

**Town of Milford
Zoning Board of Adjustment
Request for Rehearing
December 17, 2015
Douglas Nye**

Present: Fletcher Seagroves, Vice Chairman
Kevin Johnson
Joan Dargie
Michael Thornton
Len Harten, Alternate

Excused: Zach Tripp, Chairman
Katherine Bauer – Board of Selectmen’s representative

Secretary: Peg Ouellette

The applicant, Douglas Nye, owner of Map 29, Lot 117, located at 50 Oak St. in the Residence “A” District, is requesting a Variance from Article V, Section 5.02.1, to restore a previously legal non-conforming two-family dwelling back to two-family status.

Minutes Approved on February 18, 2016

F. Seagroves opened the meeting and introduced the board members. He informed all of the procedures. This is a motion for a re-hearing.

K. Johnson went through the questions to consider on whether to grant the motion for rehearing:

1. Was it filed timely? It was.
2. Does the person who filed the request have standing? Since it is the applicant, he does.
3. Applicant feels the Board made error in its decision. Board would determine whether there may have been errors made and whether they should re-hear the case.

K. Johnson believed that at that time, based on information the Board had, errors may have been made and in the interest of justice it should be granted.

F. Seagroves said that he, Kevin and Zach were the only ones who sat on that case. Since Zach has resigned, it was up to the two of them.

K. Johnson said it was a motion of the Board which can be voted on by the full Board based on discussion in front of the Board. It was subject only to majority of quorum or majority of presence, for passage.

M. Thornton seconded.

Vote:

K. Johnson – yes; L. Harten – yes; M. Thornton – yes; J. Dargie – yes; F. Seagroves – yes

F. Seagroves asked if they wanted to schedule it for Jan. 7.

K. Johnson said it was next scheduled meeting.

J. Dargie said, on Jan. 7 they have a hearing that has been repeatedly continued and went until 10 p.m.

Could they give applicant the option?

D. Nye asked why they couldn't hear it this evening.

K. Johnson explained the required notification procedure needed before hearing it. In all likelihood, the Board would not get to his case on Jan. 7.

Board suggested putting the case on the agenda for Jan. 21, to give better chance of it being heard that night.

Applicant asked if anything he needed to do. K. Johnson said Office of Community Development would contact him with instructions on what he needed to do.