

**Town of Milford  
Zoning Board of Adjustment  
May 17, 2018  
Case #2018-15  
Kellie Aldrich for Kevin & Vickie Anderson  
Special Exception**

Present: Jason Plourde, Vice Chair  
Joan Dargie  
Rob Costantino  
Karin Lagro, Alternate  
Wade Scott Campbell, Alternate  
Tracy Steel, Alternate  
Robin Lunn, Zoning Administrator

Absent: Steven Bonczar, Chair  
Michael Thornton  
Laura Dudziak, Board of Selectmen Representative

Secretary: Peg Ouellette

**Case #2018-15**

Kellie Aldrich on behalf of Kevin and Vickie Anderson, for the property located at 99 Noons Quarry Road, Milford Tax Map 47, Lot 64-2, in the Residential R district, is seeking a Special Exception of the Milford Zoning Ordinances per Article X, Section 10.02.6 to allow for an attached Accessory Dwelling Unit in an existing single family dwelling.

**APPROVED June 7, 2018**

Jason Plourde, Acting as Chair, opened the meeting and introduced the Board members. Two regular members were absent, so Alternate W. Campbell and Alternate Karin Lagro were seated as voting members without objection. Tracy Steel, Alternate, would take part in asking questions of the applicant and audience, but not take part in the deliberations. He informed all of the procedures of the Board. He read the notice of hearing and invited the applicant to present her case.

K. Aldrich said she'd been told she only needed to answer questions. She didn't have copy of the application with her.

J. Plourde said the Bd. needed to know what she was trying to do and have her go through all the criteria.

R. Lunn provided a copy of the application and questions that the Bd. needed information on to K. Aldrich.

J. Dargie said just a general statement would suffice.

K. Aldrich said she was hoping to make a basement into an apartment.

J. Dargie asked if her father lived in the house.

K. Aldrich said yes, her father, mother and brothers.

J. Plourde said an ADU was allowed in this R. District. Because of that, she needed to make sure the criteria for a Special Exception for ADU were met. For an ADU, it was Sec. 10.02.6 of ordinance. He would ask questions [from the application] and help her answer.

1. Was there only one ADU, even though two bedrooms?  
K. Aldrich said yes.
2. Was the principal dwelling owner occupied? Her father owned the property and will live there?  
K. Aldrich said yes.
3. The size of the ADU shall not exceed 700 SF gross floor area.  
They were proposing 660 SF., so they were below that.
4. The ADU shall include no more than two bedrooms.  
J. Plourde said the application stated they were proposing two bedrooms.  
K. Aldrich agreed.
5. No additional curb cuts or driveway.  
K. Aldrich said no.
6. An attached ADU – it was not a separate structure – shall have and maintain at least one common interior access between the principal dwelling structure and the ADU consisting of a connector a minimum of 36” in width or a doorway a minimum of 32” in width. Applicant didn’t know the sizes. Haven’t built apartment.  
J. Plourde checked the plan to make sure.  
J. Dargie said it didn’t look like there was a measurement of width but they could put in their decision that it could not be less than those measurements.  
J. Plourde agreed, that part of their stipulation would be, as long as those guidelines were followed that was okay. Their decision would be based on that.  
R. Costantino said it wasn’t clear if the storage was common area that can be entered from the main area also.  
K. Aldrich said yes.  
R. Costantino said if there wasn’t an entry it would not be a common area.  
J. Plourde said the next criteria:
7. ADU shall be located in an existing or proposed single-family home, its detached accessory structure(s), or as a stand-alone dwelling unit subordinate to the single-family home. He asked if it would be located within the primary residence.  
K. Aldrich said yes.
8. An existing, nonconforming, single-family residential structure or its detached accessory structure shall not be made more nonconforming. He asked if they were making it any more nonconforming.  
K. Aldrich said no.
9. An ADU shall meet all applicable local and State Building, Fire and Health Safety Codes. J. Plourde asked if she had applied for permit.  
K. Aldrich said yes.
10. J. Plourde asked about adequate provision for water supply and sewage in accordance with NH RSA 485-A:38 Approval to Increase Load on a Sewage Disposal System, as amended. His understanding was the original design was for six bedrooms and they will not have more than six occupied bedrooms.  
K. Aldrich said that was correct.

J. Plourde said the ZBA must determine the following criteria:

1. ADU must be developed in a manner which does not alter the character or appearance of the principal use as a single family residence. They were not changing the exterior of the building, only the interior.  
K. Aldrich said enlarge the window in the bedroom.  
J. Plourde said it was just a bigger window?

K. Aldrich said yes.

J. Plourde asked for any questions from Bd. None.

2. ADU is intended to be secondary and accessory to a principal single family dwelling unit. J. Plourde said it seemed to be.

K. Aldrich agreed.

3. ADU shall not impair the residential character of the premises nor impair the reasonable use, enjoyment and value of other property in the neighborhood.

K. Aldrich said yes.

4. Adequate off-street parking must be provided.

K. Aldrich said yes. It was a very long driveway.

R. Costantino asked what she said.

K. Aldrich said it was a very long driveway.

R. Costantino asked if it was a double drive so you could park on the driveway.

K. Aldrich said there was a remote lot, what it was called, where cars could park off the driveway and detached garage with room for six people to park in front of the house.

J. Plourde said the application stated that space for 15 cars could be provided.

5. Any necessary additional entrances or exits shall be located to the side or rear of the building whenever possible. He asked if they would be at the rear.

K. Aldrich said yes.

J. Plourde said all ADUs must apply for a compliance inspection when a change of ownership occurs, to ensure compliance with Sec. 10.02.6.A. He said building permit application had already been made.

K. Aldrich said yes.

J. Plourde asked for questions from the Bd.

J. Dargie said it met minimum state requirements.

J. Plourde read comments received from R. Lunn, Planning and Zoning Administrator, that the property was a legal single family residence and met the criteria for a legal ADU. Certification of owner occupancy needed to be submitted prior to the Certificate of Occupancy being issued.

K. Aldrich said okay.

J. Plourde asked for any questions from the audience [public comment]. None. He closed the public comment. They had talked about the criteria. He asked if anyone on Bd. wanted to talk about their deliberation or go right into voting.

J. Dargie wanted to go right to voting.

W. Campbell said it was pretty straightforward.

R. Costantino said it was a very isolated house – no impact to the neighborhood.

J. Dargie agreed.

J. Plourde agreed. He didn't like the intersection of Noons Quarry and Osgood, but that had nothing to do with this project. This was pretty straightforward.

W. Campbell said it was not even on Noons Quarry Road itself. It was behind all other lots.

J. Plourde said there was plenty of distance from the other houses.

J. Plourde asked for anything else. No.

J. Plourde moved on to vote on the Special Exception:

**VOTE: On Special Exception:**

**1. Is the Special Exception allowed by the ordinance?**

**J. Dargie – yes**

**W. Campbell – yes**

**R. Costantino – yes**

**K. Lagro – yes**

**J. Plourde – yes**

**2. Are all the specified conditions present under which the Special Exception may be granted?**

**J. Dargie – yes**

**W. Campbell- yes**

**R. Costantino – yes**

**K. Lagro – yes**

**J. Plourde – yes**

J. Plourde said due to the voting the criteria for special exception were satisfied and the application was unanimously approved. He reminded applicants of the 30-day appeal period.