

Official

HOOKSETT ZONING BOARD OF ADJUSTMENT

Tuesday, June 14, 2016

HOOKSETT MUNICIPAL BUILDING

CALL TO ORDER

Vice-Chair Roger Duhaime called the regular meeting to order at 6:30 pm.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Roger Duhaime (Vice-Chairman), James Levesque (TC Rep.), and Richard Bairam

ALTERNATES: Phil Denbow and Michael Simoneau

APPROVAL OF 2016-2017 MEETING SCHEDULE

M. Simoneau motioned to approve the 2016-2017 Meeting Schedule. Seconded by P. Denbow. Motion carried unanimously.

EXCUSED: Chris Pearson (Chairman), Gerald Hyde, and Don Pare

STAFF: Matt Lavoie (Code Enforcement Officer)

APPROVAL OF MINUTES

May 10, 2016 – M. Simoneau motioned to approve the minutes of the May 10, 2016 meeting with changes. Seconded by P. Denbow. Motion carried unanimously.

NEW PUBLIC HEARING

Mitchell, Denis & Jennifer Case # 16-06
20 Harmony Lane Map 31, Lot 15
MRD

A Variance is requested from Article 18 Section G. 2 a. of the Zoning Ordinance to permit the installation of an 18 x 32 foot kidney shaped in-ground pool 36 feet from the Wetland Buffer, where 40 feet is required on the left and back side of the house.

J. Mitchell: Wanted to put in a variance to go into the wetland buffer.

R. Duhaime: It states here that you are installing a retaining wall.

J. Mitchell: Yes, that was probably going to have to happen

D. Mitchell: The retaining wall will have to be built so the dirt doesn't slide down into the pool.

R. Duhaime: Oh, I see. Ok.

J. Mitchell read the zoning application into record.

M. Simoneau: Gunitite or vinyl

J. Mitchell: Vinyl

R. Duhaime: Of course it's going to be fenced in right? Is the whole yard already fenced in?

J. Mitchell: Yes we are going to close it off.

P. Denbow: It looks like you have it located as far away from the wetlands, right?

J. Mitchell: Yes

Open to abutters.

No abutter comments.

Close to abutters.

P. Denbow: Doesn't seem unreasonable to me, especially if there were no abutters here.

R. Duhaime: I suppose you are going to start soon?

D. Mitchell: Yes Sir.

Open to public.

No public comments.

Close to public.

M. Simoneau motioned to approve the variance from Article 18 Section G. 2 a. of the Zoning Ordinance to permit the installation of an 18 x 32 foot kidney shaped in-ground pool 36 feet from the Wetland Buffer where 40 feet is required for Denis & Jennifer Mitchell, Case #16-06, 20 Harmony Lane, Map 31, Lot 15, MRD. Seconded by R. Bairam. Motion carried unanimously.

Duval, Donald
14 Dartmouth Street
PZ

Case # 16-07
Map 18, Lot 23

A Variance is requested from Article 10 Section E of the Zoning Ordinance to erect a residential home. Also, a Variance is requested from Article 10-A Section F 1 to permit the subdivision of the property.

D. Duval: My wife, Janice, and I presently have our office on Dartmouth Street. When we bought the parcel back in 1999 it was zoned Commercial. One of the added pluses when we bought it was to be able to build an extra lot. In 2006, undenounced to me the town rezoned the whole area to PZ, which took away my ability to create an additional lot. What we are trying to do today is to create a buildable lot in the size and shape when we originally purchased the property. The other thing is that we are asking for it to be a residential use. My wife and I are planning to build our own house there is everything goes right. Since we bought the property, Jensen's has built approximately 85 houses back there. For the most part it is residential, except for a few commercial properties. So we are trying to create the lot as it was when we bought the parcel, which has 150 ft. frontage and ½ acre of land. The remaining lot with the building on it will be in complete compliance with the PZ zone, which has 150 ft. frontage and a little over an acre of land. It also meets all the setback requirements. Applicant refers to some pictures in the application packet.

R. Duhaime: So the property line...is that your parking lot it is going through there?

D. Duval: No, that just a fenced in area where my wife's dog plays.

R. Duhaime: Oh, ok.

P. Denbow: Matt, what is the required road frontage?

M. Lavoie: 100 feet with water and sewer.

R. Duhaime: I didn't realize the PZ.....does it go as far back as the next unit? The house with the repair shop?

D. Duval: There is one lot between me and Jensen's.

R. Duhaime: Ok, that's what I'm looking at here.

D. Duval read the zoning application into record.

R. Bairam: Matt, didn't you have a question if it was approved?

M. Simoneau: It would make it residential use sandwiched between two PZ lots.

R. Bairam: The lot next door to the left is a home and a business.

R. Duhaime: I believe you said the lot next door is a home and a business together.

D. Duval: To the right of me is a vacant lot that Jensen's owns.

R. Duhaime: I believe we already have some mixed uses there already.

M. Lavoie: Mixed as in commercial and residential and older buildings.

Open to abutters.

No abutter comments.

Close to abutters.

Open to public.

No public comments.

Close to public.

R. Bairam: So that is going to leave one lot that is still in the PZ zone on the end.

R. Duhaime: No, we are not changing where they are. We are only allowing them a residence in the PZ zone. As you can see from the other lots that are subdivided, you can see that his lot isn't going to be smaller than lots of both sides of him in that area. Jensen's has a lot of houses.

P. Denbow: When you say Jensen's you mean the 55 and older.

R. Duhaime: Yes.

P. Denbow: Don, do you have any idea what style of house you're going to build?

D. Duval: Something that will be compatible with the 55 and older. On one floor.

R. Bairam motioned to approve the variance from Case # 16-07, Article 10 Section E of the Zoning Ordinance to erect a residential home. Seconded by P. Denbow. Motion carried unanimously.

R. Bairam motioned to approve the variance from Case #16-07, Article 10-A Section F 1 to permit the subdivision of the property for Donald Duval, 14 Dartmouth Street, Map 18, Lot 23, PZ. Seconded by P. Denbow. Motion carried unanimously.

Duhamel, Tina
18 Oak Hill Road
PZ

Case #16-08
Map 19, Lot 5

A Variance is requested from Article 26 Section A. 2. of the Zoning Ordinance to permit the installation of an addition to their home. A Variance is requested from Article 10A. FIGURE 10A

T. Duhamel: I am in the process of putting an addition onto my home and if I can't I would have to put my dad into a nursing home. My property is commercial and I'm not sure why.

R. Duhaime: Matt is there two variances here?

M. Lavoie: Yes.

R. Duhaime: Ok because they didn't finish writing it on my page. I'm sure we will read the variance when we get to it.

J. Bujwid (Contractor) read the zoning application into record.

R. Duhaime: So Matt this is in the PZ zone too?

M. Lavoie: Yes it is.

R. Duhaime: Ok. Even though it's already residential we still need a variance to put an addition on.

M. Lavoie: It still non-conforming use. Non-conforming use, Article 26, says that no non-conforming use can be expanded, so that's the Article they are asking the variance from.

R. Duhaime: Ok. Thank you Matt.

P. Denbow: So Matt you have listed here that the applicant bring this to the planning board to see if they can change the zoning back to residential. Would solve that problem? Or one of the problems, or no?

M. Lavoie: It would solve the non-conforming problem, but would not solve the setback problem, and I just noticed it said on the agenda that they are asking for a variance on Article 10 Section A. Is that what's missing from yours, because there should be another section there because they are actually asking for the setback requirement to be waived, not the residential use because obviously it's already non-conforming and they are asking for that.

R. Duhaime: Oh, ok that's what I'm missing.

M. Lavoie: I think the variance is supposed to say Article 10A, Table 10A. That's what it's supposed to say.

P. Denbow: So Matt you're saying the setback is supposed to be the 3:1 ratio, so he's 78 feet back from the road.

M. Lavoie: From the right of way.

T. Duhamel: I have some letters from my neighbors who say they are all ok with it. Ron Clark doesn't have any complaints or concerns. Elizabeth Kudrick has no problems with the changes. Nancy Pulski (sp?) and her son said they have seen the plans and have no objections to it.

R. Duhaime: So basically what you are doing here on the front of the property on Oak Hill Road is you're keeping it straight with the house.

T. Duhamel: Meeting with the existing road, just going up a little bit further and up a little higher to let my dad have the bathrooms and facilities and a place he needs so I can take care of him properly.

R. Duhaime: On a private road there is a setback?

M. Lavoie: It goes by the right of way, it doesn't matter if the roads are private or not.

R. Duhaime: Ok, it goes by right of way. So it's supposed to be 25?

M. Lavoie: In performance zone it depends upon the height. So in this case it's supposed to be a 3:1 ratio, height to distance so it would be 78 feet. They are asking for a 26 foot high addition. Which I believe it's higher than the original house.

J. Bujwid: It's 4 feet higher than the original house for the fact that it is a little bit wider. So in order to maintain the same pitch it will be 4 feet higher.

R. Duhaime: So the setback will be?

M. Lavoie: 78.

R. Duhaime: That's pretty far back.

J. Bujwid: Yeah, that's why it's not a commercial area.

R. Duhaime: So residential zone is 25 feet I believe?

M. Lavoie: Residential, if it has sewer and water, I think it would be 35 feet if it was MDR.

R. Duhaime: Ok

M. Simoneau: Is this addition going to be on the backside away from the road?

J. Bujwid: No actually if you look at the last sheet it shows you where.

T. Duhamel: It's basically the existing house just where it is.

J. Bujwid: It's going to provide a stable platform for him to be able to utilize a wheel chair.

Open to abutters.

James Rice: I do not have any objections. Regarding the setback he wanted to know if the addition was going to be closer to the street

J. Bujwid: It is only going to be a couple feet closer in order to keep aligned with the existing house.

J. Rice: Oak Hill is a small road, so if there is oncoming traffic one car needs to go to the side of the road. So my question or concern is the materials and trucks going to be located off the road?

J. Bujwid: No vehicles will be on the road at all.

J. Rice: Then the other question is about when the application is approved and when the permit is pulled is there a time restriction on when the project can begin and end?

M. Lavoie: They have six months to have their first inspection and if they don't do that their permit is voided, but ultimately they will have 18 months to complete the project.

J. Rice: Thank you.

Close to abutters.

Open to public.

No public comments.

Close to public.

R. Bairam: There is no water or sewer up there is there?

T. Duhamel: There is water and sewer.

P. Denbow: Are you going to have to build a bigger septic to accommodate bathrooms.

J. Bujwid: No the bathroom is already there. The only thing we are going to do is making the bathroom a little bit larger to allow her to be able to wheel her dad in with the wheel chair.

R. Duhaime: Like handicapped accessibility?

J. Bujwid: Absolutely, with a drain in the floor, so that way water doesn't go anywhere else it isn't supposed to.

R. Duhaime: The drawings look great the property looks good and it will clean up the property. There are old additions, I don't think you put those on right?

T. Duhamel: I didn't.

M. Lavoie: It's Figure 10A. Article 10A, Figure 10A, not Table 10A.

P. Denbow motioned to approve the variance from Case # 16-08, Article 26 Section A. 2. of the Zoning Ordinance to permit the installation of an addition to their home. A Variance is requested from Article 10A. FIGURE 10A, for Tina Duhamel, 18 Oak Hill Road, Map 19, Lot 5, PZ. Seconded by R. Bairam. Motion carried unanimously.

General Electric Corporation

Case #16-09

9 Industrial Park Drive

Map 18, Lot 42

IND

A Variance is requested from Article 11 Section B. 4. to permit the installation of solar canopies 35 feet from the property line, where 50 feet is required from the edge of any public right of way.

Nick Golan: Engineer, TF Moran

Susan Niquette: GE Aviation

Ed Cherian: GE Electric Solar

E. Cherian: We would own and operate the site and sell the power to GE Aviation. They have worked for 1 ½ years with the plant to plan out the best place for solar, because they have some high costs with electric. They evaluated some roof top options and ground mount but the sight is constrained. The parking lot is the largest area and would be best to have solar in a carport. Will provide 10% of their electricity, and have contacted Eversource and received their ok. Went to Planning Board last month and received conditional approval. Two of the carports need a setback variance. Need at least two weeks to set up and start construction in mid-July.

S. Niquette: Currently they we are spending between \$280,000 - \$300,000 a month on electricity. This will help to stay competitive in the market.

P. Denbow: These are going to be fixed, no tracking?

E. Cherian: That's correct, they are fixed.

P. Denbow: Not using the power direct so there is no net metering you will have to worry about? You're not worrying about the cap or anything are you?

E. Cherian: There is no net metering. We did not request that because the load of the site would be so high there would be nothing to export.

P. Denbow: What type of panels?

E. Cherian: I can provide you with a spec sheet on that.

R. Duhaime: The carports are going to go in first, then I imagine you are going to do some sort of work to put the panels on top, right?

E. Cherian: Yes, so the construction process is to first drill for the foundations, rebar cage, set anchor bolts and you have steel columns to come in to support it, then the racking and modules. A lot of that will be put together off site and then picked up in pieces. We don't want to have a lot of at-height work by the electricians, which most of it will be done off site at a warehouse across the street and then brought completed racked and panels in sections then installed.

P. Denbow: How many inverters, and where are they going to be located? Are they string inverters?

E. Cherian: They are string inverters. The full electrical plan that I know we went over with Mr. Lavoie at one point. We will provide all details when we put it our building application.

R. Duhaime: My issue with this property is that the property has looked like a factory, is there not going to be any reflection.

E. Cherian: No, it's pitched so there will be no reflection.

R. Duhaime: What is the expense of the project?

E. Cherian: \$3.5 million

R. Bairam: What about the snow? Are they strong enough to hold the weight?

E. Cherian: Yes, they will meet local code there is a snow and wind load design, 70 PSF per snow load and wind load is 100 PSF. Will not have to go up on the roof and clean off the snow.

G.E. Corporation read the zoning application into record.

P. Denbow: Is this project eligible for the federal investment tax credit? 30%

E. Cherian: Yes, you have to apply to qualify for it, but we plan to do that.

P. Denbow: How many years to you think the payback is going to be?

E. Cherian: Generally we look for 5-6 years to break even.

P. Denbow: If you were to lose the other panels how would that affect your project?

E. Cherian: It would be about a third of the project, and probably would not be viable.

Open to abutters.

No public comments.

Close to abutters.

Open to public.

No public comments.

Close to public.

M. Simoneau motioned to approve the request of a variance with regard to Case # 16-09, Article 11 Section B. 4. to permit the installation of solar canopies 35 feet from the property line, where 50 feet is required from the edge of any public right of way, for G.E. Corporation, 9 Industrial Park Drive, Map 18, Lot 42, IND. Seconded by R. Bairam. Motion carried unanimously.

P. Denbow motioned to adjourn. Seconded by M. Simoneau. Motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 7:52 p.m.

Respectfully submitted by:

Jessica A. Call
Zoning Board Administrative Assistant