

26 MELENDY RD #74

MILFORD, NH 03055-3471

Parcel Number:

042-073-00M-000

Mailing Address: HOLMES, GORDON L

26 MELENDY RD #75

MILFORD, NH 03055-3471

CAMA Number:

Parcel Number:

CAMA Number:

042-073-00M-075

042-073-00M-000

042-073-00M-076

Property Address: 26 MELENDY RD #75

Mailing Address: WHITEHEAD, SCOTT SULLIVAN,

**RACHEL** 

26 MELENDY RD 76 MILFORD, NH 03055

Property Address: 26 MELENDY RD #76

042-073-00M-000

Mailing Address: BARTLETT, ADAM R

MILFORD, NH 03055-3472

Parcel Number: CAMA Number:

042-073-00M-077

26 MELENDY RD#77

Property Address: 26 MELENDY RD #77

Mailing Address: SPRACKLIN, WILLIAM CHARLES

26 MELENDY RD #78 MILFORD, NH 03055

Parcel Number: CAMA Number: 042-073-00M-000 042-073-00M-078

Property Address: 26 MELENDY RD #78

Parcel Number:

042-073-00M-000

Mailing Address: NELSON, GLORIA JEAN NKA HOPKINS,

CAMA Number:

042-073-00M-079

Property Address: 26 MELENDY RD #79

**GLORIA** 

26 MELENDY RD UNIT 79 MILFORD, NH 03055-3478

Parcel Number:

042-073-00M-000

Mailing Address: GARCIA, BRENDA L & EPHRAIM

26 MELENDY RD # 80

CAMA Number: Property Address: 26 MELENDY RD #80

042-073-00M-080

MILFORD, NH 03055-3472

Parcel Number:

042-073-00M-000

Mailing Address: ARANDA, LINDA D % BELLIVEAU, LINDA

**CAMA Number:** Property Address: 26 MELENDY RD #81

042-073-00M-081

26 MELENDY RD UNIT 81 MILFORD, NH 03055-3472





## 100 foot Abutters List Report

Milford, NH March 03, 2020

Parcel Number: **CAMA Number:**  047-012-000-000

047-012-000-000 Property Address: 54 MELENDY RD

Mailing Address: COLONIAL HILLS BAPTIST CHURCH

54 MELENDY RD MILFORD, NH 03055

Parcel Number: CAMA Number:

047-013-000-000

047-013-000-000 Property Address: 100 MELENDY RD Mailing Address:

FLANDERS, JAMES C & DONNA M CO-

TRSTEES FLANDERS, JAMES C &

DONNA M RVCBL TRST 100 MELENDY RD

MILFORD, NH 03055-3413

Parcel Number: CAMA Number: 047-013-001-000 047-013-001-000

Property Address: 78 MELENDY RD

Property Address: 162 ARMORY RD

Property Address: OFF MELENDY RD

Mailing Address:

ALDRICH, BRUCE & LEIGH

78 MELENDY RD

MILFORD, NH 03055-3413

Parcel Number: **CAMA Number:** 

047-015-000-000 047-015-000-000 Mailing Address:

TALARICO, STEPHEN & JODI

162 ARMORY RD

MILFORD, NH 03055-0049

Parcel Number: CAMA Number:

052-102-000-000 052-102-000-000

Mailing Address: MILFORD, TOWN OF

1 UNION SQ

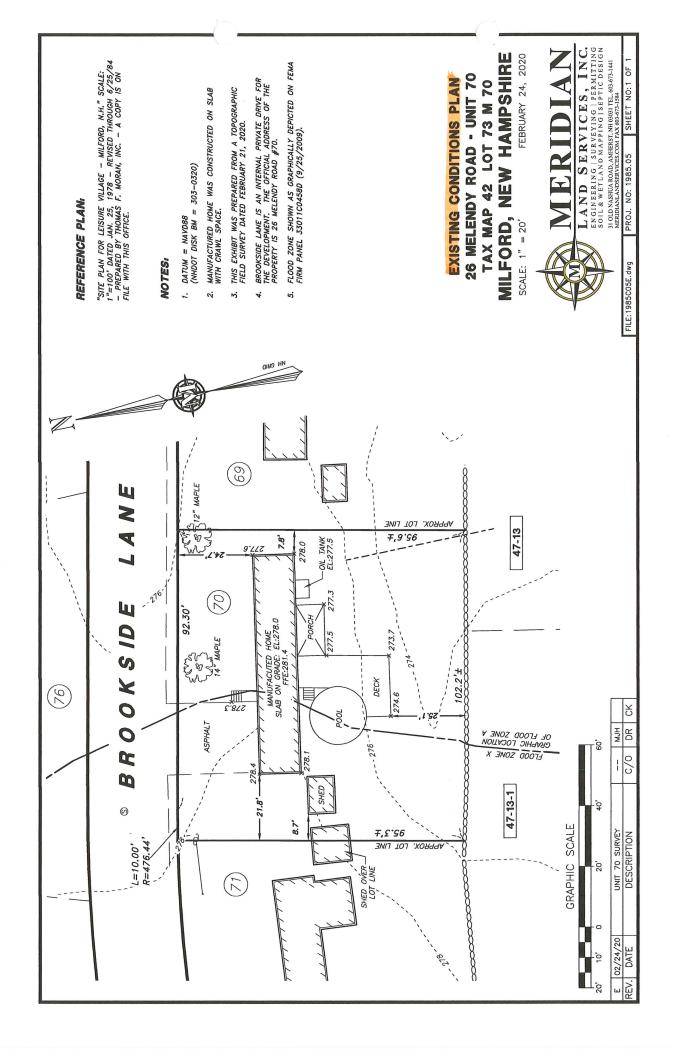
MILFORD, NH 03055

#### ABUTTER LIST

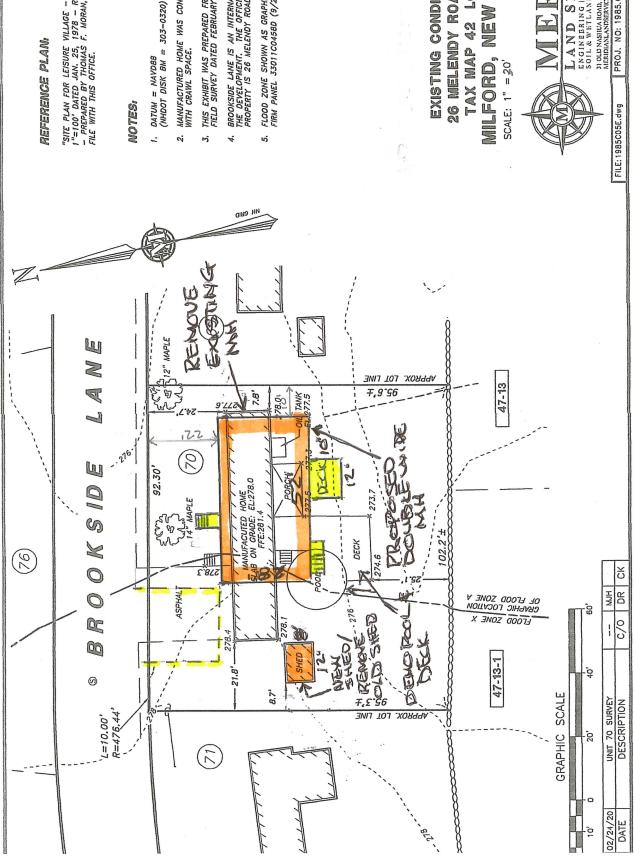
Abutter — Any person whose property is located in New Hampshire and adjoins or is directly across the street, stream, or active railroad property from the land under consideration by the local land use board. The term "abutter" shall also include the owner and the applicant.

Map	Lot	Property Owner	Mailing Address	Town	State Zip Code
42	1346	ELIZABETH MURZAY	26 WELTONDY RD#69	MILFORD	NH 03055
42	73M7	ELLEN HAGOPIAN	26 NECENDY RD参门	MUEND	NH03055
47	13	PLANDERS, TRUSTEES	100 MELEUDY RD	MILFORD	NK 03055
	13-1	BRUCERIEICH ALDRICH	78 MEKENDY RD	MILIONO	10H03055
	MET	LAMKP ASSOCIATES		NASACA	101603063
	73M2°	ADAY BARTLETT	26 MELENDY RD # 77	MILFORD	22050 1191
	1347		26 MELEDOY RO #76	MILFORD:	12050 1111
42	7347		26 MELENDY 20475	MILFORD	NH 03055
-		(UCU) OF MILFORD	1 UN 1012 20.	MILFORD	N4 03055
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		1			

The above abutter listing a flects the program of searcing records and the Milford Zoning Bor incorry abutter not fightion.	oard of Adjustment is released from any resp	consibility for inaccurate information
Signature of Applicant Conecal light for	3-2-70 Date	<u> 42-73-14</u> Map & Lot







"SITE PLAN FOR LEISURE VILLAGE — MILFORD, N.H." SCALE; 11"=100' DATED JAN. 25, 1978 — REVISED THROUGH 6/25/84 1 — PREDARED BY THOMAS F. MORAN, INC. — A COPY IS ON FILE WITH THIS OFFICE.

- MANUFACTURED HOME WAS CONSTRUCTED ON SLAB WITH CRAWL SPACE.
- THIS EXHIBIT WAS PREPARED FROM A TOPOGRAPHIC FIELD SURVEY DATED FEBRUARY 21, 2020.
- BROOKSIDE LANE IS AN INTERNAL PRIVATE DRIVE FOR THE DEVELOPMENT. THE OFFICIAL ADDRESS OF THE PROPERTY IS 26 MELENDY ROAD #70.
- FLOOD ZONE SHOWN AS GRAPHICALLY DEPICTED ON FEMA FIRM PANEL 33011C0458D (9/25/2009).

# NEW HAMPSHIRE FEBRUARY 24, 2020 26 MELENDY ROAD - UNIT 70 EXISTING CONDITIONS PLAN TAX MAP 42 LOT 73 M 70 MILFORD,



SHEET NO: 1 OF PROJ. NO: 1985.05

