

Unofficial

**HOOKSETT ZONING BOARD OF ADJUSTMENT
AGENDA**

**Tuesday, September 13, 2011
HOOKSETT MUNICIPAL BUILDING
35 Main Street
7:00 PM**

CALL TO ORDER

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

ATTENDANCE

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

Excused: P. Denbow

APPROVAL OF MINUTES

August 9, 2011

*R. Bairam motioned to approve the minutes of August 9, 2011 as presented. Seconded
by M. Simoneau*

**APPEAL FOR REHEARING G. Hyde, M. Simoneau, R. Bairam, R. Duhaime, C.
Pearson**

FALCON BROOK

49 Mammoth Road

Map 45 Lot 33

A request for a rehearing on the Variance granted from Article 5:C.3.b to allow the construction of 20 freestanding single family condominiums where a density of 14 units are allowed.

We granted a variance for Article 5:c.3.b that this should have been 5:c.1 for a single family dwelling. The definitions say a multi-family is an apartment, condo, or building of 3 or more units. The applicant should have come with Article 5:c.1.

G. Hyde: I read it that it should be 5:c.3.b because condos don't specify number of units. The example I use is I could have a single family home and 50 units down the road on 100 acres.

C. Pearson: I agree but our definitions say containing 3 or more units.

R. Duhaime: That is what was discussed at our meeting.

C. Pearson: I defer to the building department for that interpretation. The other issue is hardship. Hardship, which is important to discuss, was that considered?

R. Duhaime: The board followed the direction of the PB which was in support of the project.

P. Rowell: The PB said they support the 20 units. Condo is a type of ownership not the number of units in a building.

C. Pearson: We need to arrive at what the hardship was to go from 14 to 20 single family homes. I want to be sure we made a motion on the right article and we found a hardship. Did the applicant prove there was a hardship on the lot?

R. Duhaime: It can't be cluster housing.

R. Duhaime motioned to rehear based on items identified in the letter of 9/2/11. Second R. Bairam.

Vote 4:1

NEW PUBLIC HEARINGS

McGee

77 Pine Street

Map 5, Lot 113-1

A variance is requested from Article 5 Section E:2 of the Zoning Ordinance to permit the construction of a 26' x 12' pole barn proposed to be built nine (9) feet from the side property line where 20 feet are required.

M. McGee: I am requesting a variance from Article 5:E.2 to construct a pole barn 9 feet from the property where 20 feet is required.

Read from application (see file)

Alden Beauchemin showed why the barn must be located 9 feet from the property line. There are deep slopes and wetlands located on the property. The only usable area is within the setback. The area is now being used for a shelter. The existing temporary shelter will be removed and the shed (8 x 10) will be moved. The shelter that exists is a canvas structure which is unattractive. The tree line is beyond the boundary and there are power poles. This provides a significant tree buffer.

J. Levesque: The property encroaching upon a property in Bow. Are your fences already on their property?

M. McGee: Yes.

J. Levesque: I thought there were setbacks from wetlands?

A. Beauchemin: It is only wetlands of one acre or greater.

M. Simoneau: Is the abutting lot a buildable lot?

P. Rowell: That is Bow and they have larger requirements for building lots than Hooksett.

M. McGee: That is all mostly unbuildable. The slopes are very steep there and it is all ledge.

Open Public
None
Close Public

Voting: G. Hyde, D. Pare, R. Bairam, R. Duhaime, C. Pearson

***R. Duhaime motioned to approve the variance from Article 5:E.2.to build within 9 feet of the property line. Seconded by G. Hyde.
Vote unanimously in favor.***

OTHER BUSINESS

Heffron Gravel Pit

Update on reclamation plan

Bill Evans representing the Heffron Gravel Pit in response the notice of violation. They are in the process of coordinating a reclamation plan. Working with PSNH for a realignment of the poles. It is a process. It makes sense to do this. There is ongoing interest to develop the land.

Mr. Heffron would like to have you know that he will take care of any issue you have and we will move forward in the next 3-5 weeks. We do need to move the poles once we finalize the reclamation plan. PSNH will replace those metal towers.

C. Pearson: Are there specific dates to have this completed?

P. Rowell: We had 30 days.

They did secure the property to keep the ATV's out and there is a gate with a Knox box. They have hired Mr. Evans to work on the plan. As long as they are moving in the right direction in a timely manner, I am content. Mr. Lareby has been in showing interest. We need to be sure that they don't haul that material off the site until we have a reclamation plan or a site plan that shows the reclamation plan.

C. Pearson asked if a monthly update could be provided to the Board.

B. Evans: We want to take care of the power realignment and a site plan that will be to the benefit of the town. I understand why the town is concern with the lot line adjustment without a site plan.

The metal towers will be replaced and I'm sure they will not put them in those little piles of sand. They will work on realignment and a realignment of the right of way.

B. Evans: They want to move forward sometime next summer.

ADJOURNMENT

The chair declared the meeting adjourned at 8:10 pm.

Respectfully submitted,

Lee Ann Moynihan