



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

PROPERTY INFORMATION	
Street Address: 53 Old Wilton Road, Milford, NH 03055	
Tax Map / Parcel #: Tax Map 14, Lots 8 & 9	Lot Size: 15.57 acres
PROPERTY CURRENTLY USED AS	
Manufacturing of electrical transmission and distribution cables, cable systems and accessories for aerial and underground utility applications.	
<i>If the application involves multiple lots with different owners, attach additional copies of this page.</i>	
PROPERTY OWNER	
Name: Marmon Utility, LLC	
Address: 53 Old Wilton Road	
City/State/Zip: Milford, NH 03055	
Phone: (603) 249-1202	
Email: kboette@marmonutility.com	
<p><i>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.</i></p>	
APPLICANT/REPRESENTATIVE	
<input type="checkbox"/> SAME AS OWNER	
Name: Thomas F. Quinn, Esquire	
Address: Law Office of Thomas F. Quinn, Prof. Corp., 62 Elm Street	
City/State/Zip: Milford, NH 03055	
Email: tqinn@tfqtile.com	
Phone: (603) 554-1662	Cell: (603) 801-6585
<p>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. Marmon Utility, LLC</p>	
By:	February 22, 2024
Michael O'Shea, Vice President of Finance	Date:

TOWN OF MILFORD	
Date Received: RECEIVED	
Case Number:	
Application Number:	FEB 22 2024
Hearing Date:	
Decision Date:	PB ZBA Office
Decision:	APP 20240415

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:	\$100 .00
Abutters Fee: $\frac{55}{X} \frac{5.75}{}$	316.25
Notice Fee	75.00
Amount received:	
Date Received:	\$491.25

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.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

TOWN OF MILFORD RECEIVED	
Date Received:	_____
Case Number:	FEB 22 2024
Application #:	_____
Date Completed:	ZBA Office
Hearing Date:	3/21/24
Decision Date:	_____
Decision:	_____

PROPERTY INFORMATION
Street Address: 53 Old Wilton Road, Milford, NH 03055
Tax Map / Parcel #: Tax Map 14, Parcels #8 and #9
<i>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.</i> *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 <u> V </u> Section <u> 5.06.5 </u> Describe the <u>use</u> you are proposing under the above section of the Ordinance. The Applicant proposes the construction of a building approximately 100' x 515', portions of which will be within the front setback to the roadway. The distance between the building and Old Wilton Road will be 14 feet, more or less.

Application for (check all that apply):
<input type="checkbox"/> Change/Expansion of Non-conforming Use/Structure (2.03.1.C) <input type="checkbox"/> Wetland Buffer Impact (6.02.6) <input type="checkbox"/> Accessory Dwelling Unit (10.2.6) <input type="checkbox"/> Office in Res-A & B (10.2.7) <input type="checkbox"/> Home Business (7.12.6) <input checked="" type="checkbox"/> Front/Side/Rear Yard Setback Reduction (Zoning District Specific) <input type="checkbox"/> Other

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for: The Applicant proposes the construction of three building additions. One addition, 100' x 515', will be partially within the front setback of 30' from Old Wilton Road. A portion of the existing building will be incorporated into the addition. A portion of the existing building encroaches into the setback.

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:
 The proposed use of the building addition is for the purpose of manufacturing which is the current use of the Property, is a permitted use in the District and is consistent with other uses in the District.

B. The specific site is an appropriate location for the proposed use because:
 The Applicant has been using the Property for the purpose of manufacturing electrical cables for over forty (40) years.

C. The use as developed will not adversely affect the adjacent area because:
 The neighborhood is isolated, and characterized by industrial and commercial uses.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:
 The proposed addition will be consistent with existing uses. The reduced setback will not interfere with site distance or visibility generally or interfere with what limited pedestrian traffic as exists. The facility is well maintained and does not constitute a nuisance.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:
 The proposed addition will be integrally connected with the existing buildings and facility. The amended site plan will require approval of the Planning Board.



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TOWN OF MILFORD
 RECEIVED
 FEB 22 2024
 Section: ZBA Office

Explain how the proposal meets the specific criteria of the Zoning Ordinance for each section: ZBA Office

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.
- 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? Yes___ No___
 Date of Conservation Commission Meeting attended: _____

HOME BUSINESS CRITERIA 7.12.6

- Is the Home Business located in the Residential 'A', Residential 'B', or Residential 'R' Zoning District?
- Please explain if the Home Business is conducted entirely within the dwelling or accessory structure.
- 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.
- There shall be no more than two (2) non-resident employees of the Home Business. Please provide the total number of non-resident employees.
- 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.

Section continued on next page.



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TOWN OF MILFORD
RECEIVED
FEB 22 2024
PB _____ ZBA _____ Office _____

HOME BUSINESS CRITERIA 7.12.6 (Continued)

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.
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.
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.
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.
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.

ACCESSORY DWELLING UNITS 10.02.6

1. Is the property going to be Owner Occupied?
2. Has a Building Permit application been made? Copy of permit application attached?
3. Is the ADU developed in a manner which does not alter the character/appearance of the principal use as a single-family residence?
4. Is the ADU intended to be secondary and accessory to a principal single-family dwelling unit?
5. Does the ADU impair the residential character of the premises or the reasonable use, enjoyment and value of neighborhood?
6. Is there adequate off-street parking? How many spaces?
7. Are any additional curb cuts being proposed?
8. 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.

Section continued on next page.



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PB ZBA Office

ACCESSORY DWELLING UNITS 10.02.6 (Continued)
1. Is there adequate sewer/septic and water for the additional inhabitants? Please include septic/sewer approval.
2. Is there only one (1) ADU on the property?
3. Is the ADU no more than 750 square feet gross floor area? How many square feet is the ADU?
4. Does the ADU have no more than two (2) bedrooms? Please show on plans.
5. 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.
6. If a connecting hall is proposed, is the hallway at least 36 inches wide? Please show on plans.
7. Has a Code Compliance inspection been conducted by the Building Inspector? Please include inspection report.
8. Is the ADU in compliance with Section 10.02.6:A of the Milford Zoning Ordinance? How so?
9. If no, has a Variance from Section 10.02.6:A been granted by the ZBA?

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.
2. Will the use as proposed adversely affect adjacent Residential areas? Please explain.
3. 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.
4. Will there be any outside storage? Please explain.
5. Has the applicant made a site plan application to the Planning Board (hearing subsequent to Zoning Board approval)? Yes ___ No ___ Date of hearing: _____

LAW OFFICE OF
THOMAS F. QUINN
PROF. CORP.

62 Elm Street
Milford, NH 03055

PH: 603-554-1662
FAX: 603-554-1495

E-MAIL: tquinn@tfqtitle.com

February 22, 2024



Terrence Dolan, Director of
Community Development
Town of Milford, NH
One Union Square
Milford, NH 03055

Re: Marmon Utility LLC
Tax Map 14, Lots 8 and 9, 53 Old Wilton Road, Milford, NH

Dear Terrey:

Please find enclosed herewith an Application for Special Exception, together with supporting material. Also, enclosed please find our check for the filing, notice and abutters' fees.

Please review this submission and let me know if there is any additional information that you need. I look forward to seeing you at the hearing.

Thank you for your assistance in these matters.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom".

Thomas F. Quinn

TFQ/djl
Enclosures
#24-0011

**ABUTTERS' LIST IN RE: MARMON UTILITY LLC
53 OLD WILTON ROAD, MILFORD, NH
TAX MAP 14, LOT #8 AND LOT #9**

83 OLD WILTON ROAD LLC
83 OLD WILTON RD
MILFORD, NH 03055
TAX MAP 14, LOT 7

INFEFT LLC
P.O. BOX 155
MILFORD, NH 03055
TAX MAP 14, LOT 7-1

MELENDY LIMITED PARTNERSHIP
P.O. BOX 175
LYNDEBOROUGH, NH 03082
TAX MAP 14, LOT 1

MILHAVEN PARKS LLC
P.O. BOX 95
WILTON, NH 03086
TAX MAP 7, LOT 3

ANRIK PROPERTIES LLC
50 WHITTEMORE ROAD
NEW IPSWICH, NH 03071
TAX MAP 14, LOT 2

TAMSAB REALTY LLC
3 JENNY HILL LANE
NASHUA, NH 03060
TAX MAP 14, LOT 3

HENDRIX WIRE & CABLE
53 OLD WILTON ROAD
MILFORD, NH 03055
TAX MAP 14, LOT 8 AND 9
TAX MAP 38, LOT 6
TAX MAP 7, LOT 16-1

RONALD AND LOREEN RACICOT
21 OLD WILTON ROAD
MILFORD, NH 03055
TAX MAP 14, LOT 10 AND 10-1

HITCHINER MANUFACTURING COMPANY
594 ELM ST
MILFORD, NH 03055
TAX MAP 7, LOTS 4, 19 AND 20-C

LISA AND THOMAS CONRAD, TRUSTEES
4 PILGRIM DRIVE
ORLEANS, MA 02653-4610
TAX MAP 7, LOT 16

GEORGE, RUTH AND ROBIN ROGERS
48 OLD WILTON ROAD
MILFORD, NH 03055
TAX MAP 14, LOT 4

SOKKHORN KHUTH AND
SANDY YUOS
60 OLD WILTON ROAD
MILFORD, NH 03055
TAX MAP 14, LOT 5

CHOICE PROPERTY MANAGEMENT LLC
79 OLD WILTON ROAD
MILFORD, NH 03055
TAX MAP 7, LOT 18

ROBERT SCHARMETT, TRUSTEE
SCHARMETT REALTY TRUST
7 COUNTRY LANE
LEOMINSTER, MA 01453
TAX MAP 7, LOT 2

BOSTON & MAINE CORP.
C/O GUILFORD TRANSPRT IND.
500 WATER STREET J-910
JACKSONVILLE, FL 32202

MOBILE HOME ABUTTERS:

PAUL SOUCY
545 ELM STREET #32
MILFORD, NH 03055

ROY MATTHEWS
545 ELM STREET #26
MILFORD, NH 03055

JOSEPH DADDARIO, JR.
545 ELM STREET #8
MILFORD, NH 03055

RACHEL SULLIVAN, TRUSTEE
545 ELM STREET #4
MILFORD, NH 03055

RICHARD J. TALBOT
545 ELM STREET #12
MILFORD, NH 03055

PATRICIA MARIE SMITH
545 ELM STREET #18
MILFORD, NH 03055

WILLIAM AND ROBIN MCGINNIS
545 ELM STREET #14
MILFORD, NH 03055

JAMES AND STEPHANIE MICHALOWSKI
545 ELM STREET #24
MILFORD, NH 03055

GARY AND BELINDA JORDON
545 ELM STREET #29
MILFORD, NH 03055

JAMES R. STROBRIDGE
545 ELM STREET #28
MILFORD, NH 03055

GAIL ROSSETTI
545 ELM STREET #15
MILFORD, NH 03055

LAURA INGHAM
545 ELM STREET #2
MILFORD, NH 03055

NANCY CHASE, TRUSTEE
545 ELM STREET #16
MILFORD, NH 03055

BRIAN AND ASHLEY WADLEIGH
NATASHA ESTABROOK
545 ELM STREET #10
MILFORD, NH 03055

IRENE GOULDING ESTATE
C/O LOIS SMITH
545 ELM STREET #27
MILFORD, NH 03055

JHON P. GALINDO
545 ELM STREET #3
MILFORD, NH 03055

DONNA P. FRITZ
545 ELM STREET #13
MILFORD, NH 03055

BRUCE D. MAYNARD
545 ELM STREET #11
MILFORD, NH 03055

SUSAN C. PATENAUDE
545 ELM STREET #30
MILFORD, NH 03055

ESTHER THAYER, TRUSTEE
545 ELM STREET #21
MILFORD, NH 03055

KYLE SMART AND KASANDRA PRATT-SMART
545 ELM STREET #7
MILFORD, NH 03055

AARON J. LAVOIE
545 ELM STREET #9
MILFORD, NH 03055

CHARLOTTE A. BOYCE
545 ELM STREET #17
MILFORD, NH 03055

MERINDA REUTHER
545 ELM STREET #22
MILFORD, NH 03055

STANLEY RABINOWITZ
545 ELM STREET #1
MILFORD, NH 03055

LINDA A. JAMES
545 ELM STREET #19
MILFORD, NH 03055

BRENDA SCHEIPERS
545 ELM STREET #31
MILFORD, NH 03055

JOHN AND CINDY VEISINKOPS
545 ELM STREET #25
MILFORD, NH 03055

ERIC P. WINCHESTER
545 ELM STREET #6
MILFORD, NH 03055

DEBORAH AND MICHAEL BRAILEY
545 ELM STREET #33
MILFORD, NH 03055

CINDY NICKERSON
545 ELM STREET #5
MILFORD, NH 03055

PAMELA S. DAVIS
545 ELM STREET #20
MILFORD, NH 03055

JAMES C. AND LORETTA BELL
545 ELM STREET #34
MILFORD, NH 03055

HELEN S. GUAY
545 ELM STREET #23
MILFORD, NH 03055

OTHER PARTIES TO NOTIFY:

THOMAS F. QUINN, ESQUIRE
LAW OFFICE OF THOMAS F. QUINN
62 ELM STREET
MILFORD, NH 03055

FIELDSTONE LAND CONSULTANTS
778 ELM STREET, SUITE C
MILFORD, NH 03055

KEVIN BOETTE
MARMON UTILITY LLC
53 OLD WILTON ROAD
MILFORD, NH 03055
TAX MAP 14-8

SHAWN N. JASPER, COMMISSIONER
NH DEPT. OF AGRICULTURE
P.O. BOX 2042
CONCORD, NH 03302-2042

NH AGRICULTURAL LANDS PRESERVATION COMMITTEE
P.O. BOX 2042
CONCORD, NH 03302-2042

MILFORD CONSERVATION
COMMISSION
ONE UNION SQUARE
MILFORD, NH 03055