

**Milford Board of Adjustment Minutes**  
**May 4, 2006**  
**Case #14-06**  
**Sharon Densmore**

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

Secretary: Kathryn Parenti

**Case #14-06: Sharon Densmore – Special Exception.** The owner of 9 Orange Street, Sharon Densmore, Map 29, Lot 161, in the Residential “A” district, is requesting a special exception from Article X, Section 10.023 to permit a home occupation to give private yoga lessons, and hold small yoga and somatic education classes.

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. Raymond Pollock, of 6 Orange Street, was present. He then invited the applicant forward to present her application.

L. Harten asked S. Densmore if she was aware of the “Waiver of Right to a Five Member Board” and asked if she had any problems signing it.

S. Densmore stated yes, she was aware of it and no; she didn’t have any issues with signing the waiver.

K. Bauer asked if the chairman needed to read the letters included in the application into the record.

S. Densmore replied that all the abutters sent the letters, except for the Kaplan’s, who owned the rental property behind her home; she didn’t know how to get in touch with them.

K. Bauer stated that the letters were all form letters and each homeowner signed them.

L. Harten read one of the letters into the record. He then listed who had signed the letters.

They were as follows: Lisa Lamarre, Paul Hermandinger, Ruth Small, Daniel Leguerre, Raymond Pollock, James Townsend, Douglas Wright. He then asked the applicant to present her case.

S. Densmore stated that she was told by the Zoning office that it might be helpful to get letters from her neighbors. She then stated that she was certified to teach yoga and was insured. She would be receiving no deliveries and would not impact the neighborhood. The yoga classes would be small, up to four people, and would be held in an upstairs room. There would be no goods for sale in connection with the proposed use.

L. Harten asked if the room above the garage would be used.

S. Densmore stated that no, it was above the kitchen.

L. Harten asked about the number of students; would it indeed be four.

S. Densmore replied that four would be the maximum number, any more would make the room too crowded.

L. Harten stated that it looked like there could be six cars parked in the driveway.

S. Densmore replied that at least 6 cars could park there.

B. Levenson asked how many days a week would she be teaching.

S. Densmore replied that she would teach as many as possible, but only in the mornings, no nights.

L. Harten said that it sounds very low key. He then asked if she would respond to the criteria in her application.

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

S. Densmore replied that she knows of one acupuncturist on Union Street. She has also heard that a woman on North River Road has once taught yoga. These activities are all in residential areas. She doesn’t know of many people who do this type of thing.

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

S. Densmore replied that 2 or 3 people could easily fit into the room that’s quiet and carpeted and she’s only using 21% of the floor space for the classes.

L. Harten said she could use 25% of floor space.

S. Densmore said she included the stairs up to the room in her calculations.

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

S. Densmore replied she was not changing anything; all parking will be off the street. She also said she was not making any structural changes to the home.

L. Harten asked if she was looking to put up signage.

S. Densmore stated no, she was not interested. She's been a notary for 20 years and never put a sign up for that.

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

S. Densmore replied that traffic would be light; students will be instructed to park in her driveway. Clients will be told to drive slowly due to children and animals in the neighborhood.

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

L. Harten said this question doesn't apply to every application and she seemed to have everything. He then asked if any abutters had any comments or questions.

K. Bauer stated that the people in the audience needed to know what a home occupation was.

L. Harten read from Section 10.023 of the 2006 Town of Milford Zoning Ordinance: *A. In all cases involving home occupations, the Board of Adjustment in addition to the criteria contained herein shall consider the following requirements:*

1. *The person conducting the home occupation shall reside in the dwelling unit, and there shall be no more than one (1) non-resident person employed in connection with such occupation.*
2. *There shall be no evidence outside the dwelling, except permitted signs and required off-street parking that the dwelling contains a home occupation.*
3. *The home occupation shall be confined to one (1) floor of the dwelling unit or accessory buildings and not more than twenty-five (25) percent of such floor shall be used.*
4. *No finished consumer goods shall be acquired outside the dwelling unit for sale in connection with a home occupation within the dwelling unit.*
5. *The home occupation and the conduct thereof shall not impair the residential character of the premises nor impair the reasonable use, enjoyment and value of other residential property in the neighborhood.*

*B. Any special exceptions issued hereunder shall automatically terminate when the applicant no longer resides in the dwelling unit.*

L. Harten asked the applicant if she was aware of this.

S. Densmore replied she was.

L. Harten asked for confirmation that she was not going to have any employees.

S. Densmore replied no.

K. Bauer asked if it would indeed be 21%, including the stairway.

S. Densmore replied yes.

K. Bauer stated that the applicant was allowed one small sign, 2 square feet.

S. Densmore said that she didn't want one.

L. Harten then closed the public portion of the hearing. He then asked the board if they had any questions.

B. Levenson stated that it was a quiet, unobtrusive, non-impacting request, one of a few the board has gotten.

L. Harten then asked for the vote.

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

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

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

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

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

B. Levenson moved to accept the application for a home occupation by Sharon Densmore.

F. Seagroves seconded the motion.

All were in favor. The board granted the special exception for a home occupation for the instruction of yoga and somatic education classes.

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

S. Densmore thanked the board.