

Unofficial

**HOOKSETT ZONING BOARD OF ADJUSTMENT
MINUTES
Tuesday, July 12, 2011
HOOKSETT MUNICIPAL BUILDING
35 Main Street**

CALL TO ORDER

C. Pearson called the meeting to order at 7:02 pm.

Pledge of Allegiance

ATTENDANCE

C. Pearson, R. Duhaime, D. Pare, R. Bairam, M. Simoneau (alternate), J. Levesque
Council Rep.

APPROVAL OF MINUTES

June 14, 2011

*R. Bairam motioned to approve the minutes. Seconded by D. Pare.
Vote unanimously in favor*

ELECTION OF OFFICERS

*D. Pare nominated C. Pearson as Chair. Seconded by R. Bairam.
Vote unanimously in favor.*

R. Bairam nominated R. Duhaime as Vice Chair. Seconded by D. Pare.

CONTINUED PUBLIC HEARINGS

36 ZAPORA DRIVE

Map 34, Lot 40-64

A Variance from Article 5 Section E.4 to allow the construction of a 3 season porch which is 19 feet from the rear boundary where a 25 foot rear setback is required.

D. Mahair: We were here last month and needed a certified plot plan. We have submitted that document.

P. Rowell: The requirement is for a 25 foot rear setback. They will need a variance to allow the construction 19 feet from the rear property line.

Open Public

None

Close Public

*R. Duhaimé motioned to grant the variance to allow the construction of a 3 season porch that is 19 feet from the rear setback. Seconded by D. Pare.
Vote unanimously in favor.*

NEW PUBLIC HEARINGS

SHACKFORD

7 Birch Hill Road

Map 8, Lot 9

A Variance from Article 5-A, Section E.5 to build a 10' x 12' shed four (4) feet from the side property line where 10' feet is required.

Lorne and Tammy Shackford: We are seeking to build a shed four (4) feet from the property line where 10 feet is required.

Tammy Shackford read application into the record (see file).

L. Shackford stated that the property drops off to a steep slope behind the house and allows for no other location. Behind the garage is considered the front of the house. The house actually is located sideways to Birch Hill and therefore the shed is to the left of the garage.

P. Rowell provided an aerial photo of the property.

Lorne Shackford stated that the shed will be a wooded gambrel style.

Open Public

Close Public

*M. Simoneau motioned to grant the variance to allow a shed 4 feet from the side property line where 10 feet is required. Seconded by R. Bairam.
Vote unanimously in favor.*

BLAKE

26 Londonderry Turnpike

Map 49, Lot 47

A Special Exception to allow a Commercial Use (2 Story office building) in an Industrial Zone.

Paul Scarpetti and Jen McCourt

Jenn McCourt: This property is located South of Eastpoint Drive and Beaver Brook. This is in the Industrial Zone and we are seeking a Special Exception for Commercial Use for office space.

The main issue is it is a small lot in the industrial area and is surrounded by wetlands on the abutting property. Currently there is an abandoned residential home. We are looking to put a 2 story office building.

J. McCourt read the application into the record. (See file)

Photos of the proposed building were distributed.

The Planning Board reviewed this application and submitted their recommendation to the ZBA. C. Pearson read the memo into the record.

Paul Scarpetti: This three (3) story building with 2 floors to be used for office space and the third floor will be unfinished.

C. Pearson stated that he would like clarification on the number of stories that the building will have. The application only stated 2 stories.

P. Rowell stated that this is a non-conforming lot and they will need to provide documentation that this was a lot of record through a deed. It must also meet the Development Regulations and Safety Regulations.

Open Public

Close Public

Site walk is scheduled to Monday, July 18th at 6:00 pm at the site.

R. Duhaime motioned to continue the public hearing to August 9. Seconded by R. Bairam.

Vote unanimously in favor.

FALCON BROOK

49 Mammoth Road

Map 45 Lot 33

A Variance from Article 5 Section C.3.b to allow the construction of 20 freestanding single family homes where a density of 14 units is allowed.

Emile Bussiere Jr. and Doug Maguire, Engineer.

The application is for 20 units where 14 are allowed. The last time they came here they were looking for 20 multi-families. Many abutters at that time were concerned that there were not a lot of multi-family dwellings surrounding that property and therefore would affect property value. The application was withdrawn and now we are looking to propose a condominium development of 20 detached units. The criterion is attached and was provided to the board. It meets the spirit of the ordinance. This concept harmonizes this project with the surrounding properties.

E. Bussiere read the application in to the record (see file)

E. Bussiere: The only way to develop this in a single family development is to utilize the back part of the property. This is secluded.

Because we are proposing condominium, this falls into the 2 units for 2 acres. If were other than a condominium ownership and freestanding it would have 19 lots allowed but I understand there were drainage concerns and that will be minimized by smaller lots.

P. Rowell: In MDR is speaks to multi-dwelling on one parcel. It addresses 2 units for 2 acres. 623,660 s.f. 14.32 acres /required single family acreage is 19 units. We are proposing 20 condominium units which require 2 units for 2 acres.

C. Pearson: The wetland crossings were granted and there were requirements for box culverts. Has anything changed?

D. Maguire: The road does cross at a different location. There were other roadways in the previous plan. This proposal has less impact on the wetland crossing with no additional roadways requiring retaining walls.

C. Pearson: I don't disagree but I think we need to review this for different wetland crossings.

D. Maguire: I spoke to Dan Tatem and he said if I could show him that it was a less impact that it could be handled as an administrative decision.

C. Pearson: If there is a change to a crossing and the wetland you must come back to the board. We will need to see what the impact is and we will need to do another site walk.

D. Maguire: We still anticipate box culverts but because of the elimination of the additional road the impact will be less.

ZBA stated that a Special Exception is required if the crossings change.

Open Public

G. Porter, 40 Castle Drive: My property is located at the end of the property and I'm concerned with water run-off. I don't know if the map is to scale but there are lot of buildings with small roads and small houses.

C. Pearson: They are not 1/2 acres and they are condominiums.

G. Porter: We get a lot of water runoff in the spring. With increase asphalt we will see more water.

D. Maguire: We went through a full design on the workforce housing proposal and we successfully mitigated the water increases on that plan. This is less impact so I am confident that we will successfully mitigate at the Planning Board level.

Close Public

D. Maguire: This will be serviced by public water and sewer.

M. Simoneau: A project like this will require a letter of credit?

P. Rowell recommended that any approval include the condition that they meet all conditions of the Planning Board which will include bonding.

R. Duhaime: It looks like a conservation subdivision next to wetlands. Are these condos or single units?

D. Maguire: There is no ownership of the property therefore there will be restrictions on the property.

The planning Board would review the condo documents.

C. Pearson: Is there a mailroom or club house proposed?

E. Bussiere: I don't believe this project is large enough to warrant a mailroom.

E. Bussiere: They will have attached garages with 2 bedroom homes. The footprint is 32' x 50' which includes the area of the garage.

C. Pearson: Unit 15 and Unit 20, is there space for a cul-de-sac if required by planning rather than a hammerhead?

D. Maguire: Yes but this turnaround meets all the requirements of emergency vehicles. This will be a private road and a private development.

R. Bairam is concerned with the wetland crossings.

C. Pearson: We went through this extensively before and they were larger than what is shown here. They will have to come back to the board if they are changing. We did require box culverts on the prior approval.

J. Levesque: Has this concept gone before the Planning Board?

E. Bussiere: No, we went before the Planning Board with the multi-family proposal. We asked for duplexes and quadplexes and did not get any positive feedback. We changed the plan and now if this variance is granted, we will then go before the Planning Board. We will show the wetland crossing changes to the Planning Board and if they required us to return to the ZBA, we will do so.

J. Levesque stated that the Zoning Board should have a joint meeting with Planning Board to review this project.

C. Pearson: I prefer this plan to the prior plan and with this plan you will not see sheds and accessory structures which could get into the wetlands.

E. Bussiere: We will need to meet the requirements for drainage with this proposal. We are asking for a variance for the number of units and we will still need to meet all the requirements imposed by Planning.

We have been going around on this property for 2 decades and we don't want to spend a lot more money on engineering without some approvals. We are trying to advance the ball one step at a time.

P. Rowell: The plan shows a building footprint that isn't tied to anything. We don't see the spacing between the units. The Development Regulations don't speak to the building separation. It also does not address accessory structures.

E. Bussiere: Right now it is an 1100 s.f. house.

D. Maguire: We have looked at a few concepts. This is the cleanest design. I think the Board should remember that any changes to shape or size will still need to be fully flushed out through the Planning Board and Stantec. Dan doesn't let this slide. This Board should not worry about drainage changes if there are slight changes to the footprint. Drainage was a huge concern in the workforce housing project. We need to meet the new State changes for terrain requirements. Moving forward with the Planning Board, this board can rest easy that we will meet all the requirements for drainage.

C. Pearson: To Peter's point, things can change and change dramatically. We can approve up to 20 units and allow planning to work through the other issues.

R. Duhaime: I think it might be good to take 30 days to think about this.

D. Maguire: We did a full engineering review for affordable housing and then we proposed a multi-unit approach. I think we have designed and redesigned and flushed out many problems.

E. Bussiere: We may have a few minor changes in size or design.

P. Rowell: I prefer this plan to others, but with this approval, you lose control of setbacks for accessories, frontage and other zoning issues with separation.

D. Maguire: There are minimum separations which are 40 feet between buildings. There are minimum 25 foot driveways with a garage. We are meeting the separation requirements. I have explored every avenue. This concept, if it needs to be tweaked to meet the fire requirements, we can do that.

E. Bussiere: We do not want to push this board to make a quick decision but have faith in the Planning Board to do their job. You shouldn't put yourself in the role of the Planning Board. We want you to consider only the number of units.

C. Pearson: The biggest thing we face, although I like this plan better than the previous, if we don't look into everything and the houses change location, or the design changes because we didn't do enough research, we end up with an unworkable design.

D. Maguire: I agree, but at this point I feel I meet the setbacks and if not, and we have to lose a unit, that would not be an error by this board.

D. Pare: You said this has been decades in process. If so then 30 more days will not be a problem.

R. Duhaime: I think we should get Planning's input. This is conceptual and the first time we have seen this plan.

R. Duhaime motioned to continue to August 9th and require the applicant to obtain Planning Board's recommendation. Seconded by D. Pare.

Vote unanimously in favor

**TNT PALACE GROUP
1379-1385 Hooksett Road
Map 18, Lot 30, 31, 31-A**

CONTINUED TO AUG. 9

A Variance from Article 10-A Section E to permit redevelopment offering a mixed-use approach with general commercial/retail office space along the Hooksett Road corridor and apartment-style residential units located in two (2) relocated and reconfigured buildings to the rear of the parcel.

The ZBA has requested a Joint Meeting with the Planning Board to discuss this plan prior to the August meeting.

R. Duhaime motioned to continue to August 9th. Seconded by R. Bairam.

Vote unanimously in favor.

Other Business

Heffron Pit

P. Rowell met with Mr. Heffron on Friday and he is in the process of securing the pit to keep the ATV out of the area and get the PD to police the area as well as the beaver issue. He didn't say much about a plan to begin reclamation.

ADJOURNMENT

The meeting was adjourned at 8: 40 pm.

Respectfully submitted,

Lee Ann Moynihan