

**TOWN OF FRANCESTOWN
ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING OF MAY 9, 2013**

Francetown Zoning Board of Adjustment met at the Town Offices, lower level, on May 9, 2013 at 7:30 p.m. to hear the application of George Cilley, Jr. for a special exception pursuant to Article VII, Section 7.2 of the Town of Francetown Zoning Ordinance to allow a retail store/farm stand/grain and local products at 561 Pleasant Pond Road, Francetown, NH. The subject parcel is Tax Map 8, Lot 90.

Present were Susanna Jonas, Charles M. Pyle, Michael Jones, Tom Lowery, Jan Hicks and Silas Little, members of the Board.

The Board determined the application has no regional impact.

George Cilley, Jr. presented his application to the Board. He is proposing to operate the retail store offering local agricultural products, his maple syrup products, nursery items, and grain in the existing 36' x 36' sugar house. Approximate one-half (1/2) the area will be devoted to the retail store operation. He anticipates his hours to be 9:00 a.m. to 6:00 p.m. on weekdays and 10:00 a.m. to 5:00 p.m. on weekends. Parking would be provided across the street where there is existing room for sixteen (16) cars. Mr. Cilley reported he talked to Gary Paige, the road agent, who voiced no concerns with respect to the existing access to Pleasant Pond Road. Mr. Cilley said most of the deliveries would be using his own vehicles. He did not anticipate any vehicles larger than fuel oil trucks which presently operate on Pleasant Pond Road.

No abutters were present.

Jean Tartalis of 1085 Pleasant Pond Road, Francetown, NH voiced her concerns with respect to heavy traffic and additional traffic on Pleasant Pond Road because of the operation. Ms. Tartalis

felt the traffic and the retail store would be a detraction to the neighborhood. Ms. Tartalis lives on the Deering side of Mr. Cilley's proposed retail store location.

Polly Freese and Betty Behrsing, also not abutters, spoke in support of the application.

The public portion of the hearing was closed and the Board proceeded to deliberations. The Board reviewed the criteria in the ordinance for the grant of a special exception. The Board noted that Table 2 allows a retail business by special exception in the Rural District. Article VII, paragraph 7.1.2 lists seven (7) criteria which must be satisfied. The Board found the site proposed is an appropriate location for the use noting the present use is a sugar house and the minimal traffic as described by Mr. Cilley. The Board found, given the location on Mr. Cilley's property adjacent to his residence, that the use will not adversely affect the value of adjacent property. The Board also noted no abutters voiced opposition of the application. The Board found the existing sugar house provided adequate and appropriate facilities for the proposed use by Mr. Cilley. The Board found that there was no evidence of a nuisance or hazard to be created by the retail business. The Board found the use would not unreasonably burden either police or fire services. The Board noted that the use of the structure must comply with the provisions of the life safety code and that site plan approval from the Planning Board must be obtained.

After discussion, the Board unanimously voted that the application met the criteria for the grant of a special exception and granted this special exception. Jan Hicks did not participate in the vote. The remaining five (5) members voted unanimously to grant the application.

Respectfully submitted,



Silas Little

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NOTICE OF DECISION

On May 9, 2013, the Francestown Zoning Board of Adjustment unanimously voted to grant George Cilley, Jr. of 561 Pleasant Pond Road, Francestown, NH, a special exception to allow a retail store/farm stand/grain and local products at 561 Pleasant Pond Road, Francestown, NH, Tax Map 8, Lot 90. The Board found that each of the five (5) criteria required to be met for a special exception was satisfied by the application of George Cilley.

Any person wishing to contest the decision of the Zoning Board of Adjustment has thirty (30) days from the date of the decision in which to request a rehearing. The requirements for a rehearing are addressed in New Hampshire Revised Statutes Annotated Chapter 677, Section 2, to which attention is invited.

Dated: May 14, 2013



Silas Little