

Milford Board of Adjustment Minutes
May 4, 2006
Case #13-06
Michael Blanchet

Present: L. Harten
B. Levenson
F. Seagroves
K. Bauer

Secretary: Kathryn Parenti

Case #13-06: Michael Blanchet – Special Exception. The owner of 176 Westchester Drive, Michael Blanchet, Map 37, Lot 72, in the Residential “A” district, is requesting a special exception from Article V, Section 5.025.B to permit an addition to an existing dwelling to be constructed eleven (11) feet from the side property.

Motion to Approve: _____

Seconded: _____

Signed: _____

Date: _____

L. Harten, chairman, read the notice of hearing into the record. He then read the list of abutters into the record. Mark & Christine Fowler, of 178 Westchester Drive, were present. L. Harten invited the applicant, Michael Blanchet, forward to present his application. M. Blanchet said he had an architect draw up two floor plans (included in the application) for two designs for his addition. One design conforms to the Town of Milford Zoning Ordinance and the second does not; it lies 4 feet within the side 15-foot setbacks. He and the architect prefer the second design because it is visually more appealing to the neighbors who abut the addition.

K. Bauer asked if the abutters had seen the plan.

M. Blanchet replied that they had discussed the plan before the meeting.

K. Bauer stated that he would still need a majority of votes for approval since there were only four board members present.

L. Harten asked if the applicant still wanted to go forward with only four board members. He stated the applicant would need to sign a "Waiver of Right to a Five Member Board" and would need 3 of 4 votes for approval. He again asked the applicant if he wanted to proceed.

M. Blanchet said yes, he would and signed the waiver.

M. Blanchet explained the amount of the addition that encroached on the side setback was shaped like a pizza pie slice. The maximum encroachment was 4 feet that reduced down to nothing for a total of 24 square feet.

L. Harten asked if there were any questions or concerns from the abutters.

M. Fowler stated that he had talked with the applicant before the meeting. He liked the first plan better, the one that did conform to the setbacks. He felt that 4 feet made the addition much closer than he liked. He was concerned with resale values and felt that two box design of the first plan worked better. He wondered what would happen if he chose to build an addition; would that make the two homes too close?

L. Harten thanked him for his comments and asked the applicant to state the facts supporting his application.

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

M. Blanchet replied that the family room addition is very similar to other homes in his established residential neighborhood.

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

M. Blanchet replied that the house is on a cul de sac; the addition would have a low impact on passersby and the neighborhood. Due to the unfortunate shape of the lot, the chosen site is perfect.

L. Harten asked if the addition could go on the other side of the house.

M. Blanchet stated that his garage was on that side.

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

M. Blanchet stated that the addition would increase property values, would have no impact on abutters and would actually benefit the abutters by increasing the property values. It would be similar to other additions in the neighborhood and would feature similar construction style and quality.

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

M. Blanchet stated that he felt he answered this in his previous answer.

L. Harten asked if there would be an increase in family members or vehicles.

M. Blanchet replied no.

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

proposed use because.

M. Blanchet replied the addition would be of similar quality and design. It would look like the rest of the house. He said he didn't know what the question was looking for.

K. Bauer explained that this question is used for use variances.

M. Blanchet stated that this was a very simple, a very cut and dry request.

L. Harten asked if the board had any questions.

K. Bauer stated that she understood the abutters concerns but there is a very small portion of the addition encroaching the setbacks.

L. Harten asked if the architect could shrink the width.

M. Blanchet replied that no, they couldn't. He had already reduced the architect's plan down from 28 feet to 24 feet.

B. Levenson asked if the trees would go.

M. Blanchet responded yes. He was willing to put up a white fence if that helped. He was going to clear-cut the yard since they had installed a pool last year and the leaves were clogging the filter. He also stated that he would be willing to leave trees, add a fence, whatever would please the abutters.

L. Harten asked if there were any comments from the abutters. Since there were none, he closed the public portion of the hearing.

B. Levenson stated that he basically agrees with K. Bauer, he doesn't see the addition as a major impact.

F. Seagroves agreed.

K. Bauer stated that was her conclusion, the impact was minimal.

L. Harten stated that he also agreed; the addition was not too close to the house of the neighbors and there was sufficient space between the two houses.

L. Harten then called for a vote.

1. Is the exception allowed by the Ordinance?

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

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

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

The board voted unanimously to approve the special exception

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

B. Levenson made the motion to approve Michael Blanchet's request for a special exception.

F. Seagroves seconded.

L. Harten reminded the applicant there was a 30-day appeal period in which abutters or concerned citizens could appeal. He also reminded the applicant that he needed to discuss his building plans with Kevin Lynch, Building Inspector.

M. Blanchet thanked the board.