

**Town of Milford
Zoning Board of Adjustment
September 20, 2018
Case #2018-28
Adam & Carla Lordan
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

Adam and Carla Lordan, for property located at 17 Baldwin Rd, Milford, NH, Tax Map 4, Lot 3-30, 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 the construction of an Accessory Dwelling Unit over a garage addition on an existing single family dwelling.

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 d 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.

Carla Lordan came forward.

S. Bonczar said, as in the previous case, the Bd. reviewed the application, but she could fill in any blanks and additional information.

C. Lordan said she got the application for the new septic.

S. Bonczar said that was part of the packet. Due to expanding from four bedrooms to six.

C. Lordan that was what was needed. Adding a new in-law addition with an upstairs home office, bedroom and separate garage.

S. Bonczar said the separate garage met the criteria; they were not discussing that. Just the ADU. There were detailed plans re the garage being changed to an ADU and upstairs being changed into bedroom.

C. Lordan said that was right. Two floors.

S. Bonczar asked for any questions from the Bd.
 J. Dargie asked if it was for a family member.
 C. Lordan said yes.
 J. Dargie asked if the ADU had no more than two bedrooms. The application said no.
 C. Lordan said that was a mistake.
 S. Bonczar said the ADU was downstairs. Upstairs was a bedroom being added to the house.
 C. Lordan said they were adding two bedrooms but only one was for the ADU.
 J. Dargie said the paperwork said “no” to whether the ADU had no more than two bedrooms. The original should be corrected.
 S. Bonczar said there was only one in the ADU.
 J. Dargie said as long as there were no more than two, that was okay.
 S. Bonczar said you were allowed to have two but still had to fit in that 750 SF. He said in reviewing it, he had a concern re septic because when talking about adequate facilities, and also Sec. 10.02.6.a.1.k., there must be adequate provision for water supply, sewage and septic re Statute to increase the load of sewage disposal system. They didn’t have this as part of the original package, but they did now.
 S. Bonczar asked for any other questions.
 R. Costantino said the leach field being removed.
 C. Lordan said the plan was putting in a new well to have bigger septic to handle the six bedrooms.
 R. Costantino said the plan said the leach field was to be removed.
 C. Lordan said that was a backup.
 R. Costantino said the leach field was for septic.
 C. Lordan asked for help from an audience member.
 Matt Hatch, who said he was a friend of the Lordans, and was there because Adam Lordan could not be there, came forward.
 He said he understood that a new septic would be needed if the leach field failed.
 S. Bonczar said he had a copy of the old plan.
 R. Costantino was just curious. They didn’t need a leach field?
 C. Lordan said she thought there was a plan for a new one.
 M. Hatch said it was his understanding they didn’t need a leach field. Unless the present one failed.
 K. Lagro said he meant they wouldn’t need a new one.
 M. Hatch said the new one, at the present time, right.
 J. Dargie said he was saying the one there now was fine. It will be removed and replaced with the new one if it failed.
 R. Costantino asked if the existing leach field was going to be removed.
 C. Lordan and M. Hatch said not at the present time.
 J. Plourde said that was a good question. He was thinking the same thing. Just so it won’t be removed and not replaced.
 M. Hatch said they had it on file in case something happened. When it fails it will be replaced.
 R. Costantino said the plan didn’t show it, but there was another driveway behind the house. Was that on her property?
 M. Hatch said there was a separate piece of property on the boundary. Planning to keep the garage within 40 ft.
 R. Costantino asked if that driveway was on the boundary.
 M. Hatch said no on it. A few feet away.
 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. He said, like the previous case, he wanted consensus that re Sec. 10.2.6.A.1.a.-k., based on the application and discussion, those criteria had been met as far as the ADU. Was everything met? All agreed, yes.
 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?

All agreed it was.

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

All agreed it would not adversely affect adjacent area.

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

All agreed there would be none.

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

All agreed.

S. Bonczar said the approved septic plan pretty much checked that box.

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. Dargie – yes

J. Plourde – 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

J. Dargie – yes

J. Plourde – yes

R. Costantino – 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.