

Town of Milford
Zoning Board of Adjustment Minutes
June 7, 2007
Church of Our Savior
Case #14-07
Special Exception
Tabled from May 17, 2007

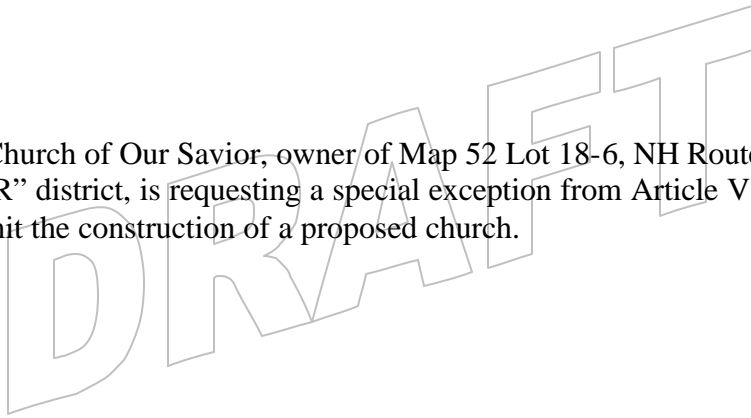
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Present: Len Harten, Chairman
 Katherine Bauer
 Ron Pieper, Jr.
 Fletcher Seagroves
 Steve Bonczar - Alternate

Absent: Bob Levenson

Secretary: Kathryn Parenti

The applicant, Church of Our Savior, owner of Map 52 Lot 18-6, NH Route 13 South, in the Residence "R" district, is requesting a special exception from Article V, Section 5.042.M to permit the construction of a proposed church.



Motion to Approve: _____

Seconded: _____

Signed: _____

Date: _____

46 L. Harten, chairman, opened the regular meeting of the Milford Zoning Board of Adjustment
47 at 7:30 pm. He then stated that the hearings are held in accordance with the Town of Milford
48 Zoning Ordinances and the applicable New Hampshire statutes. He continued by informing
49 all of the procedures of the board; he then introduced the board. He continued by reading the
50 notice of hearing into the record. He read the abutters list; none were present. He invited the
51 applicant forward. He noted there was a letter in the file, authorizing Doris Mills, a member
52 of the building committee, to represent the Church in this matter.

53 D. Mills stated the plans for the church are the same ones they had submitted to the board in
54 2005. She noted there was a correction in the square footage of the site, from 18,000 to
55 16134 square feet. She noted the foot print change had been made to conform to the
56 Planning Board's request. There is a retaining wall and a driveway shown on the plan that
57 were not there before, showing the change to the elevation. She noted they have met every
58 request by the Planning Board and the plans were approved by the Planning Board on
59 Tuesday night, pending Zoning Board approval.

60 L. Harten asked if there were any major changes.

61 D. Mills replied the plans were just refined.

62 L. Harten asked if they had started clearing trees on the site.

63 D. Mills replied they are doing managed forestry and most of the trees that were cleared out
64 were where the church building, parking lot and septic system will go.

65 L. Harten then asked her to go over the five criteria for a special exception.

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

67 D. Mills stated the church use is allowed by a special exception.

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

69 D. Mills replied the proposal sites a building within an area of sixteen (16) acres with
70 access to a major road.

71 L. Harten asked if they had state approval for access onto Route 13 South. He thought the
72 Planning Board must have seen this if they approved it.

73 D. Mills replied Chief Douglas had some concerns with the access onto Route 13 South. She
74 read from his response to the interdepartmental plan review: *"Concern that Route 13 in area
75 is a passing zone. Correspondence has already been sent to NHDOT relative to the same
76 concern with traffic exiting Berkley Place. Currently waiting response from DOT"*. She
77 noted this issue has been addressed.

78 S. Bonczar noted there was a problem with site distance with the church on North River
79 Road as well.

80 L. Harten noted the Church cannot move forward until they receive approval from the state.

81 D. Mills said there was some concern with the building and expansion along Route 13S.

82 L. Harten noted there was a speed limit of 50 mph but there was a good line of sight.

83 D. Mills stated Chief Douglas had some concerns with the Sunday morning church traffic
84 going back into Milford. She then continued on with her responses to the criteria.

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

86 D. Mills replied all the use is contained within the site, such as parking, building,
87 sanitary water supply and storm water management.

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

89 D. Mills stated the access had been reviewed by NHDOT and all vehicles are
90 contained on site, more than adequate sight distance is available.

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

92 **the proposed use:**
93 D. Mills stated the area needed for all appropriate facilities is provided.
94 L. Harten asked if there were any questions by the board or any questions from concerned
95 abutters.
96 S. Bonczar noted this was an elapsed special exception and no major changes have been
97 made. It was the same as the plan originally submitted.
98 L. Harten then closed the public portion of the meeting. He asked if there were any concerns
99 by the board members.
100 K. Bauer stated this meets all the conditions.
101 L. Harten then called for a vote.
102 **1. Is the exception allowed by the ordinance?**
103 K. Bauer – yes R. Pieper – yes F. Seagroves – yes S. Bonczar – yes
104 L. Harten – yes
105 **2. Are the specified conditions present under which the exception may be**
106 **granted?**
107 R. Pieper – yes F. Seagroves – yes S. Bonczar - yes K. Bauer – yes
108 L. Harten – yes
109 L. Harten asked if there was a motion to approve the case.
110 K. Bauer made the motion to approve case #14-07.
111 R. Pieper seconded the motion.
112 **Final Vote:**
113 F. Seagroves – yes S. Bonczar – yes K. Bauer – yes R. Pieper – yes
114 L. Harten – yes
115 L. Harten reminded the applicant there was a thirty (30) day appeal period.
116

DRAFT