

**Milford Board of Adjustment Minutes**  
**June 1, 2006**  
**Case #19-06**  
**John Bianchi/Karen White**

Present: Katherine Bauer  
Kevin Taylor  
Ron Pieper, Jr.  
Fletcher Seagroves  
Bob Levenson

Secretary: Kathryn Parenti

**Case #19-06: John Bianchi/Karen White – Special Exception.**

The applicant, John Bianchi, with approval from the owner of 147 South Street, Karen White, Map 25, Lot 35, Commercial “C” district, is requesting a special exception from Article X, Section 10.023 to allow a home occupation for Atlantic Printing Services, a subsidiary of CPI Printing of Peterborough.

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

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

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

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

K. Bauer opened the meeting at 7:30 by stating that the hearings are held in accordance with the Town of Milford Zoning Ordinances and the applicable NH Statues. She continued by informing all of the procedures of the Board. She then introduced the Board.

K. Bauer read the notice of hearing into the record. She then read the abutters list into the record. Flora Sapsin of 130 South Street was present, along with the applicant and owner of 147 South Street, John Bianchi and Karen White.

K. Bauer invited the applicant and owner forward to present their case.

K. White, owner introduced her husband, J. Bianchi as the owner of Atlantic Printing. The business has been located at the corner of Marshall and Prospect Street for 23 years. Atlantic Printing merged with CPI Printing in February and all the presses were moved to their Peterborough facility. J. Bianchi wanted to keep an office in town. They are the guardians of Violette Consigli, who owned the building at 2 Marshall Street. They had to sell the building to pay for her care in an assisted living facility. J. Bianchi wanted to have an office in Milford and had looked for space on the Oval. They then realized they lived in the commercial "C" district and could have one in their home since their kids were grown.

B. Levenson stated that it was an allowed use in the commercial district and didn't need a special exception.

K. Bauer agreed but felt that was a decision that was made by the Zoning Official, Kevin Lynch and she would go along with it. Both uses are allowed in the district, a home and a home occupation.

B. Levenson said that both are acceptable uses in the commercial district.

R. Pieper stated that he read the application as being for a dual use, not just a home occupation.

K. Bauer said that was not what this application was for.

B. Levenson stated that for a dual use, you would need a variance. He said he was just trying to save them a step, since it was an allowed use.

K. White proceeded by stating that she had a certified plot plan done by Meridian Land Services and a floor plan drawn by her. The house has 4 bedrooms and 2 baths, and in 1995 they had another bedroom built in the basement that had a building permit and was granted a certificate of occupancy. There is 200 square feet in the basement and they would be using less than 25% of the floor area. J. Bianchi will be the only employee and it will strictly be used as an office, since the presses are located in Peterborough. He will conduct business through email and would go to Peterborough to pick up the finished products.

J. Bianchi said that UPS will occasionally be delivering and taking away packages. He also said that he would like a small sign out front to designate the business.

K. Bauer stated that a 4 square foot sized sign is allowed.

K. White stated that at 2 Marshall Street, J. Bianchi averaged 2 to 3 clients a day but he usually went to the clients. Since February, when the presses moved to Peterborough, he's had a drop in client visits. He expects one client a day and that would not change the nature of the neighborhood. It would be hard to change the character of the street since there is only one other single family home on the street. This would be a gentle transitional use. The hours would be 8 am to 4 pm, when most of the renters around them would be at work. She works out of town so that would free up one space for client parking. She showed photographs of her property and some of the abutting properties. She said there are 16 public parking spaces on the north portion of the street and six public spaces south of her property at

United Auto Body. If all else failed, TD Banknorth has a large parking area. She said she would hate to change the character of the area and would like to leave a green buffer in the back yard and not use it for parking. She had Meridian do the plot plan to show there is space in the rear for a parking area, should it come down to that and if they wanted to expand the business.

K. Bauer said that they would have to come to the town if they wanted to expand further.

K. White said she was aware of that.

K. Bauer stated that home occupations go with the homeowner; if they move, the special exception ceases.

K. White said that the approval would be for this use only.

B. Levenson stated that home occupations are allowed in the commercial zone. It is an allowed use. If a special exception was not allowed, it would never lapse with the sale of the property. He had posed this question to the Zoning Official, Kevin Lynch, and did not get a response.

K. White said that was not a problem, she would prefer to continue with the application the way it is, to provide an office, no non-resident employees, only a small sign showing that the business is indeed there, no consumer goods will be sold from the dwelling, the hours of operation are consistent with the working neighbors, and it would be of the lowest impact to the neighborhood that contains a restaurant, auto repair facilities, gas station and a craft store.

K. Bauer asked if any one in the audience had any comments.

F. Sapsin, owner of the other single family dwelling, said she felt that K. White had a thoughtful and thorough presentation. She didn't see any problem with someone running a business that was an administrative function from their home. She had no objections.

K. Bauer said they have to do what the code official decides and that would be to discuss the application for a home occupancy.

K. Bauer asked K. White to state her facts supporting this request.

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

K. White said that in the commercial district, where her home is located, there are 2 restaurants, several small offices and retail shops, a gas station, 2 auto repair businesses, a gift shop, a bank and a church along with several multi family rental properties. The home occupation will be the lowest impact commercial use on the street.

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

K. White responded by saying there are only 2 remaining single-family residences on South Street between the Oval and Lincoln Street. A low impact home office provides a suitable transition between the busy commercial uses on South Street and this single-family house, without the need to fully convert this building for business offices or install a parking lot.

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

K. White said that business hours would be from 8 am to 4pm on weekdays, coinciding with the work hours of residents in the abutting multi-family buildings and many of the businesses in the immediate area. There will be no non-resident employees, no finished goods will be stored on the premises, and clients will typically come to the premises by appointment. A small, unlit 4 square foot sign for the home occupation will not be out of character with the signs in the surrounding commercial neighborhood.

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

K. White stated that the existing 50-foot long driveway would accommodate the 2 resident's vehicles plus 1 client vehicle, without blocking the public sidewalk. She works out of town on weekdays so there will be 2 client parking spaces available. J. Bianchi has operated Atlantic Printing for 23 years and his business averaged 2-3 clients per day. Since the printing presses were moved to Peterborough in February 2006, Atlantic Printing now receives an average of 1 client visit per day at it's Marshall Street location. IF additional parking space is needed for a special meeting, there are public on-street parking spaces available on South Street, approximately 300 feet away. IF more parking is demonstrated to be needed in the future, the applicant will apply to the Milford Planning Board for site plan approval to install a parking lot in the rear yard. The homeowner would prefer to preserve the green buffer along Railroad Pond unless a parking lot is proven to be necessary.

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

K. White stated this in-home office would only need electricity, a phone and fax telephone line and internet service, which are already available. The office will contain file cabinets, a computer, a fax machine, a copier, a desk, and a light table for preparing artwork. The basement has a walkout door with steps leading from the driveway, so that the occasional client will be able to easily access the office. There is already a finished room in the basement, which received a permit from the Milford Building Department on June 27, 1995 and this former bedroom will be converted to the new office.

K. Bauer asked if anyone had any questions. She then closed the public portion of the hearing. She then asked the board if they had anything more to discuss. There were no questions so she then called for a vote.

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

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

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

R. Pieper – yes      F. Seagrove – yes      B. Levenson – yes  
K. Taylor - yes      K. Bauer – yes

K. Bauer asked if there was a motion to approve.

R. Pieper made the motion to accept Case #19-06, application for a special exception from Article X, Section 10.023 for a home occupation.

K. Taylor seconded the motion.

**Final Vote:**

F. Seagrove – yes      B. Levenson – yes      K. Taylor – yes  
R. Pieper – yes      K. Bauer – yes

The application was approved by a unanimous vote.

K. Bauer reminded the applicants that there was a 30-day appeal period.

The applicants thanked the board.