

**Town of Milford**  
**Zoning Board of Adjustment**  
**April 30, 2020**  
Case 2020-04  
LAMH Associates / Richard Cane  
Special Exception

**Present:** Jason Plourde, Chair  
Rob Costantino, Vice Chair  
Wade Campbell  
Joan Dargie  
Lincoln Daley, Director of Community Development

**Absent:** Karin Lagro (Alternate)  
Paul Dargie, BOS Representative  
Tracy Steel  
Michael Thornton

Chairman Plourde 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. He 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, he 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.

Chairman Plourde stated that all votes that are taken during this meeting must be done by Roll Call vote. He started the meeting by taking roll call attendance. He 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. Roll Call Attendance: Jason Plourde at Town Hall with Lincoln Daley in the room; Rob Costantino at home alone, Wade Campbell at home alone, Joan Dargie in her office alone.

Chairman Plourde continued by stating that there were four new cases to be heard, with no old cases and no minutes for review. He then proceeded to summarize the hearing process, rules, and procedures for Board Members, applicants, and the general public.

Joan Dargie was seating as a full-voting member for the public hearings.

**Case #2020-04**

LAMHP Associates / Richard Cane, 26 Melendy Road, #76, Milford Tax Map 42, Lot 73-M-70, is 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.

**MINUTES OF THE MILFORD ZBA APRIL 30, 2020, SPECIAL EXCEPTION CASE #2020-04 LAMHP / RICHARD CANE**

Richard Cane, applicant on behalf of LAMHP, presented the project and thanked the ZBA for the opportunity to speak, noting this is the first time he has utilized this type of virtual meeting. LAMHP has started to have a turnover of the mobile units. When people have left or passed away, it was found that the units there were in disrepair or that the double wide was desired. LAMHP began to introduce double wide units over the past year. The ZBA has approved the installation of these double wide units and they sold within one week on the market. The demo of the existing unit was required due to deterioration of the unit and disrepair. This unit is similar to other LAMHP units permitted in the district; this location is an appropriate use for a double wide unit; the use will not adversely affect other owners as this unit cannot be seen but is consistent with other units; there are no hazards to vehicles or pedestrians; there are adequate facilities including public water and off street parking. This will increase the tax base and it keeps the park current. Mr. Cane asked for questions or comments.

Chairman Plourde asked for questions or comments from the Board. R. Costantino remembers last year LAMHP came to the ZBA for a similar new unit and the presentation was thorough, he asked if the demo of the deteriorated unit has been done? R. Cane indicated the deteriorated unit and associated peripherals have been demo'd. R. Costantino said the plan looks like the home is in the same place, but it is closer to the lane, why is that? R. Cane indicated they are trying to take advantage of the existing utility lines and also the rear property drops off.

W. Campbell had no questions and agrees with R. Costantino comments. He also remembers last year's request for a similar unit, which is upgrading the park. J. Dargie had no questions. J. Plourde indicated mobile home parks are no longer permitted in the ordinance, it is because this unit replaces an existing unit in LAMHP that this is before the ZBA. There are no additional factors to add to the record. Seeing no other questions from the ZBA, J. Plourde opened the public portion of the meeting, indicating those who wish to speak to dial \*9 to indicate you wish to speak. J. Plourde saw there was nobody waiting to speak. L. Daley also saw there was nobody waiting to speak. J. Plourde asked one more time if there was anyone in the public that wished to speak. Seeing there was nobody, J. Plourde asked if the ZBA had any further questions. There were none.

R. Costantino moved to close the public meeting. J. Dargie seconded the motion. R. Costantino yes; Wade Campbell yes; J. Dargie yes; J. Plourde yes. The ZBA discussed the criteria. R. Costantino suggested this will improve the park. J. Plourde indicated this unit is only slightly moving closer to the setbacks for the lot and is just replacing a dilapidated mobile home with a new one. R. Costantino agreed, stating this unit will be using the existing utilities and parking. J. Plourde asked if there are any conditions required? All members agreed no conditions are needed.

Vote on Special Exception:

Is the Special Exception allowed in the ordinance? R. Costantino yes; W. Campbell yes, J. Dargie yes; J. Plourde yes.

Are all the specified conditions present under which the Special Exception may be granted? W. Campbell yes, R. Costantino yes, J. Dargie yes, J. Plourde yes.

**MINUTES OF THE MILFORD ZBA APRIL 30, 2020, SPECIAL EXCEPTION CASE  
#2020-04 LAMHP / RICHARD CANE**

- 1 A. The proposed use is similar to those permitted in the district? R. Costantino yes; W.  
2 Campbell yes, J. Dargie yes, J. Plourde yes.  
3 B. The specific site is an appropriate location for the proposed use? R. Costantino yes; W.  
4 Campbell yes, J. Dargie yes, J. Plourde yes  
5 C. The use as developed will not adversely affect the adjacent area? R. Costantino yes; W.  
6 Campbell yes, J. Dargie yes, J. Plourde yes  
7 D. There will be no nuisance or serious hazard to vehicles or pedestrians due to the proposed  
8 use? R. Costantino yes; W. Campbell yes, J. Dargie yes, J. Plourde yes  
9 E. There will be adequate and appropriate facilities provided for the proper operation of the  
10 proposed use? R. Costantino yes; W. Campbell yes, J. Dargie yes, J. Plourde yes  
11

12 R. Costantino moved to approve Case 2020-04 based on the criteria. J. Dargie seconded. R.  
13 Costantino yes; W. Campbell yes, J. Dargie yes, J. Plourde yes  
14

15 J. Plourde said the request for Special Exception was granted and reminded the applicant of the  
16 30 day appeal period, which for this application is May 18 according to L. Daley. J. Plourde  
17 thanked Mr. Cane for his presentation. Mr. Cane thanked the ZBA for this opportunity.  
18  
19  
20

21 Motion to Approve: \_\_\_\_\_  
22

23 Seconded: \_\_\_\_\_  
24

25 Signed: \_\_\_\_\_  
26

27 Date: \_\_\_\_\_  
28  
29

30 **MINUTES APPROVED 5/21/2020**