



ZBA Application – General Information

MILFORD ZONING BOARD OF ADJUSTMENT

This application must be complete and filed in the Milford Office of Community Development, along with an abutter list, and with all fees paid, on the official submittal date for the meeting at which the application is to be considered. An application shall not be deemed complete unless all materials have been submitted and necessary fees have been paid.

If you have any questions about how to complete this application, please contact the Office of Community Development. We will be happy to help you understand the Zoning Board application process and legal requirements, but we cannot give you legal advice. If you are uncertain about how the zoning laws apply to your case, we recommend that you obtain professional advice.

General Instructions

Use this form for **all** applications to the Milford Zoning Board of Adjustment, except:

- If the Selectmen, Planning Board, Building Inspector, or any other town board or official has made a decision to allow someone else to do something that you do not think they should be allowed to do. In that case, use the ***Third-Party Appeal of Administrative Decision*** form.
- To ask the Zoning Board to hold a new hearing to reconsider a decision that was made at a previous meeting, use the ***Request for Rehearing*** form.

Contents of an Application

Your application must include the “General Information” section and at least one application for a special exception, variance, equitable waiver, or appeal of administrative decision.

You may include more than one application section, as long as they are all for the same proposed use.

For example, you might appeal an administrative decision, and also apply for a variance that would permit the same use, in case the appeal is denied; or you might have a proposed use that would require several variances and special exceptions.

Please work with the Office of Community Development to help you determine what you are applying for or asking relief from.

Fee

The fee is \$100 for the application, \$75 for legal notice, plus \$5.75 for each abutter.

Abutter List

The abutter list must include the name and mailing address of:

- the applicant,
- the property owner or owners,
- every person who owns property which touches any lot involved in the application (even at a corner) or is directly or diagonally across a road, stream, river, or railway right-of-way from a lot involved in the application, ***and***
- the holders of any conservation, preservation, or agricultural preservation restrictions on any of the lots involved in the application.

It is your responsibility to provide an accurate abutter list. A Zoning Board decision that is made without notifying all abutters may not be valid and an abutter who was not properly notified may be able to have the decision overturned.



ZBA Application – General Information

MILFORD ZONING BOARD OF ADJUSTMENT

Preparing an Abutters List

1. Here are some guidelines to help you prepare an abutters list.
 - a. Find the lot(s) you are interested in and their abutting lots from the tax maps in the Community Development or Assessors Offices.
 - b. Go to the Milford Assessors Office to check whether the town has a record of any of the abutting lots having been sold more recently than the records available online through the Milford GIS or Vision software.
 - c. Check whether there is any conservation, preservation, or agricultural preservation parcels that are adjacent to your lot. Make sure you get the correct mailing address for the entity that holds the title to this type of lot. It may be a home owners association, a conservation group or the Town of Milford.
2. For the purpose of notification by the Town of Milford Zoning Board of Adjustment, any property being,
 - a. Under a condominium or other collective ownership, the term “abutter” means the officers of the collective or association, as defined in RSA 356-B:3XXIII
 - b. Under a manufactured housing park form of ownership defined in RSA 205-A:1, the term “abutter” includes the manufactured housing park owner and tenants who own manufactured housing which adjoins or is directly across the street, stream, or active railroad from the land under consideration by the Zoning Board of Adjustment.
 - c. An active railroad property, the owner of which shall be notified.

In cases where the applicant is different from the owner of the land under consideration by the Zoning Board of Adjustment, the term “abutter” shall include the owner AND the applicant.

For the purpose of receiving testimony only, and not for the purpose of notification, the term “abutter” shall include any person who is able to demonstrate that their land will be directly affected by the proposal under consideration by the Zoning Board of Adjustment.

Addition information

1. The Town of Milford only has lot and owner information for properties located within the Town of Milford. If the lot under consideration abuts an adjoining town you will need to go to that municipality for abutter information.

Burden of Proof

The applicant shall have the burden of proving any historical facts relevant to a case before the Zoning Board. Such relevant facts include, but are not limited to, the date on which a lot, structure, or use came into existence, violation history, open permits or applications.

The existence of a structure or use on a particular date may be established by testimony or by documentary evidence.

Supporting Documents

The following information may be required to deem your application “complete.”

1. Floor Plans
2. Plot Plans
3. Conservation Commission Report
4. Septic system analysis
5. Any additional information that supports your application as determined by the Community Development Office



ZBA Application

MILFORD ZONING BOARD OF ADJUSTMENT

GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

| PROPERTY INFORMATION | |
|--|---------------|
| Street Address: | |
| Tax Map / Parcel #: | Lot Size: |
| PROPERTY CURRENTLY USED AS | |
| | |
| <i>If the application involves multiple lots with different owners, attach additional copies of this page.</i> | |
| PROPERTY OWNER | |
| Name: | |
| Address: | |
| City/State/Zip: | |
| Phone: () | |
| Email: | |
| | |
| | |
| <i>The applicant is the person who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.</i> | |
| APPLICANT/REPRESENTATIVE | |
| <input type="checkbox"/> SAME AS OWNER | |
| Name: | |
| Address: | |
| City/State/Zip: | |
| Email: | |
| Phone: () | Cell: () |
| | |
| The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application. | |
| | |
| <hr/> | |
| Property Owner's signature | Date: |

| | |
|----------------------|-------|
| Date Received: | _____ |
| Case Number: | _____ |
| Application Number : | _____ |
| Hearing Date: | _____ |
| Decision Date: | _____ |
| Decision: | _____ |
| | _____ |

Zoning District (check one):

- ☐ Residence A
- ☐ Residence B ☐ Residence R
- ☐ Commercial
- ☐ Limited Commercial
- ☐ Industrial
- ☐ Integrated Commercial-Industrial
- ☐ Integrated Commercial-Industrial-2

Overlay District (check any that apply):

- ☐ West Elm Street Overlay
- ☐ Nashua/Elm Street Overlay
- ☐ Commerce & Community Overlay
- ☐ Open Space & Conservation
- ☐ Wetlands Conservation
- ☐ Groundwater Protection
- ☐ Floodplain Management

APPLICATION FEES

| | |
|-------------------------|-----------|
| Application/Notice Fee: | \$175 .00 |
| Abutters Fee: __ X__ | |
| Amount received: | |
| Date Received: | |
| Check _____ Cash _____ | |

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.