

Official as of
01/09/06

**HOOKSETT
ZONING BOARD OF ADJUSTMENT
MINUTES
DECEMBER 12, 2006**

CALL MEETING TO ORDER

The meeting was called to order by Tracy Murphy Roche at 7:02 p.m.

INTRODUCE MEMBERS OF THE BOARD

Tracy Murphy Roche, Chairperson, Chris Pearson, James Levesque, Roger Duhaime, and David Boutin

CONTINUED PUBLIC HEARINGS

PAUL BOUCHARD

117 Mammoth Road, Map 39 Lot 24

Special Exception from Article 26 Section C.4 to add a second 12x24 garage stall onto an existing one-stall garage whereas the land is non-conforming at 21,580 sq ft where 43,560 sq ft is required. Variance from Article 5 Section E.2 to add a 12x24 garage stall with an 8.9 side setback where a minimum side yard of one side 30 ft and the other side 20 feet, as required. (The other existing side yard is 18.5 ft)

With only four members of the Zoning Board available to vote, the applicant, P. Bouchard was given the opportunity to be heard by a full board at the next scheduled meeting.

P. Bouchard agreed to present to four members. (T. Murphy-Roche will not vote since she was not on the site walk or the previous meeting)

P. Bouchard read from the criteria (see file).

A site walk was done on this property.

A letter of support was received from the Planning Board.

R. Duhaime asked for the distance from the neighboring home.

P. Bouchard believes it is 40-50 feet from the boundary line on the other side.

C. Pearson stated that after completing the site walk, he believes that this is appropriate.

Open Public
None
Close Public

***R. Duhaime motioned to approve the special exception from Article 26 Section C4 to add a second 12 x 24 garage stall onto an existing one-stall garage whereas the land is non-conforming at 21,580 sq ft where 43,560 sq ft is required.
Seconded by James Levesque***

Voted unanimously in the affirmative.

R. Duhaime motioned to approve the variance from Article 5 section E2 to add a 12x24 garage stall with an 8.9 side setback where a minimum side yard of one side 30 ft and the other side 20 feet, as required. (The other existing side yard is 18.5 ft)

Seconded by James Levesque

Voted unanimously in the affirmative.

DONNA GRAVEL

12 Martins Ferry Road, Map 30 Lot 28

Special Exception from Article 26 Lot C.4 to add a 12X16 Sunroom on an existing structure that is less than 50% of the gross floor area of a legally non conforming use.

With only four members of the Zoning Board available to vote, the applicant, D. Gravel was given the opportunity to be heard by a full board at the next scheduled meeting. D. Gravel agreed to present to four members. (T. Murphy-Roche will not vote since she was not on the site walk or the previous meeting)

D. Gravel read from the criteria (see file)

C. Pearson was on the site walk at that property.

A letter of support was received from the Planning Board.

Open Public

None

Close Public

J. Levesque: Would there be a structure review of the first floor before they issue a permit?

M. Bonsteel: They must submit proof of structural reinforcement for the first floor of the house.

R. Duhaime motion to approve the Special Exception from Article 26 Lot C.4 to add a 12X16 Sunroom on an existing structure that is less than 50% of the gross floor area of a legally non conforming use.

Seconded by J. Levesque.

Voted unanimously in the affirmative.

NEW PUBLIC HEARING

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AUTO WHOLESALERS OF HOOKSETT

1348 Hooksett Rd, Map 25, Lot 5

Special Exception from Article 11, Section B.2.a to allow a commercial use of selling vehicles in the industrial zone.

John Kelly: I would like to have any generalized commercial use. An alignment shop is not beneficial. The business isn't enough to even pay the taxes. As long as it complies with what you choose to allow in this area, I'm only seeking tenancy.

T. Murphy-Roche: You can't change your application here.

John Kelly read from the criteria (see file)

I don't know why I'm here. This application says for a tire alignment facility. I spoke with Charles Watson and he said you didn't need to come here.

T. Murphy-Roche stated that a site walk is needed.

M. Bonsteel: He would have to submit a correct application and if it's different from what you have it will have to be renoticed.

J. Kelly: All I'm trying to do is change the property to a commercial use so that I can lease it. It is zoned incorrectly. We are not looking to put up any new buildings. We just want to use the building.

T. Murphy-Roche stated that a site walk is required for a special exception.

The minutes of the meeting where the alignment business was approved should be available at the next meeting.

The current use of this property was approved for the alignment business only. This property is also in the Ground Water Protection District.

J. Kelly: The intent is to put Hyline Auto sales there.

D. Boutin: Do you plan to do any maintenance?

J. Kelly: Yes, probably.

D. Boutin: If you will do this, your application needs to spell that out.

T. Murphy-Roche stated that Article 11 states what is allowed in this area, however the groundwater protection must be taken into consideration.

Site walk scheduled for Saturday Jan. 6th at 8:00 am.

Continue to January 9th, 2007

MATTHEW GORDON

56 Farmer Road, Map 26, Lot 30

Variance from Article 5 Section C.1.b to allow a lot to have 150 feet of frontage where 175 is required.

Matthew Gordon: I would like to construct a 36 x 26 sq foot cape where once a house existed. The old house will be burnt down and a new existing house will be put on. We were told that we needed a variance because we didn't have sufficient frontage.

D. Boutin: The application is in conflict with the drawing of the house that is to be built.

M. Bonsteel: They only want to make the new house more conforming and they meet the setbacks but they are short the frontage. They are asking for relief of a non-conforming lot where they have insufficient frontage.

D. Boutin: If they add a breezeway and garage they will encroach on the setbacks.

T. Murphy-Roche: It says 26 x 60, does that include the breezeway and the garage?

M. Gordon: Yes.

M. Gordon read from criteria (see file)

D. Boutin: There was an existing house that was non-conforming because it also violated the side setbacks. What happened to the existing house?

M. Gordon: The Fire Department burnt it down last week.

T. Murphy-Roche: Are the sheds going to be replaced?

M. Gordon: No, they are already gone.

J. Levesque: We will have a better use of the property except for the frontage, which will never conform.

D. Boutin: From a technical standpoint, this application has a number of inconsistencies.

J. Levesque: They are only here for a 25-foot frontage issue. If they build, they must meet all building requirements.

D. Boutin: The application, the agenda, and the drawings don't match.

T. Murphy-Roche: In the future, this must be clearer. All this information regarding the building should be included in the packet.

***D. Boutin motioned to table to have this properly noticed.
Motion failed to receive a second.***

D. Boutin recused himself based on an inappropriate application.

Mr. Gordon stated that he only wants to make the lot conforming for frontage.

T. Murphy-Roche: If you simply wanted a conforming lot and you weren't changing the lot, you wouldn't have to be here. Yes, you don't need to apply for a building permit here, but we would like all the information available.

Mr. Gordon: We were not hiding anything; we put a plan in the packet.

C. Pearson: This is not your error; it's the board and the town's error.

T. Murphy-Roche: We want to make sure that everything is done correctly, no one is a scapegoat. We simply must properly notify abutters.

M. Bonsteel: The new letter will go out next week and you can reappear next month.

D. Boutin: Section 5 states construct a 26 x 36 cap with an attached 2-car garage.

That's what the notice said. I was not directing any accusations to you.

We have a notice that wasn't done right and that was not your fault, that was the town's fault. The notice on the application should say that.

C. Pearson: I think it should say that he is putting a single-family structure, which will meet the setbacks and all other area requirements.

T. Murphy-Roche: They are making this more conforming. We don't want to make things hard on people that are doing the right thing.

***D. Boutin motioned to table. Seconded by C. Pearson.
Voted unanimously in the affirmative.***

Will continue on January 9th, 2006

OTHER BUSINESS

T. Murphy-Roche distributed her notes from the CTAP meeting which she attended.

APPROVAL OF MINUTES - November 14, 2006

***R. Duhaime motioned to accept minutes. Seconded by J. Levesque.
Voted unanimously in the affirmative.***

ADJOURN

T. Murphy-Roche declared the meeting adjourned.

Respectfully submitted,

Lee Ann Moynihan