

**Milford Board of Adjustment Minutes  
December 7, 2006  
Joseph McGranaghan & Justin Hammerstrom  
Case # 29-06 – Special Exception**

Present:        Len Harten  
                  Bob Levenson  
                  Fletcher Seagroves  
                  Katherine Bauer  
                  Ron Pieper, Jr.

Secretary:     Kathryn Parenti

**Case #29-06: Joseph McGranaghan and Justin Hammerstrom – Special Exception.**  
Joseph McGranaghan and Justin Hammerstrom, owners of 41-43 George St, Map 29, Lot 57, in the Residential “A” district, are requesting a special exception from Article V, Section 5.025.A to permit the construction of a landing and stairs, eleven (11) feet from the front property line.

Motion to Approve: \_\_\_\_\_

Seconded: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

L. Harten, chairman, opened the regular meeting of the Milford Board of Adjustment at 7:30 pm. He then stated that the hearings are held in accordance with the Town of Milford Zoning Ordinances and the applicable New Hampshire statutes. He continued by informing all of the procedures of the board. He then introduced the board.

L. Harten read the notice of hearing into the record. He then read the list of abutters into the record; none were present. He then invited the applicant forward to present his application. Joseph McGranaghan stated he would be presenting since Justin Hammerstrom had a prior commitment and would be unable to attend. He began by stating that they own a two-family home and he lives on the left side. Currently there are poorly constructed steps at his residence. He was looking to replace them and bring them up to code by adding a landing that would allow for easier opening of the door into the residence. He is looking to build a 36 or 40 inch landing with three steps down, to code.

L. Harten asked him what the distance from the road to his house is.

J. McGranaghan stated the distance was 24 feet from the edge of the pavement. He wasn't sure how much was owned by the town. He stated the new work would be about three (3) additional feet closer to the road. He also stated that his house was within the setbacks of the district so any additions to his home would require special exceptions.

B. Levenson asked the applicant if he had already talked with Kevin Lynch, building inspector, regarding the construction of his proposed steps.

J. McGranaghan stated that he has already applied for a building permit and K. Lynch is aware of the situation.

L. Harten stated the proposed steps would be similar to those on George Street.

K. Bauer stated that they should not bind the applicant by specifics relating to the size of the landing – they should just make sure the new steps are built to code.

B. Levenson asked how far into the setback he was proposing to build.

J. McGranaghan stated he wasn't totally sure what it was.

B. Levenson stated that he could possibly build the stairs to the side if the landing infringed too much into the setback.

R. Pieper wanted to know if anyone had gone to the site to measure the distance from the road the proposed landing and stairs would be. He referred to the map of the property and asked if the steps would protrude as far out as the garage, which was also built within the setbacks.

J. McGranaghan stated the steps would not go out that far.

L. Harten asked if the board had any more questions. There were none so he asked the applicant to go through the five criteria.

**1. The proposed use shall be similar to those permitted in the district:**

J. McGranaghan stated that many of the homes on George Street have the same types of additions to them and many are much closer to the road than his proposed steps and landing.

**2. The specific site is an appropriate location for the proposed use because:**

J. McGranaghan stated it was much safer having a landing to open the door than the current situation where you stand on the steps and open the door.

**3. The use as developed will not adversely affect the adjacent area because:**

J. McGranaghan stated the new steps would provide visual appeal and increase the value of the home and the surrounding properties.

**4. There will be no nuisance or serious hazards to vehicles or pedestrians:**

J. McGranaghan stated the new steps would assist the pedestrians coming into the home and, in addition, it would not interfere with vehicles or pedestrians.

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

J. McGranaghan stated the proposed landing and stairs would be built to code, using the proper materials.

L. Harten asked if the board had any questions. There were none.

K. Bauer stated she was fine with application.

R. Pieper agreed.

L. Harten went through the five criteria.

**1. The proposed use shall be similar to those permitted in the district:**

No one had any additional comments.

**2. The specific site is an appropriate location for the proposed use because:**

No one had any additional comments.

**3. The use as developed will not adversely affect the adjacent area because:**

There were no additional comments.

**4. There will be no nuisance or serious hazards to vehicles or pedestrians:**

There were no additional comments.

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

There were no additional comments.

L. Harten asked if there was any further discussion. Since there was no additional discussion, he called for the vote.

**1. Is the exception allowed by the Ordinance?**

B. Levenson – yes      F. Seagroves – yes      K. Bauer – yes      L. Harten – yes

R. Pieper - yes

**2. Are the specified conditions present under which the exception may be granted?**

F. Seagroves – yes      K. Bauer – yes      B. Levenson – yes      R. Pieper – yes

L. Harten – yes

**Final Vote:**

K. Bauer – yes      R. Pieper – yes      F. Seagroves – yes      B. Levenson – yes

L. Harten - yes

L. Harten asked for a motion to approve.

B. Levenson made the motion to approve the application for a special exception.

F. Seagroves seconded the motion.

The application for special exception was approved by a unanimous vote.

L. Harten reminded the applicant of the 30-day appeal period.

The applicant thanked the board.