

**Milford Board of Adjustment Minutes  
September 21, 2006  
Case #26-06  
Stephen McNamara, Jr.**

**Special Exception**

Present:        Len Harten  
                  Katherine Bauer  
                  Bob Levenson  
                  Fletcher Seagroves

Secretary:     Kathryn Parenti

**Case # 26-06: Stephen McNamara, Jr. – Special Exception.**

Stephen McNamara, Jr., owner of 16 Hilltop Drive, Map 27, Lot 4, in the Residential “A” district, is requesting a special exception per Article V, Section 5.022.H to permit the construction of an addition twenty-three (23) feet from the front property line.

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

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

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

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

L. Harten asked the applicant, Stephen McNamara, if he would go forward with a four (4) person board.

S. McNamara replied that he would.

L. Harten explained the procedures of the board to the applicant. He then asked the applicant to sign the waiver of right to a five (5) member board.

S. McNamara signed the waiver.

L. Harten read the notice of hearing into the record. He then read the list of abutters into the record. He then invited the applicant to present his case.

S. McNamara explained his house was 625 square feet and he wanted to put on an addition that was 14 foot by 24 foot addition that was in line with the rest of the house and would be used for living space and storage since the house was so small. He said the existing house is twenty-three (23) feet off of Hilltop Drive and the new addition would be at the same point so it would match the rest of the house. The setback is 30 feet and this addition would be within the stated setbacks.

L. Harten asked if the addition would be any closer to the street.

S. McNamara replied that it would not.

L. Harten asked if that was on the side where he parked his vehicles.

S. McNamara replied it was.

L. Harten asked if the board had any questions at that point. There were no questions so he asked the applicant to respond the five (5) criteria.

S. McNamara read from the application: *“Residential use of a proposed addition of a spare room for storage and living space for the owner. The proposed expansion will not change nature of the original use. The proposed expansion will not have any effect on neighborhood setting.”*

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

S. McNamara stated the spare room addition is for residential use only. The proposed expansion is to be completed and finished and not be an eye sore. It will be constructed in line with the existing structure and will be of no impediment to street or walkway traffic.

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

S. McNamara replied the proposed spare room would be similar to those permitted in the district because there is sufficient property area to construct the addition on the side of the existing structure. The addition will provide additional living space for the owner.

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

S. McNamara replied the expansion will remain in line with the existing structure and setback, which are 23 feet from the front of the house to the street. It is a residential use only and contains no obstructions to adversely affect the adjacent area.

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

S. McNamara stated the addition will not impede either vehicle or pedestrian traffic. The addition will remain on the owner’s property.

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

S. McNamara replied the general provisions of a full bath area already existing and will not be impacted by the proposed addition, which will be used as a extra storage and living space for the owner.

L. Harten asked if the board had any questions. Since there were none, he closed the public portion of the hearing. He asked the board if there was any discussion regarding this request.

B. Levenson stated the addition did not change the setback of the existing house and there used to be a provision for this. If the setbacks were similar in the neighborhood, there was no challenge.

L. Harten then called for a vote.

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

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

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

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

L. Harten asked if there was a motion to approve the case.

B. Levenson made the motion to approve case #26-06 for a 23 foot setback.

F. Seagroves seconded the motion.

**Final vote:**

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

L. Harten reminded the applicant there was a thirty (30) day appeal period. He also recommend he go back and speak with Kevin Lynch, Building Inspector, regarding his building application.