

**Unofficial**

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

**CALL TO ORDER**

C. Pearson called the meeting to order at 7:03 pm

**PLEGE OF ALLEGIANCE**

**INTRODUCTION OF THE BOARD**

Chairman C. Pearson, R. Bairam, D. Johnston, J. Levesque, G. Hyde, and J. Gorton (Council Rep),

**APPROVAL OF MINUTES**

September 8, 2009

*R. Bairam motioned to accept the minutes of September 8, 2009 as presented.*

*Seconded by J. Levesque.*

*Vote unanimously in favor*

**CONTINUED PUBLIC HEARINGS**

**NANCY LANE (Withdrawn)**

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 buildable area (units allowed=6.2 ac x 6 units per acre = 37.2 units). The applicant proposes three (3) separate 12 unit buildings. The second and third floors of the building will consist of living space with garage floor located beneath.

The applicant submitted a letter requesting withdrawal of their application.

*R. Bairam motioned to accept the withdrawal request from Beaver Brook Development.*

*Seconded by J. Levesque.*

*Vote unanimously in favor*

**CROWN COMMUNICATION**

210 Whitehall Road, Map 15, Lot 86-1

Industrial Zone

A request for a Special Exception as specified in Article 11, Section B.2 to install a wireless communication facility in the Industrial Zone.

A Variance from Article 28, Section O.5:a which requires a front, side and rear yard setback equal to the height of the tower. The proposal is to construct a 150-foot monopole tower. The center of the tower is a greater distance than the height of the tower from the front and rear yards, but is 113.67 feet from the side yard to the east property line.

C. Pearson stated that the study from Mark Hutchins for an Alternative Site Study was received today both electronically as well as in hard copy. The Board did not have sufficient time to review the findings of the study.

The Real Estate Impact Study was received from Peter Stanhope. The board requested that Mr. Stanhope attend the next Zoning Board meeting to present his findings.

C. Pearson asked the applicant if he had any additional evidence to present to the Board.

D. Klasnik stated he had nothing further to present at this time.

Abutters:

Chris Lins, 22 Farrwood Drive: The proposed tower is directly in my back yard. I delivered the meeting minutes of the Candia Zoning Board meeting to the Building Department this morning.

Dan Beaudette, 23 Farrwood: I'm not sure how much attention has been given to alternative sites. Verizon has a network extender that will cover up to a 500 sf area. It cost \$250 and comes with a money back guarantee. It is placed in a window of a home. Also, there are extended antenna systems, which attach to existing utility poles. It carries up to six (6) providers. It is currently employed in Andover, Nantucket and Brookline MA. This could be an alternative to an industrial tower.

Jim Swalgen, 20 Farrwood: I'm opposed to the cell tower because of the denial from Candia. Part of the reason being proposed for the cell tower on Whitehall was to provide coverage into Candia and Candia denied the tower application. I'm concerned with the noise from the cell tower with the HVAC units and the emergency generators.

Leeann Wirth, 24 Farrwood: I wanted to make sure that all the direct abutters get access to the property value study. When the assessment was done, was the tower up or was it prior to the fact?

Phil Martin, 27 Farrwood: I'm opposed to the tower. Is 150 feet the maximum height for a tower in Hooksett?

P. Rowell: 190 feet is the maximum and then they must be lit.

H. Kozlowski, 22 Julia Drive: I felt compelled to come because these are dominated by people who don't want towers in their back yard. I would like to speak for those who would like better reception. I want to urge the board to look at good cell coverage throughout the community. Campbell Hill, where I live, has a tower that is 120 feet tall

and most of the residents don't even know it's there. Once towers are there, they melt into the background.

Phil Marineau, 8 Farrwood: If the gentleman from Campbell Hill wants to volunteer to put the tower in his backyard, we wouldn't have a problem. Are the Zoning laws in Hooksett that different from other towns? To get an amendment, you need to show a hardship. The people applying for this live at 210 Whitehall Road, which is a two family residence. Where is the hardship for a residential homeowner to put a tower in their backyard? What I'm asking the ZBA is where is the hardship for the people in the single-family home?

P. Rowell: This property is in the Industrial Zone. The use is allowed in the Industrial Zone and the Variance is for the fall zone. It is an area variance.

Phil Marineau, 8 Farrwood: Are they paying taxes based on the Industrial Zone?

P. Rowell: They are being assessed fairly and equitably.

Allen Kessler, 19 Farrwood: We have a cell tower on the 28 bypass and he said there's a cell tower in his community and we still don't have cell phone reception on Farrwood Drive. So there is no guarantee that there will be a signal from this tower.

C. Pearson: The Alternative Site Study should address those issues.

***G. Hyde motioned to continue the hearing to November 10, 2009. Seconded by R. Bairam  
Vote unanimously in favor***

C. Pearson asked the applicant if he had any knowledge of companies working with towns to layout cell tower plans.

D. Klasnik stated that he did not know of any companies that did this work for towns.

**CHARLES & DEBORAH HOLT (Request Continuance to Jan. 12, 2010)**

313 Londonderry Turnpike, Map 25, Lot 39 and 39-1

A Variance from Article 5, Section A to allow a 9,000 s.f. single-story office building with 45 parking spaces to be constructed in a medium density residential district.

A letter was received from R. D'Amante's office requesting the hearing be continued to January 12, 2010.

***J. Levesque motioned to continue the public hearing until January 12, 2010. Seconded by R. Bairam.  
Vote unanimously in favor***

**HARMONY PLACE (Withdrawn)**

1621 Hooksett Road, Map 14, Lot 27

A Variance from Article 5, Section C:3.b which states the density cannot exceed two (2) units per every two (2) acres to allow the construction of 63 multi-family units in 3 buildings with 148 parking spaces on 12.87 acres.

The applicant submitted a letter requesting the application be withdrawn without prejudice.

*D. Johnston motioned to accept the withdrawal request from Hamony Place without prejudice. Seconded by J. Levesque.*

*Vote unanimously in favor*

**NEW PUBLIC HEARING**

**SCHOLARS ACADEMY**

11 Kimball Drive Unit 123, MAP 37, LOT 13.

A Variance from Article 14, Section A to permit a school in a Mixed Use District 3 Zone.

Emily Bair: We are requesting a Use Variance to allow a school in a Mixed Use District. The School is for children ages 6-12. Little Angels previously used the unit for childcare. Our school is a small private school for gifted children age 6-12 with an expected enrollment of children age 7-11. We received Fire and State approval after segregating us from the Little Angels unit. We received approval from State Department of Education pending approval from the Zoning Board.

We draw students from Epson, Epping, Manchester, Nashua, and Bow because they feel their districts are not serving the needs of the advanced learner. Our plan for this year is to have no more than 12 students at this site and we are targeting 20 students for next year. We have the students currently doing online work pending this approval.

P. Rowell stated that he completed the Health Inspection and the Fire Inspection has been done. Little Angel had three (3) units and they will be using one (1) of those units. Previously, all units were connected. That property was originally developed as a retail space and I don't believe there is any retail in the building. There is currently a radio station, a doctor's office, and a school for the hearing impaired running with a variance. I believe the daycare has a variance as well.

Emily Bair read from the criteria (see file)

Open Public Hearing

None

Close Public Hearing

*J. Levesque motioned to approve the variance from Article 14, Section A to permit a school in a Mixed Use District 3 Zone for Scholar Academy. Seconded by R. Bairam.*

*Vote unanimously in favor*

**DISCUSSION**

Proposed Fire Station at Exit 10

C. Pearson met with the Administrator and the Planning Board to discuss a property proposed for a future Fire Station on the west side off Kimball and Quality Drive. The Fire Department has negotiated with Mr. Green, the parcel of land where they wanted three houses. They would put the station on the curve. If we can grant them a variance to the 40-foot buffer, we can put the fire station further from the houses and closer to Quality Drive. They talked about putting up fencing on the backside to keep the noise down.

**OTHER BUSINESS**

*J. Levesque motioned to terminate K. VanHorn as an alternate member of the Zoning Board as a result of four (4) unexcused absence from meetings. Seconded by R. Bairam.*

*Vote unanimously in favor*

**ADJOURNMENT**

*J. Levesque motioned to adjourn. Seconded by D. Johnston.  
Vote unanimously in favor.*

*Respectfully submitted,*

*Lee Ann Moynihan*