

**Town of Milford
Zoning Board of Adjustment
September 20, 2018
Case #2018-29
Scott Bilodeau
Special Exception**

: Steve Bonczar, Chair
Jason Plourde, Vice Chairman
Joan Dargie
Rob Costantino
Karin Lagro, Alternate
Tracy Steel, Alternate
Robin Lunn, Zoning Administrator

Absent: Michael Thornton
Wade Scott Campbell, Alternate
Laura Dudziak, Board of Selectman Representative

Secretary: Peg Ouellette

Scott Bilodeau, for property located at 12 Mooreland St, Milford, NH, Tax Map 34, Lot 2, in the Residential A district, is seeking a Special Exception of the Milford Zoning Ordinances per Article V, Section 5.02.2.A.8 to allow for a reduced side yard setback for a proposed garage addition.

APPROVED December 16, 2018

Steve Bonczar, Chair, opened the meeting and introduced the Board members. He informed all of the procedures of the Board. He explained that the rules allow for a 10 p.m. adjournment. Any cases not heard would be re-scheduled to a date and time certain. There would be no further notice to applicant or abutters for cases continued to a date, place and time certain. There being one Board member absent, he asked to seat Tracy Steel, Alternate, as fully participating and voting member. All in favor. (Alternate K. Lagro in attendance & could participate in discussion, but not vote)

S. Bonczar read the notice of hearing and invited the applicant to present the case.

S. Bilodeau came forward.

S. Bonczar said everybody on the Bd. reviewed the application but asked applicant to review the proposal.

S. Bilodeau said he wanted a single garage to the left side of single family torn down to level, grade and install a two-car garage. Currently had two driveways. Lower sat at ground level and pitched driveway from road to single garage currently. Bring pitch down, move to the left and install garage and storage up. He said he pays for a lot of storage for his business. This would allow additional storage space. It was part of a multiphase project – could consider moving office currently over one of the rooms in the main house above the garage.

J. Plourde asked the height of the new addition or two-story garage with the storage above. What would be the total height? The limit was 35 ft. in the district.

S. Bilodeau asked his builder to respond.
 Tim Ryan, contractor, said it was basically a two story house.
 J. Plourde said 25 to 35 ft.
 T. Ryan said under 35. Probably 8, 8 and probably 6. 4 pitch.
 S. Bonczar said they would be getting rid of the single car garage. Will bring level to the dirt but to the left. Question: Based on the building foundation in reference to the existing wall there, was that where it will end?
 T. Ryan said new will be 28 x 28. The old garage torn down and new one from the edge of the house out 28 feet.
 S. Bonczar asked how far that wall was.
 S. Bilodeau said current 12 ft.; will be adding another 16 ft.
 R. Costantino asked if that was into the existing lawn.
 S. Bilodeau said it would be a lower fully done driveway with retaining wall around it.
 R. Costantino asked if the lawn in front of the house be a retaining wall.
 T. Ryan said the retaining wall will be tapered into the ground.
 S. Bonczar asked if the edge of the drive to the left was still dirt.
 S. Bilodeau said yes.
 S. Bonczar asked if that was where edge of the foundation would be.
 S. Bilodeau said inside that about 4 ft.
 T. Ryan said there was retaining on the left side of the property which was pretty much gone.
 S. Bilodeau said Google Maps didn't show retaining wall.
 S. Bonczar was trying to figure out whether it was to the edge or beyond that. Property line was very close to that driveway.
 S. Bilodeau said essentially about 4 ft., 4 ft. 6 in. when he drew out the property line from the plot markers.
 S. Bonczar said as far as neighbors' house the edge was approximately 30 ft.
 S. Bilodeau said it was 32 to 33 ft., not knowing her exact position to the property line.
 S. Bilodeau said it will be about 4 ft from property line.
 S. Bonczar said about 4 ft. 6 in. Definitely within 15 ft. buffer.
 S. Bilodeau said correct. In the end her foundation to where this new foundation would be would still be close to 32 ft. distance between the two.
 S. Bonczar said they got a letter from Doris Leger [the abutter]
 S. Bilodeau said her son is an introvert who didn't come outside until they moved in. Now he plays with the kids. A strong relationship.
 S. Bonczar said he wouldn't read the entire letter. It will be designated as Exhibit A – a letter from Doris Leger of 6 Mooreland St. basically in favor of the project.
 R. Costantino said that neighbor did not have windows facing the property.
 S. Bilodeau said correct. One in the basement covered up with a Patriots banner.
 S. Bonczar said he still had room for a fence[between the properties]. The Bd. had had another case where there wasn't enough room to paint the side of the house.
 S. Bilodeau pointed out closest neighbors and said they would be 4 ft. inside the second one [drive on the left].
 T. Ryan said almost like the retaining wall was coming down. Will have to take it all down to make it even and flat.
 J. Plourde asked if any kids would be driving.
 S. Bilodeau said his oldest daughter was in college.
 S. Bonczar asked for any other questions. None. He opened public comment. None. He asked for any other questions from the Bd. None. He closed public comment. S. Bonczar proceeded to go over the criteria for Special Exception:

1. Was the proposed use similar to those permitted in the District?

All agreed it was.

2. Was the specific site an appropriate location for the proposed use?

J. Plourde said it was a residential area for additional car storage

S. Bonczar said they were taking away a single car garage and putting in a two car, but not enough space on that side to meet the 15 ft. setback.

3. Would the use as developed not adversely affect the adjacent area?

All agreed it would not adversely affect adjacent area.

S. Bonczar said there was adequate space between the structures

R. Costantino and J Dargie said the neighbor commented and didn't have issues.

4. There will be no nuisance or serious hazard to vehicles or pedestrians.

All agreed there would be none.

J. Plourde said it provided more parking area to get off the street and sidewalk.

5. Adequate appropriate facilities will be provided for the proper operation of the proposed use.

All agreed.

S. Bonczar moved on to vote on the Special Exception:

VOTE: On Special Exception:

1. Is the Special Exception allowed by the ordinance?

R. Costantino – yes

J. Plourde – yes

J. Dargie – yes

T. Steel - yes

S. Bonczar - yes

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

J. Dargie – yes

T. Steel – yes

R. Costantino – yes

J. Plourde - yes

S. Bonczar - yes

S. Bonczar said, based on the vote being unanimous, the criteria for special exception were satisfied and the application was approved with no additional conditions. He reminded applicants of the 30-day appeal period.

S. Bonczar asked if there was any other business to discuss. None.

S. Bonczar asked for a motion to adjourn.

J. Dargie made motion to adjourn.

T. Steel seconded.

All in favor.

Meeting adjourned at 7:45 p.m.