

Town of Milford
Zoning Board of Adjustment
April 16, 2020
Case 2020-02
Kraig Koranda
Special Exception

Present: Joan Dargie, Vice Chair
Rob Costantino
Tracy Steel
Wade Campbell
Michael Thornton
Lincoln Daley, Director of Community Development
Karin Lagro
Paul Dargie, BOS Representative

Vice Chairman Dargie welcomed everyone and declared a State of Emergency as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, the Board of Adjustment is authorized to meet electronically. This meeting is held in accordance with the applicable New Hampshire State statutes, Town of Milford ordinances, and the Zoning Board of Adjustment Rules of Procedure. She stated that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, she confirmed that the Board is:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;
- b) Providing public notice of the necessary information for accessing the meeting;
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- d) Adjourning the meeting if the public is unable to access the meeting.

Vice Chairman Dargie stated that all votes that are taken during this meeting must be done by Roll Call vote. She started the meeting by taking roll call attendance. She asked each member to state their name and state whether there was anyone in the room with them during this meeting, which is required under the Right-to-Know law: Rob Costantino at home alone, Tracy Steel at home with her sister; Wade Campbell at home alone, Karin Lagro at home alone, Mike Thornton at home with his wife, Joan Dargie at Town Hall in her office alone.

Case #2020-02

Kraig Koranda, Tax Map 20, Lot 49, 92 Elm Street, Milford NH, Special Exception Application pursuant to the Milford Zoning Ordinances, per Article V, Section 5.05.2A.3 to allow the construction of a staircase for the existing 2-family residence within the 15 foot side dimensional setback in the Commercial "C" district.

Kraig Koranda indicated he is at home and in the room with Kimberly Burns. K. Koranda explained the application, stating this is to add a staircase for a second egress which is not currently available and would provide a second egress for the second floor apartment. J. Dargie asked if there were questions from Board members.

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1
2 R. Costantino asked if this is a stairway in the back of the house? K. Koranda said yes. R. Cos-
3 tantino asked when the stairway comes down, which way does it face; Rite Aid or the other side?
4 K. Koranda responded it starts on the Rite Aid side and wraps around back to allow access for
5 the second floor. R. Costantino asked which way does the first step face? K. Koranda said the
6 first step is on the other side of the driveway. R. Costantino asked is the driveway a wrap
7 around? K. Koranda said no. R. Costantino asked if the stairs come out onto the driveway? K.
8 Koranda said yes on the barn side when you step off the stairs, R. Costantino asked if the person
9 is stepping onto the driveway and can a car hit a person? K. Koranda said no it is right after the
10 driveway ends. R. Costantino confirmed that the cars do not go that far? K. Koranda said that is
11 correct. Kimberly Burns said the last step exits on the back yard. R. Costantino asked if this is a
12 2- or 3-family building? K. Koranda said this is a 2-family and we live on the second floor. M.
13 Thornton noted the law requires a second means of egress, it is a safety concern. K. Koranda
14 said that is why we are making the second egress. M. Thornton said the ZBA would have to
15 have an overriding reason to deny this because it is a safety concern.

16
17 L. Daley, Zoning Administrator, added there were alternatives being considered and this was the
18 best choice. They are required to have a second egress for the second floor apartment. R. Cos-
19 tantino asked to hear the other methods considered. K. Koranda explained spiral stairs were con-
20 sidered but would have also required a Special Exception and a fire escape was another alterna-
21 tive. R. Costantino asked if this is the best option? K. Koranda said it is.

22
23 There were no further questions or comments from the Board. J. Dargie opened the public hear-
24 ing. L. Daley indicated that the public can call in and if there is a comment, the caller must select
25 *9 on the phone in order to indicate there is a question. L. Daley indicated there were no people
26 waiting to speak. J. Dargie closed the public hearing.

27
28 J. Dargie read from the applicable criteria:

29 Permitted in the district – yes

30 Application location – yes

31 The use will not affect adjacent lots – yes

32 No nuisance or hazards – yes

33 Adequate facilities for the property use – yes – Rob noted the stairs meet code for egress

34
35 Vote on Special Exception:

36
37 Is the Special Exception allowed in the ordinance? R. Costantino yes; W. Campbell yes, T. Steel
38 yes; M. Thornton yes, J. Dargie yes.

39
40 Are all the specified conditions present under which the Special Exception may be granted? W.
41 Campbell yes, T. Steel yes; M. Thornton yes, R. Costantino yes, J. Dargie yes.

42
43 J. Dargie said the request for Special Exception was granted and reminded the applicant of the 30
44 day appeal period.

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1 Motion to Approve: _____
2
3 Seconded: _____
4
5 Signed: _____
6
7 Date: _____
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9
10

11 MINUTES APPROVED 5/21/2020