

TOWN OF MILFORD

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



Administrative Review

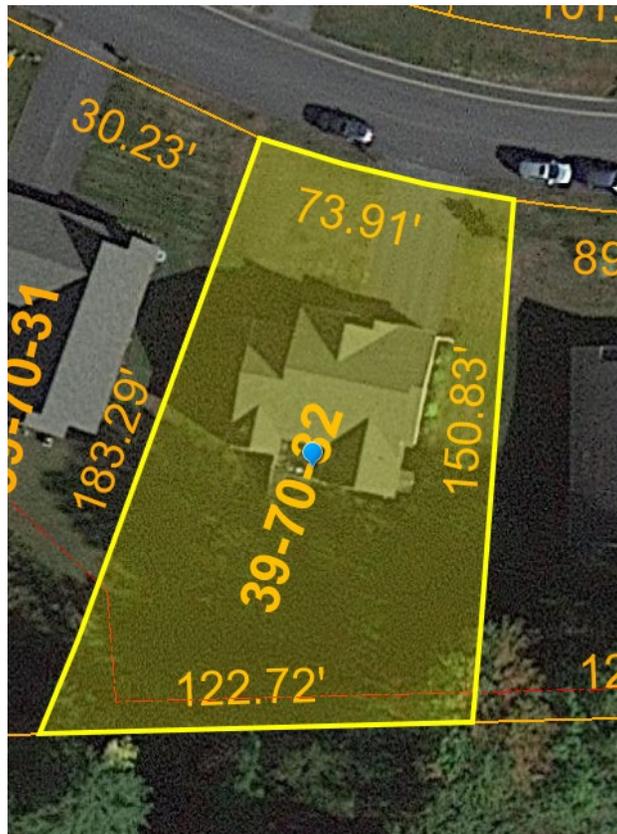
Date: May 27, 2022
To: Jason Plourde, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2022-06:** Jerry Catanzariti, 10 West Meadow Court, Tax Map 39, Lot 70 – Special Exception Application for Dimensional Setbacks. (*New Application*)

The applicant is before the Board of Adjustment seeking a Special Exception from the Milford Zoning Ordinance, Article V, Section 5.02.2.A.8 to construct an attached 8' x 16' garage bay addition to the existing residence within the 15 foot side dimensional setback within the Residence 'A' Zoning District. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions:
 - a. The subject property is approximately .364 acres (15,846 square feet) with approximately 73.91 linear feet of frontage on West Meadow Court.
 - b. The property consists of a one-story, 3 bedroom, single-family residence and is serviced by municipal water and wastewater.
 - c. The subject property is situated in an established single-family residential neighborhood and bounded by residential homes to the east, west and north and dedicated open space to the south.
2. The proposal calls for the construction of a one bay 8' x 16' attached garaged to the eastern side of the residence. Said attached garage will be located approximately 10 feet from the property line. See attached survey plan showing the approximate location and conceptual elevation.
3. The garage is categorized as an accessory structure and permitted within the Residential 'A' District. Pursuant to Section 5.02.2.A.8, a structure can be placed within the side (15') dimensional setbacks with the issuance of a Special Exception by the Board of Adjustment.
4. The applicant should explain if proposed grange includes a roof overhang as part of relief being sought. If yes, the plan should be revised to state the correct measurements and relief being sought.
5. The conceptual rendering shows the addition at the same horizontal plane as the existing garage. However, survey plan depicts the 8' x 16' addition attached slightly behind the existing garage. If the conceptual rendering shows the preferred location (same horizontal plane), the addition would be located approximately 9.4' from the side property line (does not include roof overhang). The applicant will need to clarify and revise the plans accordingly.
6. The applicant should be prepared to provide information regarding any/all alternative locations considered for the placement of the detached garage. The discussion should also include the proposed height and massing relative to abutting properties.

7. Staff recommends that the applicant respond to questions raised above and from the Board before rendering a decision. This may require continuing the application to the next scheduled meeting to allow the applicant to responds

Aerial Photos of Subject Property:





ZBA Application
MILFORD ZONING BOARD OF ADJUSTMENT
GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

Date Received: 4-18-22
 Case Number: 2022-06
 Application Number: 2022 0605
 Hearing Date: 5/19/22
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: 10 West Meadow Court
 Tax Map / Parcel #: 39-70-32 Lot Size: .364 Acres

PROPERTY CURRENTLY USED AS

Primary Residence

If the application involves multiple lots with different owners, attach additional copies of this page.

PROPERTY OWNER

Name: Jerry Catanzariti
 Address: 10 West Meadow Court
 City/State/Zip: Milford NH 03055
 Phone: (508) 902-7192
 Email: Jerkar@Comcast.net

APPLICANT INFORMATION

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: _____
 Address: _____
 City/State/Zip: _____
 Email: _____
 Phone: () _____ Cell: () _____

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.

 Property Owner's signature Date: _____

Zoning District (check one):

- Residence 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: <u>5 x \$4 x 128</u>	<u>34.24</u>
Amount received:	<u>109.24</u>
Date Received:	<u>4-19-22</u>

Check Cash ck 178

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.



ZBA Application - Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

TOWN OF MILFORD
RECEIVED
APR 18 2022
PB _____ ZBA _____ Office _____

Date Received: 4-18-22
Case Number: 2022-06
Application #: 2022 0651
Date Complete: _____
Hearing Date: 5-19-22
Decision Date: _____
Decision: _____

PROPERTY INFORMATION

Street Address: 10 West Meadow Court

Tax Map / Parcel #: 039-070-032

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 5.02.2 A8 Section _____

Describe the **use** you are proposing under the above section of the Ordinance.

A small 8' x 16' garage bay for yard equipment, motorcycle, tools. The door will match existing. Roof pitch will match existing. Siding will match existing.

**Application for
(check all that apply):**

- Change/Expansion of Non-conforming Use/Structure (2.03.1.C)
- Wetland Buffer Impact (6.02.6)
- Accessory Dwelling Unit (10.2.6)
- Office in Res-A & B (10.2.7)
- Home Business (7.12.6)
- Side/Rear Yard Setback Reduction (Zoning District Specific)
- Other

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:

A 3rd garage bay on the left side of the house

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:

Most homes have attached garages

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

stored items will only be for the property and owner.

C. The use as developed will not adversely affect the adjacent area because:

There will remain, at least, 24' from the new bay to the next house for open space and back yard access.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:

The bay will be used as a standard garage. not a workshop or house any dangerous items

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

Attached to primary residence

ZBZ Application – Special Exception

PROPERTY INFORMATION

Address: 10 West Meadow Court
Tax Map/Parcel#: 39-70-32
Lot Size: .364 Acres
Property Currently Used as – Primary residence

PROPERTY OWNER

Jerry Catanzariti
10 West Meadow Court, Milford, NH 03055
(508) 902-7192
jerkar@comcast.net

Applicant/Representative – Same as Owner

Article: 5.02.2A8

USE DESCRIPTION

I am proposing an attached 8' x 16' garage bay on the left side of the house. This addition will match the existing house in every way (siding, garage door, roof pitch, and shingles). It will be used for motorcycle, lawnmower, snowblower and yard tool storage. There will be no items stored or work performed that would endanger the neighborhood or direct neighbors. The bay will be 8' wide and set back 1 to 2' from the front of the house and go towards the back 16'. The roof pitch will match the home but will not go as high to ensure the aesthetics are correct and look like a professionally designed and built addition.

GENERAL CRITERIA

Describe the project you are requesting a special exception for:

I am requesting the exception for an attached 8' x 16' garage bay on the left side of the house. This addition will match the existing house in every way (siding, garage door, roof pitch, and shingles). It will be used for motorcycle, lawnmower, snowblower and yard tool storage. There will be no items stored or work performed that would endanger my family, the neighborhood, or direct neighbors.

A. The proposed use is similar to those permitted in the district because:

Most homes in the neighborhood were built with attached garages and my request, although a 3rd bay, will be used in the same manner as the standard bays which were built with the house construction.

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

This will be attached to my primary residence and all that is stored in it will be only for use at the home or by myself. Having it attached to my residence will ensure the safety of my family, abutting neighbors, or the overall neighborhood. I also believe this will be more aesthetically pleasing to my neighbors than a very large shed in the back yard to accomplish the same usage needs.

C. The use as developed will not adversely affect the adjacent area because:

The additional bay will still allow for ample space to access the back yards of both properties, maintain a separation of properties, and possibly increase the value of surrounding homes. Access to the new bay will be via a small addition/connection to the existing driveway.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:

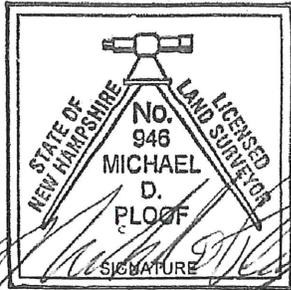
This will be used as a “standard” garage bay with no dangerous use plan. Access to the bay will be via the existing driveway so no additional direct access to the street will be necessary. The only vehicle to be used on the public street will be a motorcycle. Other equipment usage will be solely on the property.

E. Adequate appropriate facilities will be provided for proper operation of the proposed use because:

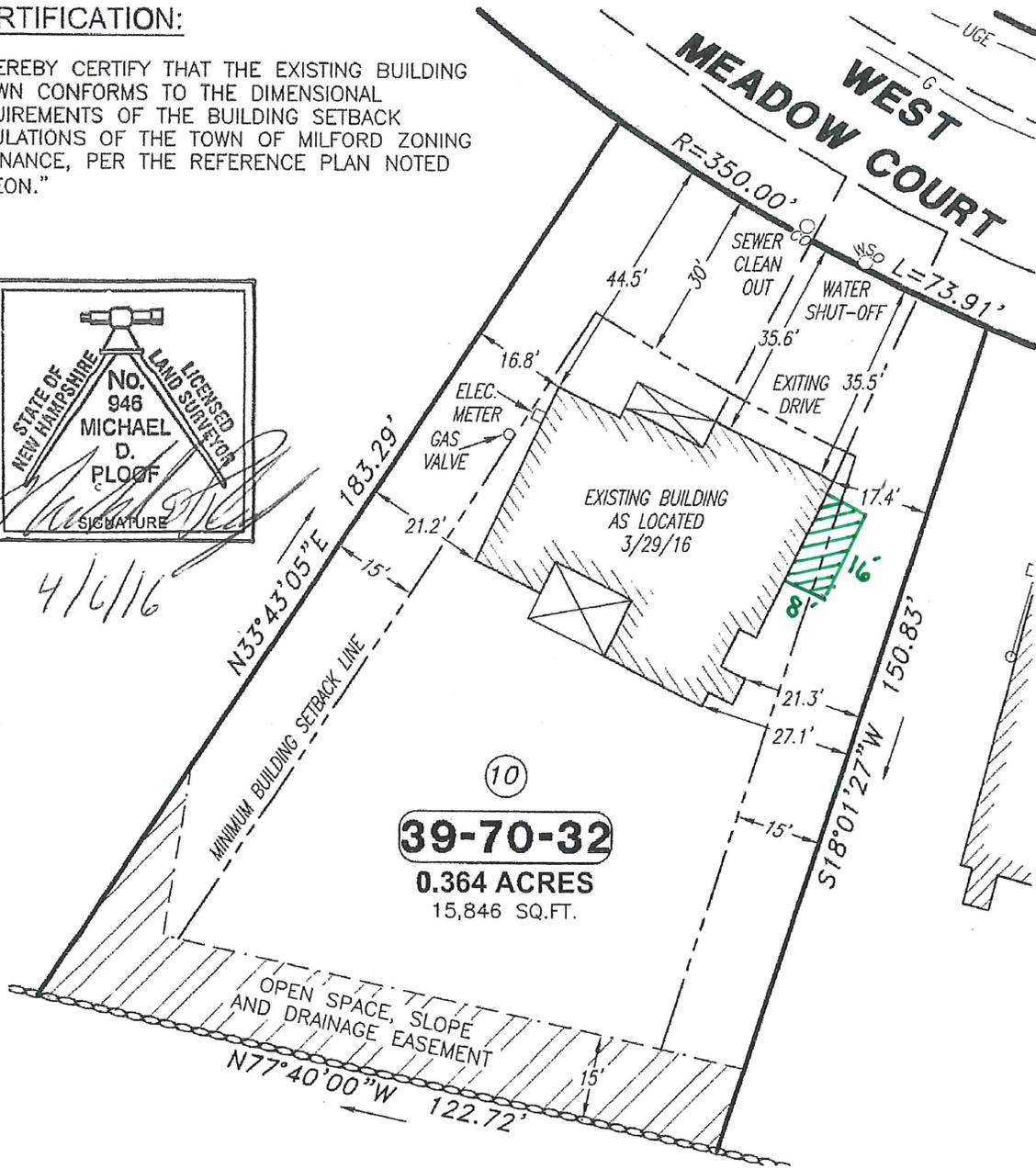
The requested bay will be attached to the primary residence, built to code, and built to enhance the home without adversely affecting surrounding homes and the overall neighborhood.

CERTIFICATION:

"I HEREBY CERTIFY THAT THE EXISTING BUILDING SHOWN CONFORMS TO THE DIMENSIONAL REQUIREMENTS OF THE BUILDING SETBACK REGULATIONS OF THE TOWN OF MILFORD ZONING ORDINANCE, PER THE REFERENCE PLAN NOTED HEREON."



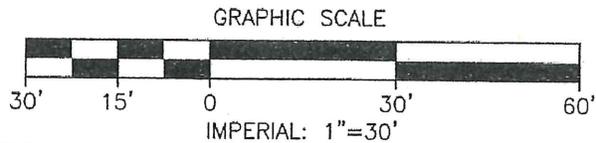
4/6/16



10
39-70-32
 0.364 ACRES
 15,846 SQ.FT.

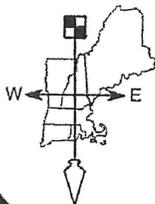
REFERENCE PLAN:

"OPEN SPACE SUBDIVISION PLAN - WEST MEADOW ESTATES - TAX MAP PARCEL 39-70 - 129 WEST STREET - MILFORD, NH PREPARED FOR AND LAND OF RAISANEN HOMES ELITE, LLC", SCALE: 1"=50' DATED: NOVEMBER 17, 2014 AND LAST REVISED 4/24/15 BY THIS OFFICE (HCRD PLAN #38452).



REV.	DATE	DESCRIPTION	DR	CK

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs



FIELDSTONE
 LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055
 Phone: (603) 672-5456 Fax: (603) 413-5456
 www.Fieldstonelandconsultants.com

CONSTRUCTION PLOT PLAN
WEST MEADOW ESTATES
 TAX MAP 39 LOT 70-32 - 10 WEST MEADOW COURT
 MILFORD, NEW HAMPSHIRE

SCALE: 1" = 30'

APRIL 1, 2016

FILE: 619CP01H.dwg

PROJ. NO. 619.32

SHEET NO. 1 OF 1

