

**Town of Milford
Zoning Board of Adjustment
December 20, 2018
Case #2018-33
Leisure Acres Mobile Home Park Associates
Special Exception**

Present: Steve Bonczar, Chair
Jason Plourde, Vice Chairman
Michael Thornton
Rob Costantino
Wade Scott Campbell, Alternate
Karin Lagro, Alternate
Tracy Steel, Alternate

Robin Lunn, Zoning Administrator

Absent: Joan Dargie
Laura Dudziak, Board of Selectman Representative

Secretary: Peg Ouellette

Leisure Acres Mobile Home Park Associates, for property located at 26 Melendy Road, MH Lot 34, Milford, NH, Tax Map 42, Lot 73M34, in the Residential R district, is seeking a Special Exception of the Milford Zoning Ordinances per Article II, Section 2.03.I.C to allow for the setting of a 26' 8' x 52' double wide mobile home with a 12' x 14' deck where a single wide mobile home existed previously.

APPROVED February 7, 2019

Steve Bonczar, Chair, opened the meeting and introduced the Board members. He informed all of the procedures of the Board. There being one regular Board member absent, he asked to seat Tracy Steel, Alternate, as fully participating and voting member. All in favor.

S. Bonczar read the notice of hearing and invited the applicant to present the case. Richard Cane of 22 Sandpiper Lane, Merrimack, NH, owner of Leisure Acres Mobile Home Park (LAMHP) came forward. He stated the following, from written remarks: LAMPH is a 97 lot mobile home park at 26 Melendy Rd, with lots of 9,000 SF or greater and mobile homes placed parallel to the roads vs. perpendicular as in most mobile home parks. There had been little turnover until having three in the past three years, which appeared to be the result of aging units, aging owners who, either because of limited incomes and/or declining health, were unable to maintain and repair their units resulting in their units having limited resale value. In selling a new single wide on Lot 25 two and half years ago, they found many potential buyers were interested in double wide units, not the single wide installed on the lot, for various reasons.

To meet the changing demographics and ensure that LAMHP remained a viable and attractive community, they decided to introduce double wide units into the park when Lot 63 became available about a year and a half ago. The ZBA granted an approval for LAMHP to install a double wide unit on that lot and the unit had strong interest in it and was quickly sold. Lot 34, subject of tonight's hearing, currently contained a 14' x 72' single wide three bedroom mobile home and a shed. The demolition of the mobile home on Lot 34 was necessary due to poor condition of the unit including a cracked furnace, leaking roof and hot water tank, and significant rot and mold damage. It was proposed to keep the existing shed.

After reading his written remarks, he noted that the application said it would be a 12 x 14 deck, but actually they were looking for a 10 x 12 deck. He said if you had been out to Lot 63, that home was basically the same as proposed for Lot 34. Will increase the value of the neighborhood. It was one of the nicest areas of the park where owners have maintained their homes.

S. Bonczar thanked R. Cane for his complete application. Had a question re existing length; this was shorter?

R. Cane said it was shorter by 20' and about 14' deeper.

S. Bonczar had been concerned if the new unit was going to crowd the lot, but based on the facts, it was actually smaller than what was there now.

J. Plourde said they were pulling it away from Lot 35.

R. Crane said there was no setback requirement.

R Costantino said the setback was a little less than in a normal residential area. In this case, no setback requirement for interior roads.

S. Bonczar said the streets [in the park] were private roads.

J. Plourde said if it were along Melendy Rd., it might be a different matter.

R. Costantino said the basic setback didn't change.

S. Bonczar asked for any other questions from the Bd.

J. Plourde said no. It was a very thorough application, similar to one they heard in 2017. Single family homes were allowed. Mobile homes were not. This was almost like a single family, being double wide.

S. Bonczar said that was a good point.

S. Bonczar opened public comment. None. He asked for any further questions from the Bd. None. He closed public comment.

S. Bonczar said manufactured houses were listed in the accepted uses in Residence R district. This was a little different because it was a mobile home park. The front office called out that it basically turned into a change to a nonconforming use. He read Sec. 2.03.1, "Intent" and 2.03.1C, "Alteration, Expansion or Change." He said paragraph 2 didn't apply here. He said those sections were what they were looking at in considering the criteria for the special exception.

S. Bonczar asked for discussion of the criteria:

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

S. Bonczar asked for opinions on whether it was similar to those permitted.

M. Thornton said it seemed to be exactly the same use as previous.

R. Costantino agreed. It was the same or similar to what was already being used. Slightly different.

M. Thornton said the footprint was different.

J. Plourde said, looking at uses similar to those permitted in this district, you wouldn't look at mobile homes. You would look at single family homes.

M. Thornton said, or manufactured homes.

J. Plourde said this was more in line with those than a mobile home, even though it was considered a mobile home.

S. Bonczar said mobile homes were allowed in that district. There were several in Milford. All a little different. In this case, they had to do a nonconforming use.

J. Plourde agreed.

S. Bonczar agreed with what was said, that it was similar to what was allowed in that district and M. Thornton mentioned it was similar to what was there previously.

J. Plourde said the intent of Residential R was to provide for lower density. This was low density residential.

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

T. Steel said yes.

S. Bonczar said it was appropriate, with the previous use. Same location.

J. Plourde agreed.

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

R. Costantino said it would be the same as the previous house, still a single family.

T. Steel said if anything, it would improve the lot.

J. Plourde said it will provide more space. May be closer to the internal road but still plenty of distance.

M. Thornton said it would be much better health and human habitation, listening to the way the existing structure was described.

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

S. Bonczar said it was replacing like for like except that this was a double wide.

Others agreed.

S. Bonczar didn't see any change of anything in the future.

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

R. Costantino said it didn't change the water or sewer.

S. Bonczar said they had that from the applicant – on site water and sewer and will apply to those.

J. Plourde said the application mentioned town water and community sewer.

S. Bonczar said nothing would change.

S. Bonczar asked if anyone had anything to add.

R. Costantino said no, it was just a simple replacement.

T. Steel agreed.

S. Bonczar said it was a positive one. Others agreed.

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

VOTE: On Special Exception:

1. Is the Special Exception allowed by the ordinance?

J. Plourde – yes

R. Costantino – yes

M. Thornton – yes

T. Steel - yes

S. Bonczar - yes

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

T. Steel – yes
M. Thornton - 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 unanimously approved. He reminded applicant of the 30-day appeal period.

There being no other business before the Bd., S. Bonczar asked for a motion to adjourn.

T. Steel made motion to adjourn.

M. Thornton seconded. All in favor.

Meeting adjourned at 7:25 p.m.