

Town of Milton
55 Industrial Way
Milton NH, 03851



Zoning Board
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August 27, 2026
Meeting Minutes
6:00 PM

Present Members: Phil Bean- Chair, Nick Hadianis, John Alberghini- Alternate, Larry Brown, Griffin Parks, Morgan Vachon- Alternate, Lee Howlett- Alternate

Staff: Bruce Woodruff- Town Planner

Public Attendance: Megan Carrier-Sheehan Pinney, Brian Baker, Winnie Miller, Heidi Thayer, +5

- I. Call to Order:** P. Bean, called the meeting to order at 6:00. The Chair seated alternates J. Alberghini and Lee Howlett. Member L. Brown recused himself from voting. There was a quorum.

Morgan Vachon and Larry Brown participated in discussions but did not cast votes in the public hearings.

- II. Comment:** L. Brown- Issues of public good.

- III. Review / Approval of Minutes of July 23, 2026 meeting:** N. Hadianis motioned to approve the minutes of July 23, 2026. Seconded by G. Parks. Vote 6/0/0 Motion passed.

- IV. Public Hearing for a Variance application** submitted by Brian Baker, applicant, Amzak Ironwood Shortridge, LLC, owner at 619 Governors Rd. Map 25, Lot 2 (the "Property") in the Low-Density Residential zoning district for variance relief from Milton Zoning Ordinance Article II, Definitions, No. 18, Child Day Care Facility, to allow the Property to continue to be used, consistent with its existing State licensure, prior local approvals, and historical and current operations, to provide 24-hour residential care to clients aged 12-20 where the definition states the service is for 12 years old or younger and the term "day" is used.

B. Woodruff- This variance is required before the special exception application can move forward. A child day care center facility is allowed by special exception in the low-density residential zone. However, it is for 12 years old and younger, and not a "day" care, therefore the applicant needs relief from the definition in the ordinance from those two parts of the definition.

Megan Carrier of Sheehan Pinney outlined the facility background and why the “child (day) care facility” is the appropriate classification. They have been providing services on their 350-acres campus since 2001. They do provide educational services, however, as the needs of their clients have grown, they now provide additional services. As they are not a nursing home or medical facility, they believe the classification of Child Day Care Facility is the closest match.

M. Carrier provided additional explanations to the criterion.

Granting the variance would not be contrary to the public interest: The specific site is an appropriate location for the proposed use. There is no impact to the neighborhood. The campus is 350 acres and buffered by the road. They are highly regulated by various agencies. M. Carrier acknowledged the impact to emergency services. They have signed an agreement with Milton Police Department to provide daily detail services between 4PM and 12AM.

The spirit of the ordinance would be observed: The use will not be injurious, noxious, offensive or detrimental to the neighborhood. The facility has operated since 2001 with minimal impact to surrounding neighborhood. It’s a secluded location and not visible or audible to neighboring properties. They continue to make efforts to reduce demands on emergency services by investing in climb-resistant perimeter fencing and advanced staff training.

Granting the variance would do substantial justice: We have served our students, including families from Milton and surrounding communities, for 25 years. We provide a safe environment and needed service for students and their families.

There will be no undue nuisance or serious hazard to pedestrian or vehicular traffic. The facility generates less pedestrian and vehicular traffic as clients live on campus and do not commute. All parking is provided on site.

The values of the surrounding properties would not be diminished: It would be status quo.

Unnecessary Hardship: We have been operating since 2001 and is the same program that has been in operation for the past few years. This is a reasonable use. Child and adult daycare is allowed in the zone.

P. Bean asked if there were abutters in attendance and wished to comment.

Heidi Thayer, Governors Road: We see students on the road everyday which impacts traffic. We have seen increases in the number of kids running away from the facility. We have to deal with the ramifications of students leaving the facility. We can also hear kids screaming and yelling from the grounds.

P. Bean asked for questions from Zoning Board members.

Lee Howlett- Did the town provide appropriate approval with the specific knowledge?

J. Alberghini- I don’t understand how it got to this point. It’s licensed as a residential day care and the state definition of child differs from Milton Zoning Ordinance?

B. Woodruff- Yes- a child day care is 12 years and younger. They are asking for relief from the age requirements and the word “day.”

N. Hadiaris- We are trying to find the right thing to call this and address neighbors’ concerns.

L. Brown- Because they let go of their educational certificate, this means they are not a school. This request stretches the definition of day care.

M. Vachon- I agree that day care may not be the best terminology.

P. Bean- The concerns expressed by Heidi Thayer are real. There is a lot of gray area.

M. Carrier- We are trying to tell you exactly what we do. We acknowledge we don't fit squarely in any definition. If not a day care, what does the board think we are?

J. Alberghini- Why not ask for a variance on the license instead of calling it a day care?

M. Carrier – We are trying to fit into a category in the use tables. We have talked to the Town Planner.

B. Woodruff- I advised them as a medical facility.

M. Carrier- We think there was a misunderstanding.

L. Howlett- I support the facility and would prefer this be specifically defined under DES licensing. Perhaps it would be better to withdraw this request and come back for a use variance as a residential mental health treatment facility, etc.

N. Hadiaris- Motion to accept the variance application as a Child Day Care Facility.
Seconded by G. Parks.

N. Hadiaris- Yes, G. Parks- No, J. Alberghini- No, L. Howlett- No, P. Bean- Yes.
Yes=2, No=3.

J. Alberghini- Motion to allow the applicant to withdraw the application without prejudice and come back to the board at a future date with another application. Seconded by N. Hadiaris. N. Hadiaris- Yes, G. Parks- Yes, J. Alberghini- Yes, L. Howlett- Yes, P. Bean- Yes. Yes=5, No=0. [sic: The Board was allowing both applications to be withdrawn with this motion.]

- V. **Public Hearing for a Special Exception application** submitted by Brian Baker, applicant, Amzak Ironwood Shortridge LLC, owner at 619 Governors Rd, (Map 25, Lot 2) (the "Property"). The Application seeks a special exception in accordance with Milton Zoning Ordinance Article III 3.5., Table of Principal Uses on p. 15 and Milton Zoning Ordinance Article VIII A. Special Exceptions to allow a change of use from a school to a Child (Day) care facility. The parcel is in the Low-Density Residential Zoning District. **This application was not heard as it was withdrawn by the motion at the end of IV.**

- VI. **Public Hearing for a Variance application** submitted by David M. Paradis & Winnie Miller, applicants and owners at 40 St. James Ave, Map 33, Lot 27 (the "Property"), in the Low-Density Residential zoning district, for variance relief from Milton Zoning Ordinance Article III, Section 3.5, p. 17, Table of Dimensional Requirements to construct a 15-ft by 30-ft one car, two-story garage with storage that will have less than 1-ft of front setback where 40-ft is required, and 4-ft of side setback where 6-ft is required.

B. Woodruff- Previously met with the applicants. There was a snafu in the building permit issued; an error by a municipal official. The application is completed and abutters were notified.

Winnie Miller- The building will be situated to not hit the septic system field. It does not interfere nor block any views. We are putting this new structure in the exact place where the green canvas vinyl structure was.

P. Bean asked for comments or questions by Zoning Board members.

L. Brown- His concern was alleviated by the applicant's explanation.

L. Howlett- What will the 2nd floor be used for?

W. Miller- Only for storage. The garage door will face the house, not the road.

1. Granting the variance would not be contrary to the public interest:

N. Hadiaris- The variance would not be contrary to the public interest. Seconded by G. Parks

Yes= would not be contrary, No= would be contrary

N. Hadiaris- Yes, G. Parks- Yes, J. Alberghini- Yes, L. Howlett- Yes, P. Bean - Yes;
Yes= 5, No=0.

2. The spirit of the ordinance would be observed:

G. Parks- The spirit of the ordinance would be observed. Seconded by M. Vachon

Yes= would spirit would be observed, No= would not

N. Hadiaris- Yes, G. Parks- Yes, J. Alberghini- Yes, L. Howlett- Yes, P. Bean - Yes;
Yes= 5, No=0.

3. Granting the variance would do substantial justice:

N. Hadiaris- The variance would do substantial justice. Seconded by G. Parks

Yes= would do substantial justice, No= would not

N. Hadiaris- Yes, G. Parks- Yes, J. Alberghini- Yes, L. Howlett- Yes, P. Bean - Yes;
Yes= 5, No=0.

4. The values of the surrounding properties would not be diminished:

M. Vachon- The surrounding properties values would not be diminished. Seconded by L. Howlett

Yes= no diminution of values, No= would diminish values

N. Hadiaris- Yes, G. Parks- Yes, J. Alberghini- Yes, L. Howlett- Yes, P. Bean - Yes;
Yes= 5, No=0.

5. Unnecessary Hardship: Owing to special condition of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship:

N. Hadiaris - There is no unnecessary hardship. Seconded by J. L. Howlett

Yes= has hardship, No= does not

N. Hadiaris- Yes, G. Parks- Yes, J. Alberghini- Yes, L. Howlett- Yes, P. Bean - Yes;
Yes= 5, No=0.

L. Howlett- Motion to approve the request with the added condition when the garage is surveyed, front corners be pinned in relation to the front property. Seconded by G. Parks

N. Hadiaris- Yes, G. Parks- Yes, J. Alberghini- Yes, L. Howlett- Yes, P. Bean - Yes;
Yes= 5, No=0.

VII. Other Business.

There was no other business.

VIII. Adjournment: G. Parks motioned to adjourn. Seconded by J. Alberghini. All were in favor. Meeting adjourned at 7:00PM.

Submitted by Recorder, Amy Weiss