

Official
As of 2/13/09

**HOOKSETT ZONING BOARD OF ADJUSTMENT
MINUTES
Tuesday, January 13, 2009
HOOKSETT MUNICIPAL BUILDING
35 Main Street**

CALL TO ORDER

Chairman Chris Pearson called the meeting to order at 7:00 pm.

INTRODUCTION OF THE BOARD

C. Pearson, R. Duhaime, R. Savoie, J. Levesque, D. Johnston, R. Bairam, T. Murphy Roche, and J. Gorton (Town Council Rep.)
Excused – G. Hyde

CONTINUED PUBLIC HEARINGS

HARD ROCK DEVELOPMENT

Kimball Drive & Quality Drive, Map 29, Lot 64-2 & 64-3
A Variance from Article 14.1 to allow residential use in MUD3 Zoning District
Variance from Article 14.C for lot frontage of 150 feet where 200 is required and lot area of 1.2 acres where 2 acres is required.
Variance from Article 14.G for the required buffer zone

Hard Rock requested a continuance to a date uncertain which will require renotification of all abutters.

P. Rowell stated that the board had requested Stantec review the plans and recommends the board wait until they submit new plans to complete this review. At that time, escrows should be set up to cover the cost of the engineering review on behalf of the zoning board.

C. Pearson: A letter has been sent to Arleigh Greene, on behalf of the Zoning Board, regarding the Fire Station land issue.

***R. Savoie motion to continue to a date uncertain and abutters will be renotified prior to the applicant reappearing before the board. Seconded by J. Levesque.
Vote unanimously in favor***

NANCY LANE

Nancy Lane, Map 25, Lot 21-2
A Special Exception from Article 5, Section B.3 to allow housing for older person residents on a 6.2-acre build able area (units allowed=6.2 ac x 6 units per acre = 37.2 units). The second and third floors of the building will consist of living space with garage floor located beneath.

C. Pearson stated that Nancy Lane has requested a continuance to a date uncertain.

***R. Savoie motion to continue to a date uncertain and abutters will be renotified prior to the applicant reappearing before the board. Seconded by D. Johnson.
Vote unanimously in favor.***

P. Rowell informed the board that the ordinance states that a joint meeting with the Planning and Zoning Board is recommended when applying for a Special Exception for elderly housing. P. Rowell will encourage the applicant to meet informally with the Planning and Zoning Board with a conceptual plan.

The Zoning Board would like to encourage the applicant to present a conceptual plan.

APPROVAL OF MINUTES

December 9, 2008

D. Johnston motioned to approve the minutes of December 9, 2008. Seconded J. Levesque.

Amended: Page 6:

M. Sorel, Planning Board: The Planning Board is encouraging developers to come before them with a conceptual presentation. This is a presentation for a recommendation.

M. Sorel: Mr. Chairman, please communicate in writing to the Planning Board all of the questions and concerns raised at this public hearing this evening. We would like to have that information before the Planning Board meeting on Monday night.

4:1 motion carries

R. Duhaime motioned to change the approval of the minutes to beginning of the meeting. Seconded by J. Levesque.

4:1 motion carries

OTHER BUSINESS

P. Rowell updated the Board on the following issues based on input received from counsel.

1. Process for taking of evidence by the board – Per the Town's attorney, the appropriate way for the board to take all evidence is at one time. That evidence should be submitted to all board members in writing. He didn't want to stifle the board's initiative to do research but all information should be returned to the entire board.

2. Position as Administrator for the Board – Does Administration has the authority to deny an application? Per our attorney, that couldn't be done. The RSA states all requests must be heard within 30 days. The job of the Administrator is to review the material and communicate the inadequacy or deficiencies in the application to the applicant; however, it is the applicant's decision to go forward or not. The Administrator can make recommendations for completeness at the hearing.

3. Abutter notification – Who is responsible for the abutters list? Our rules state the applicant supplies the list of abutters and the labels. Our attorney stated that it would be beneficial for staff to verify the list.

Zoning Board Application Requirements were reviewed and the following changes were recommended:

Special Exception - Add item 9. Applicant is to provide a copy of the deed of record

Variance - Eliminate item 4. Financial hardship

Future Meetings

January 28, 2009 - Zoning Board is meeting with Council

January 29, 2009 – Planning Board Workshop on Zoning Amendments

All members are encouraged to review the Rules of Procedure for the Zoning Board and any recommended changes will be discussed at the next regularly scheduled Zoning Board meeting.

The requirements for Stantec's review of the Severino project are complete.

M. Sorel: Is your board aware that the Special Exception criteria for elderly housing as it refers to Article 24, are substantial. It discusses slopes and ravines. Are you aware of that? It is a lot of reading. Mr. Michael smoothed over that quickly during his presentation and his plan did not meet the criteria of Article 24.

R. Savoie stated that he must provide a topo map.

R. Duhaime asked if a lot line adjustment had been done for Nancy Lane.

ADJOURNMENT

The chairman declared the meeting adjourned at 8:30 pm.

Respectfully submitted,

Lee Ann Moynihan