

Meeting Minutes

Zoning Board of Adjustments Meeting 6/12/12

Draft unapproved

Note: Please find the following DRAFT minutes of the Zoning Board of Adjustment. These DRAFT minutes are subject to being amended, extended and approved by the Zoning Board of Adjustment during it's next meeting.

Zoning Board of Adjustment
Craig Daniels, Chairman
June 12, 2012
7 p.m.

Present: Phil Neily-ZBA Administrator, Craig Daniels-Chairman, Celie Aufiero, David Dow, and Wendy Huntley-Recorder.

Guests: Pat Merrill, Tom Royce, James Proctor, Janet Proctor, Deb Roberts, Annette Tietz, George Merrill, Erin Darrow, Evan Dybvig, Vanessa Stone, John Downing.

I. Call to order by Craig Daniels at 7:00 p.m.

II. Approval of Minutes:

Approval of May 8, 2012 minutes with changes from Mr. Daniels. Complete approved minutes are on the Town of Enfield website.

Mr. Dow made a motion to accept the minutes of May 8th. Ms. Aufiero seconded. Motion carried unanimously.

III. Unfinished Business

None discussed.

IV. Citizens Forum

Craig Daniels explained the rules concerning voting with only 3 Zoning Board members present. Rules state that applicant has the right to ask for a continuance as only three members are present and an unanimous decision would be required. The applicant chose to continue the hearing.

A Variance:

Erin Darrow, representing Mr. and Mrs. George Merrill, spoke to their

requesting permission to have a commercial facility in a residential area primarily for the mail ordering of ski equipment. The business will employ eight employees during the busy season (Oct-Feb) and four employees during the slow season (Mar-Sept). There will be deliveries by UPS, Fed-X and USPS but no freight trucks on a regular basis. The foot print of the building is 3828 square feet and with the parking area will be using just over 30% of the entire lot. There are plans for a landscaping buffer between the proposed building and the single family dwelling to the south of property. The building is to be a manufactured building, made by the Amish and purchased through the Carriage Shed in White River Junction Vermont. There are also plans to work with NHDOT in regards to a planting buffer between the proposed building and Rte 4A. Ms. Darrow reviewed pictures of existing lot and prior building uses. Proposed use is to enhance the area and not detract from the view of anyone.

Vanessa Stone, owner of Vanessa Stone Realty, Enfield, NH, submitted and reviewed her statement submitted to the board. Copy in file.

Deb Roberts, Realtor, presented her thoughts on the proposed commercial use of property and its positive impact to the Town.

Craig Daniels questioned the grade stakes at the property shown in the pictures. Ms. Darrow explained they signified the approximate building location.

Annette Tiete, owner of single family home to the south of proposed site, voiced her concerns regarding size of building.

Ms. Darrow explained that the 6,000+ gross square feet of the building is because of the two stories. The foot print of the building is just 3820 square feet and with the parking lot, the whole project would develop 33% of lot.

Tom Royce, as a property owner across the street from the proposed building, believes the commercial building will be an asset to the Town.

Ms. Aufiero inquired what the distance would be from the property line to the south.

Ms. Darrow responded it was 100-120 feet.

Ms. Roberts told of how Ms. Tiete's house has sold 4 times since 2004 with it being on the market for total of 1300 days. Most potential buyers decided they didn't like the view of the store and gas pumps. In her opinion the commercial building will enhance the value of the abutting home.

Ms. Aufiero questioned the propane tank buried in the front of the building.

Ms. Darrow explained that the tank will be kept outside of the 50' buffer to the Knox River but isn't sure of the exact location yet.

Ms. Aufiero questioned the size of the proposed septic system.

John Downing, designer of the proposed septic system for the project explained that the system is designed for 300 gallons per day (roughly 40 gallons, per day, per full time employee.)

Ms. Aufiero expressed concern about the future if the design isn't large

enough for potential expansion of business in future.

Mr. Neily explained that businesses only have restrooms, maybe a kitchen, and water used for cleaning ~ not for showering, laundry etc. Documents for Septic systems are kept on file with the State and Town.

Mr. Daniels asked if the business does “take off”, what would be the most expansion planned for.

Mrs. Merrill explained that the full time employees are not full year, just basically during the “busy season”.

Discussion closed at 7:53 by Mr. Daniels

Mr. Daniels went thru each criterion for issuing a variance:

1 agreement of board

2 agreement of board

3 agreement of board

4 agreement of board

5 agreement of board

Mr. Daniels moved to approve the requested variance with the limitation of 10 full time employees or equivalent. Any change from that would require further board review. Ms. Aufiero seconded. Motion carried unanimously.

B Variance:

Ms. Darrow expressed that the minimum parking requirement would cause an oversized parking lot as the business is mail order and not retail.

Ms. Roberts added that allowing the parking lot to be smaller than the 23 spaces required, the resale for a commercial business wouldn't be as appealing.

Discussion closed at 8:02 by Mr. Daniels

1 agreement of board

2 agreement of board

3 agreement of board

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5 agreement of board

Ms. Aufiero moved to approve the requested variance. Mr. Dow seconded. Motion carried unanimously.

C Variance:

Ms. Darrow spoke to the proposal of reducing the parking spaces to 9' x 20' which would still allow for the safe navigation of vehicles and keep within the

ADA (American with Disabilities Act) standards for handicap parking.

Discussion closed at 8:08 by Mr. Daniels

1 agreement of board

2 agreement of board

3 agreement of board

4 agreement of board

5 agreement of board

Mr. Dow moved to approve the requested variance as submitted. Ms. Aufiero seconded. Motion carried unanimously.

D Variance:

Evan Dybvig, Owner/Managing Member of Whaleback Mountain, requested a variance to become a day and residence sports camp. Kids would be housed in tent platforms. Currently kids are housed at KUA. Bathing needs would be off site. Toileting would be on site. Ten temporary platforms proposed.

Mr. Neily advised the board that they only need to look at use.

Mr. Dybvig stated that Whaleback is already state approved for a youth camp and that the mountain is only used for about 3 weeks of the summer for camp.

Mr. Neily clarified that Whaleback is already approved for a youth camp. Now looking to add as a "residential" youth camp.

Discussion closed at 8:14 pm

1 agreement of board

2 agreement of board

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5 agreement of board

Mr. Dow moved to approve the requested variance as submitted. Mr. Daniels Seconded. Motion carried unanimously.

New Business

V. Communications and Miscellaneous

None

VI. Next Meeting

July 10, 2012 No hearings scheduled at this time

VII. Adjournment

Ms. Aufiero moved to adjourn at 8:18. Mr. Dow seconded. Motion carried unanimously.