

Town of Milford
Zoning Board of Adjustment
October 1, 2020
Case 2020-22
San-Ken Homes Inc.
Variance

Present: Jason Plourde, Chair
Rob Costantino, Vice Chair
Karin Lagro (Alternate)
Paul Dargie, BOS Representative
Tracy Steel
Michael Thornton (arrived 7:10)
Joan Dargie (Alternate)
Lincoln Daley, Director of Community Development

Absent: Wade Campbell

Chairman Plourde welcomed everyone and declared a State of Emergency as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, the Board of Adjustment is authorized to meet electronically. This meeting is held in accordance with the applicable New Hampshire State statutes, Town of Milford ordinances, and the Zoning Board of Adjustment Rules of Procedure. He stated that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, he confirmed that the Board is:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means.
- b) Providing public notice of the necessary information for accessing the meeting.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- d) Adjourning the meeting if the public is unable to access the meeting.

Chairman Plourde stated that all votes that are taken during this meeting must be done by Roll Call vote. He started the meeting by taking roll call attendance. He asked each member to state their name and state whether there was anyone in the room with them during this meeting, which is required under the Right-to-Know law. Roll Call Attendance: Jason Plourde alone in the Community Development conference room at Town Hall adjacent to Lincoln Daley's office; Rob Costantino at home alone, T. Steel at home with her daughter and niece in the room, K. Lagro at home alone. J. Plourde asked that K. Lagro be seated as a regular member for tonight's meeting in the absence of W. Campbell and that J. Dargie be seated as a regular member for tonight's meeting in the absence of M. Thornton. K. Lagro and J. Dargie agreed. A poll was taken: J. Plourde yes; R. Costantino yes; T. Steel yes.

Chairman Plourde continued by stating that there were four cases to be heard tonight. He then proceeded to summarize the hearing process, rules, and procedures for Board Members, applicants and the general public.

Case 2020-22

San-Ken Homes, Inc. for the property located at Milford Tax 53, Lot 31 is seeking a VARIANCE from the Milford Zoning Ordinance, Article V, Section 5.04.4.A to permit the construction of a single-family residence and related site improvements on a lot of record with less than the minimum required frontage (200') on a principle route of access on a Class V road or better in the Residential 'R' Zoning District.

MINUTES OF THE ZBA MEETING OCTOBER 1, 2020 VARIANCE CASE #2020-22
SAN-KEN HOMES INC (CON'T) - VIA ZOOM

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2 M. Thornton arrived at 7:10 p.m. J. Dargie asked if she could be excused since M. Thornton has arrived,
3 J. Plourde said that is fine. J. Plourde indicated this application was continued from September 17. K.
4 Lehtonen, applicant, indicated he can answer some of the Board's questions but he does not have all of
5 the requested information tonight. J. Plourde said that a decision may not be made tonight since the in-
6 formation being presented was not provided to the ZBA prior to tonight's meeting. K. Lehtonen said the
7 easement is only on Lot 33-1, which was the only lot he could find. It appears it does not carry over. K.
8 Lehtonen did not have anything more on the private road described on the plan. An updated conceptual
9 drawing was presented. John Rohkey is also here tonight. J. Plourde said the ZBA had previously asked
10 for clarification of the easement and if it extends across the abutting property or only has the 10', but and
11 K. Lehtonen just has answered that question that it does not cross and it is just the 10 feet. K. Lehtonen
12 said that is correct; an extensive title search was not done yet. J. Plourde asked if it was an easement, not
13 a private road? Has anything additional been found on that? K. Lehtonen said it is just that the recorded
14 plan shows it as a private road. L. Daley said the planning files were looked at and confirmed what is
15 being said by K. Lehtonen, it just tapered to 10' back in 1982. J. Plourde asked if there are any other
16 questions from the Board?
17

18 R. Costantino asked if L. Daley confirmed what was said by K. Lehtonen about the easement not cross-
19 ing the other roadproperty? L. Daley said that is correct. K. Lehtonen said the driveway sitesight dis-
20 tance was measured today and there is 314' sitesight distance when turning left onto Ponemah Hill Road
21 and turning right there is over 400' site sight distance. K. Lehtonen indicated on the plan, the driveway
22 for the new home is 450' long and the home is 265' off the road and 225' from the abutter. There will be
23 rip-rap swails for drainage and the water would be diverted off the sitesight so as not to end up out onto
24 Ponemah Hill Road. J. Plourde asked if there is a shared driveway being looked at or is there enough
25 space between the two driveways? We have not seen any plans yet, an additional driveway could cause
26 one to cross over the other. K. Lehtonen said it is a shared entrance, it would not need to be a shared
27 driveway. J. Plourde said a shared curb cut and then it splits off? R. Costantino noted that last time a
28 picture was shown, it looked like just the driveway entrance was shared. L. Daley asked if it is possible
29 to have a shared driveway? K. Lehtonen said he would be open to that so it is safer. J. Plourde thinks
30 that is a good opportunity for both parties, it is a little tighter and it would be safer with and improved
31 access instead of it just being one large driveway. J. Dargie asked if that can be made a condition of the
32 decision? It looks like it would make sense for that abutter.
33

34 M. Thornton indicated he is on the phone for tonight's meeting, as zoom will not allow him in. In re-
35 sponse, to J. Dargie, J. Plourde said that the ZBA could not require a condition to be placed upon the
36 abutter. J. Plourde agreed, however, that , the only reason we cannot make it a condition of the decision
37 is because the abutter is not involved. J. Plourde responded that he agrees but the two land owners can
38 come up with a solution and present it to the Board. M. Thornton said the acute angle of turning is a
39 safety issue. R. Costantino said that driveway already exists. J. Plourde said the only way the town has a
40 say is if that existing driveway crosses into the other property but we do not have that information. J.
41 Plourde does not feel comfortable making any decision without all of the information. M. Thornton
42 agrees and said the ZBA can tell them what information we still need. K. Lehtonen asked what would
43 need to be provided for that? L. Daley said the deed reference to it as an easement. K. Lehtonen said we
44 have 10 feet of owned frontage. John Rohkey said he has 10.10' of legal frontage on Ponemah Hill
45 Road. J. Plourde asked if a sketch could be put together to show the two driveway entrances. J. Plourde
46 asked if there were any further questions from Board members? A poll was taken: R. Costantino no; K.
47 Lagro no, T. Steel no, M. Thornton no; J. Dargie no, J. Plourde no. J. Plourde opened the meeting to the
48 public.
49

50 Lisa Newberry, abutter, approves of the due diligence and the questions being asked. L. Newberry said
51 they are willing to talk to K. Lehtonen about coming up with a good plan because the corner is crazy. J.
52 Plourde thanked L. Newberry for that, noting it is the same goal and he appreciated your her being open

**MINUTES OF THE ZBA MEETING OCTOBER 1, 2020 VARIANCE CASE #2020-22
SAN-KEN HOMES INC (CON'T) - VIA ZOOM**

to discuss this with the applicant. There were no other public comments. The public portion of the meeting was closed. M. Thornton moved to continue this application to November 5, 2020 and that the ZBA be provided with the requested information in enough time for the Board to review the information and be provided additional information for the driveway. R. Costantino seconded. A poll was taken: M. Thornton yes; R. Costantino yes; T. Steel yes; K. Lagro yes; J. Plourde yes. This application was continued to November 5, 2020.

Deliberations: There were no deliberations this evening.

Voting: There were no votes taken this evening.

Meeting Minutes: There were no meeting minutes reviewed this evening.

Motion to Approve: _____

Seconded: _____

Signed: _____

Date: _____

THE MINUTES OF CASE 2020-22 DATED 10/1/2020 WERE APPROVED _____