

**Town of Milford  
Zoning Board of Adjustment  
May 17, 2018  
Case #2018-17  
William LaBell  
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 #2018-17**

William LaBell, for the property located at 32 Johnson St., Milford Tax Map 29, Lot 80-1, in the Residential A district, is seeking a Special Exception of the Milford Zoning Ordinances per Article II, Section 2.03.1.C.1 to allow for the change from a 12' x 64' manufactured home to a 28' x 60' manufactured home.

**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 his case. William LaBell came forward. He didn't have a copy of the application. R. Lunn provided one to him. J. Plourde asked him to explain what he wanted.

W. LaBell said he wanted to replace an existing 2 bed mobile home to a 3 bed 2 bath behind current one and move that in.

J. Plourde asked, once the new one was in, would the old one be removed? He said there had been cases where that was not the case and it was a little iffy.

W. LaBell said the old one was going out.

J. Plourde referred to question on the application and asked him to go through them.

W. LaBell said he wanted to pull out the one he had and put in a new 28 x 60 on a slab, tied down. 1. Just changing the size of the home. Taking old one out and putting new one in. 2. Not changing anything; adding a structure. Just ripping house out and putting new one in. 3. Basically putting new house that is bigger in the same yard. 4. No nuisance or serious hazard to vehicles or pedestrians. It will stay single family. No added traffic. Just himself. 5. He already had town water and sewer.

J. Plourde asked if town water and sewer coming to the property currently will be able to accommodate the larger size home.

W. LaBell believed so.

J. Plourde said that was key; wanted to make sure he had water and sewer.

W. LaBell said he wanted to say yes.

J. Plourde wanted to be sure.

J. Dargie said it was town water and sewer.

T. Steele said, not septic?

J. Dargie said no.

J. Plourde said the existing house was a pre-existing, manufactured, nonconforming home. He asked R. Lunn if that was due to setbacks?

R. Lunn said manufactured homes were not allowed use in this zone. That was part of it. Setbacks were not conforming. He was going to put the bigger mobile home into a conforming location on the lot.

J. Plourde said it was a nonconforming use. There were certain criteria. He was making modification to a currently nonconforming use. Certain things they had to go through.

J. Dargie asked where the shed would go.

W. LaBell pointed out where it was and where he would move it to. He ripped previous shed down and built a pad and a metal shed on the pad tied down.

J. Dargie asked what was the house on the plan. W. LaBell pointed out the existing house and where he would go approximately 6 ft. off the back of the house.

J. Plourde said it was almost the exact middle of the property. He asked for any other questions from the Bd.

R. Costantino said it looked like it was sitting in the middle. No setback issue.

J. Plourde opened up for public comment.

Marty Wilde of 37 Johnson St., Milford said she just came to see placement.

J. Plourde asked if she had any thoughts on it.

M. Wilde said she thought it would be better.

J. Plourde said it will be further off the road in middle of the property. Will be bigger but will be off the road.

M. Wilde asked if there was a timeline.

J. Plourde said that didn't come into play in this decision.

W. LaBell said he was waiting for financing. Probably spring next year.

M. Wilde asked, no basement?

W. LaBell said no, just a slab tied down.

J. Plourde asked for any other questions from the public. None. He read comments in administrative review from R. Lunn, Planning and Zoning Administrator. He asked for any other questions before closing public comment. None. He asked the Bd. for any other thoughts about as far as deliberation?

J. Dargie said it looked like it was nonconforming in two areas and now it would be only nonconforming as to the type of home.

J. Plourde agreed. Setbacks will be conforming. Will be an improvement to the neighborhood.

J. Dargie agreed. It will be further off the road.

J. Plourde asked for any further thoughts from the Bd. None. R. Costantino agreed.

J. Plourde asked Bd. members if they were ready to vote. Yes.

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**

J. Dargie said in the past they set a requirement to remove the old home.

J. Plourde believed they didn't need to because the applicant said it on the record.

J. Dargie said she heard the word "hopefully" after he said that. Wanted to make sure it was in the record that it had to be removed.

W. LaBell said he didn't want it.

J. Plourde agreed.

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

**K. Lagro – yes**

**W. Campbell – yes**

**J. Dargie – yes**

**R. Costantino - 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.