

Zoning Board of Adjustment
Craig Daniels, Chairman
May 8, 2012
7 p.m.

PRESENT: Phil Neily-ZBA Administrator, Craig Daniels-Chairman, Celie Aufiero, John Pellerin, Bob Cavalieri, David Dow, and Paula Rowe-Recorder.

Guests: Annette Tietz, James and Janet Proctor, John Downing, Pat Merrill, George Merrill, Lloyd Hackeman, Dana Arey, Erin Darrow.

Approval of Minutes:

Motion to accept the Minutes of January 10, 2012 came forward from Celie Aufiero with a second from David Dow and carried.

Public Hearings:

I. George Merrill will request a Special Exception as provided for under Article IV, Section 403.1.1 of the Enfield Zoning Ordinance. They wish to construct a Professional Office in the Residential One (R1) District. This property is located at 1088 NH Route 4A, Map 40 and Lot 17.

Erin Darrow presented to the Board using diagrams of the property. The property will be landscaped and aesthetical to the area. This will be a professional building housing a mail order business called Artech. Storm drainage will be infiltrated.

Annette Tietz pled to the board against this structure. She informed that she recently purchased the home next to this property. This would block her sunlight and view. She does not want to look out her windows and see this large professional building on such a small piece of land (7/10ths of an acre).

Lloyd Hackeman owns across the street from this property. He would like to see this business come in to Enfield Center. He feels that this should be commercial property as it is in Enfield.

George Merrill spoke on this business proposal explaining that this is a mail order business and ideal being across the street from the Enfield Center post office.

Chairman Daniels wants to take a step back and determine if this is a Professional Office building or a business manufacturing/producing an item.

The verbage of the hearing states that this is a Professional office building, however, the product will be at the facility and mailed out from the facility.

Chairman Daniels read the description in our policies of Professional Offices as a place where licensed professionals (ie: doctors, lawyers, engineers) practice their professions.

Lloyd Hackeman asked if this could be a home occupation in an existing building. (R1). Accessory Use. Additionally asking if this business could be added on to the existing general store business.

Erin Darrow, on behalf of the Merrills, asked if they could come back to the ZBA for a variance request instead of the special exception.

Chairman Daniels said yes and read the 5 criteria which must be met for a use variance. Darrow said they would return with a use variance request. After polling the Board, Chairman Daniels said the Board would wave the additional fees for submitting a use variance.

The Merrills had two additional variance requests for the same property on the agenda; one for a variance from Article IV, Section 409.11(related to the number of parking spaces for a commercial facility) and the second for a variance from Article IV, Section 409.2 (relating to the size of parking spaces). Chairman Daniels ruled that since these variances require prior approval of the above use variance, they could not be discussed/ voted upon at this hearing. At the request of the Merrills, the Board agreed to continue these two requests to the next Board meeting on the assumption that the Board would receive a use variance request.

IV. Pathways Consulting LLC, for their clients Matt McIntyre and Carol Robert are requesting a Variance from Article IV, Section 401.1.M, the variance would allow construction of a single family dwelling within 50 feet of a wetland. This property is located in the Residential One (R1) District at 42 Goodwin Road, Map 28, Lot 31.

Dana Arey represented from Pathways Consulting LLC. There are a couple of wetland spots on the land. The Shoreland Protection Act will be met.

Celie Aufiero made a motion to accept the Variance contingent upon Pathways Consulting LLC getting the Shoreland Protection Act approval. David Dow seconded this. Motion carried unanimously.

Next Meeting:

June 12, 2012 – no hearings scheduled at this time.

Adjournment:

Motion to adjourn came at 8 p.m. from Celie Aufiero with a second from Bob Cavalieri and carried.