

**Town of Milford
Zoning Board of Adjustment Minutes
August 16, 2007
Scott Cornett
Case #30-07
Special Exception**

Present: Len Harten, Chairman
 Katherine Bauer
 Fletcher Seagroves
 Steve Bonczar – Alternate
 Rick Westergren - Alternate

Absent: Ron Pieper, Jr.
 Bob Levenson

Secretary: Kathryn Parenti

The applicant, Scott Cornett, owner of 384 Nashua Street, Map 30, Lot 37, in the Residence “A” district, is requesting a special exception from Article V, Section 5.022.A to permit a home occupation for architectural services.

Motion to Approve: _____

Seconded: _____

Signed: _____

Date: _____

L. Harten, chairman, read the notice of hearing into the record. He did not read the abutters list, as none were present. He then invited the applicant forward.

Scott Cornett, owner of 384 Nashua Street stated he works full time for a large architecture design firm. He stated he was trained as an architectural designer but was not registered as such. He noted he has been in this profession for ten (10) years and would like to do some small jobs as a side occupation, out of his home. He purchased the home several years ago and noted that since there was such a high volume of traffic on Nashua Street, that he might take advantage of that by putting up sign, advertising his business. He noted his clients would be seen by appointment only and might see ten (10) clients a year. In addition, since the American Stage Festival was the former owner of the property, there was plenty of parking for any clients who would be visiting his office.

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

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

S. Cornett noted professional offices, such as an optometrist, insurance agent and physician, surround this property and this use would be an appropriate use in the district.

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

S. Cornett stated this location is his primary residence, was formerly an office and is located on a street with a very high traffic count; it would be appropriate for him to have a side business there.

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

S. Cornett replied the adjacent area is a mix of residential and commercial uses and this use would be similar to those in the area.

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

S. Cornett stated there would be approximately five (5) to ten (10) patrons per week but would most likely be less than that and they would be by appointment only.

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

S. Cornett noted the property was the former site of the American Stage Festival offices and there was plenty of parking for multiple vehicles with room for the ability to safely turn around to exit the parking area.

R. Westergren asked if there would be much commercial vehicle traffic.

S. Cornett replied there was a potential for that but they would not come daily as most of his communication is by email and there would not be a lot of plans or samples being dropped off or picked up.

F. Seagrove s asked which of the two submitted plans was the accurate drawing of the office area.

S. Cornett noted the most current drawing was accurate. The other was a site plan from the American Stage Festival use in 1989. He noted the drawing with the 9'x26' office was the accurate one, not the drawing of the 10'x28' office.

K. Bauer asked about the sign permit application that was enclosed in the informational packet.

S. Cornett stated that was what he and Kevin Lynch, Zoning Official had worked out for his sign, using the new sign ordinance.

After a short discussion, it was determined that the applicant should discuss the size of his proposed sign further with K. Lynch, to make certain it fell under the new sign ordinance guidelines.

L. Harten then asked S. Cornett to go through the five criteria specific to a home occupation in section 10.023.A of the zoning ordinance.

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.

S. Cornett stated the location was his primary residence and he would have up to one (1) employee.

2. There shall be no evidence outside the dwelling, except permitted signs and required off-street parking, that the dwelling contains a home occupation.

S. Cornett noted there would only be the allowed sign and there was plenty of off-street parking, as shown on the site plan.

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 so used.

S. Cornett stated the office, as shown on his diagram, was well under the 25% allowed. He noted the office was on the first floor and had its own separate entrance.

4. No finished consumer goods shall be acquired outside the dwelling unit for sale in connection with a home occupation within the dwelling unit.

S. Cornett noted he would not have anything for sale 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.

S. Cornett noted there was adequate parking and he would not have a lot of people coming and going.

K. Bauer noted if the special exception were granted, it would go with the owner and not the land.

L. Harten asked if there were any questions by the board. Since there were none, he called for a vote.

1. Is the exception allowed by the ordinance?

K. Bauer – yes S. Bonczar – yes F. Seagroves – yes R. Westergren – yes
L. Harten – yes

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

S. Bonczar – yes F. Seagroves – yes R. Westergren – yes K. Bauer – yes
L. Harten – yes

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

S. Bonczar made the motion to approve case #30-07 as presented.

K. Bauer seconded the motion.

Final Vote:

F. Seagroves – yes R. Westergren – yes K. Bauer – yes S. Bonczar – yes
L. Harten – yes

L. Harten reminded the applicant there was a thirty (30) day appeal period and to discuss his sign application with K. Lynch