

ZONING BOARD OF ADJUSTMENT
268B MAMMOTH ROAD
LONDONDERRY, NH 03053

DATE: JUNE 18, 2014

CASE NO.: 3/19/2014-2 (REHEARING)

APPLICANT: CHARLIE EVANS
22 GOONAN ROAD
HOOKSETT, NH 03106

LOCATION: 199 ROCKINGHAM ROAD; 15-67; C-II, WITHIN THE RTE. 28
PERFORMANCE OVERLAY DISTRICT

BOARD MEMBERS PRESENT: NEIL DUNN, ACTING CHAIR
JIM TIRABASSI, VOTING MEMBER
JACQUELINE BENARD, VOTING MEMBER
DAVID PAQUETTE, CLERK

REQUEST: VARIANCE TO ALLOW AN EXISTING BUILDING TO REMAIN WITHIN THE
FRONT 60-FOOT STRUCTURE SETBACK AS REQUIRED BY SECTION
2.4.3.1.1; TO ALLOW A PARKING AREA WITHIN THE FRONT 30-FOOT
GREEN SPACE AS REQUIRED BY SECTION 2.4.3.2.1; AND TO ALLOW A
PARKING AREA TO BE UNPAVED AS PROHIBITED BY SECTION 3.10.13.2.1.

PRESENTATION: Case No. 3/19/2014-2 was read into the record with one previous case listed. The Clerk also
read four letters of support from abutters into the record.

NEIL DUNN: Ok, who will be presenting?

CHARLIE EVANS: That would be me sir. My name is Charlie Evans and with me is Chris McGowan from Blue
Lobster Detailing. First I want to start off by thanking you folks for rehearing this case.

DAVID PAQUETTE: it seems like you have some support from your neighboring properties.

NEIL DUNN: And...and your letter was the motion to rehear...is that...

CHARLIE EVANS: Yeah, April 17th, motion to rehear...my letter...I don't know if anyone had any questions
regarding the points that were made...

NEIL DUNN: I...I thought it was Mr. McGowan's letter...oh no I am sorry it says Charlie Evans, I
apologize...[Pause]...well because this is a variance request, typically we look for something that has
been...that we overlooked, and I think someone made a mistake to some of the points so...I guess because
your letter here that you are referring to your application to repeal has five points of law that need to be

46 reviewed and spoken to...so you can read it if you would like and that would help us understand the five
47 points and where you are going.

48
49 KIRBY WADE: Charlie, would you mind speaking into the microphone, thank you.

50
51 CHARLIE EVANS: As the letter states, I was requesting a rehearing of case March nineteenth that was
52 denied...due to the increased building setback that was imposed on this property when it was rezoned from
53 residential to commercial...thirty foot setback to sixty. Currently is at forty foot set...it is set back forty feet
54 from the street and...so this in itself has created a hardship to the property because it is zoned commercially
55 and it's grandfathered residentially but obviously there is not...any uses that would be any benefit of any
56 interest for residential use of the property. You know it says that the nonconforming use is allowed to remain
57 as specifically protected by New Hampshire RSA, public zoning there is commercial, the use we are
58 providing...or proposing is commercial...it's well received by the neighbors...it's a low impact and our point is
59 that...until...a more substantial commercial development to take place on the property, this is a good
60 transitional use until that time comes. It was...I think the board already stated at the previous meeting that
61 they didn't feel the diminished property value because the property value is already there...you know and...the
62 point was made that we shouldn't send a nonconforming use...we should look for a more substantial
63 commercial use...well...the economy dictates that, we don't...you know I think that at some point down the
64 road my hope is that a Wendy's or something like the Dunkin Donuts next to us, something that is more you
65 know...obviously more broad tax base to the town will come along and...the ultimate goal will be reached. So
66 there other...the other issue that...I like to bring up...is that the...several of the property...I mean that whole
67 area is...originally zoned a performance overlay district where they restrict the size of the building and then
68 they changed that, is that correct Richard?...did they change it back from...didn't they originally have a
69 performance overlay district that restricted the size of the buildings I think...

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71 RICHARD CANUEL: Yeah that...that was changed...

72
73 CHARLIE EVANS: And then they changed it back and now that doesn't apply anymore?

74
75 RICHARD CANUEL: No...so my point is...it's kind of a mixed bag of uses down there...[clearing of throat]...I had
76 submitted an aerial photo which you all have...and...some of the properties down there are
77 currently...[clearing of throat]...close within sixty feet, operating on the same premises as what I am proposing
78 is at some point...SNS Metals is not always going to be there...Londonderry Motors...small operation, is not
79 always going to be there. But they are all, these people are grandfathered, unpaved parking in the setback, the
80 green setback and closer than sixty feet to the road. So...I just...you know we feel that this is a reasonable
81 proposal. How long it lasts, we don't know but...certainly that area is going to be a...you know continue to
82 grow as time goes on...who knows what the economic future has to hold but...you know that is the direction
83 that I am proposing. As far as the five points of law...I have already addressed it...the hardship issue...I think
84 that...the zoning change caused that. As far as...the variance not contrary to public interest, I mean it allows
85 this property to be used...like several other properties in the area...type of operation will continue until the
86 area develops high potential. The spirit of the ordinance is observed because it allows for use of the property
87 for such time until it is developed. Structures existing don't propose any added building square footage. It was
88 there...when it was zoned residential and now it is a commercial zone. Substantial justice will be done...it will
89 supply jobs and allow a small business to grow, which is the backbone of southern New Hampshire. The values
90 of surrounding properties...won't be diminished. And again, the rezoning of the property created a hardship.

91 The current setbacks and the green space requirements, the property would not be likely used and it is
92 grandfathered for a residential use. The use is a reasonable one.as this use will create a minimal amount of
93 traffic. Not a large number of employee's and...I mean actually if...if...Richard correct me if I am wrong but if I
94 wanted to bring car collection over there, bring it out front, wax it, that would be allowed wouldn't it?
95

96 RICHARD CANUEL: Well that would be a personal use.
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98 CHARLIE EVANS: My...my point is...you can do it as a personal use but it would be no different than what we
99 are proposing for a commercial use. Chris is here...I think they...you guys talk about business hours last
100 meeting and I think looking at the minutes, was a little wishy-washy in that way that was and I think eight to
101 five, Monday through Friday is what he is looking at...which is you know...like most of the other businesses in
102 the area. The main point I want to make is that...you know the building is not the prize position of the street
103 but again it is a mix and it is a developing area...it is a growing area...at some point there should be something
104 more.
105

106 NEIL DUNN: Any questions from the Board?
107

108 DAVID PAQUETTE: If we remember back from the original hearing...Mr. McGowan, you stated that you are
109 looking for a two to three year timeframe on this particular property for this particular operation...I am think
110 that maybe an exception to that from the variance...if...if it were to be granted that an exception be added
111 stating that particular purpose. That particular timeframe...to sunset the variance.
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113 NEIL DUNN: Do you agree with that...that...time period Mr. McGowan.
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115 CHRIS MCGOWAN: Yes
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117 CHARLIE EVANS: Well let...let me address that though...I think we have two different...I think Chris...Mr.
118 McGowan's point is...you know if his business plan, a two year thing is kind of the scope of what he is looking
119 at, but I mean as far as the property being used...for commercial use...my...my understand Richard if this
120 variance is approved, he operates in there, he leaves, something similar goes in there...we have to come see
121 you, change the use and go forward...is that correct?
122

123 RICHARD CANUEL:...Well...[chuckling]...yeah basically if...if the board decides to grant the variance and they
124 place a condition with the time limit, once that time limit sunsets...the variance is than null and void.
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126 CHARLIE EVANS: No, I understand that.
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128 RICHARD CANUEL: So basically you start all over again.
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130 CHARLIE EVANS: I understand what they are proposing but it doesn't make any sense...I mean...again...is...is...I
131 am as anxious and interested as anyone to see the property developed to its highest potential...but I don't
132 think two years or three years...maybe...I don't think we should put that kind of a time frame...I think the point
133 Mr. McGowan is making...Chris...was that those were his plans. As far as the property use, if he goes to do
134 something else, I don't see why another small business can't come in there, a plumber or someone with
135 similar material or...or you know...until the area has matured.

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NEIL DUNN: Mr. Evans, you are the property owner and so you would not like that restriction...?

CHARLIE EVANS: Correct.

NEIL DUNN: Ok thank you. Anything else from the Board?

JACKIE BERNARD: Yes...Mr. Chairman...your building structure, can you tell me about it? Yes I can see pictures of it but can you tell me anything else you have done to the structure in order to have some type of small business operate within there.

CHARLIE EVANS: Things I have done to it to enable him?

JACKIE BERNARD:...Is it up to date...what...what have you done to the structure?

CHARLIE EVANS: Well the building was built...it was originally a residential house back in the '50's...

JACKIE BERNARD: Mhm.

CHARLIE EVANS: And the garage was built somewhat later than that, I would say the seventy's. Poured foundation, electrical service...it is up to code I believe. Small office space...it is probably a typical two car garage. They have use to one door and a walk in door. It's got water, sewer...and so it's you know, up to date with our building code.

DAVID PAQUETTE: I think...I think you spoke about this Richard...last time at this hearing that...that you guys have been in that building ad ti has been...the electrical is up to code and...

RICHARD CANUEL: Yeah...yeah sure just to give you some history, yeah that garage was originally built back in seventy five, the previous owner of the property did some renovations in the garage to modernize it if you will...they upgraded the electrical services, they finished the interior of the garage...provided a restroom in the garage...so...it certainly is serviceable.

NEIL DUNN: I...I though you said Mr. Evans that there was no water...

CHARLIE EVANS: No, there is water...and sewer...

NEIL DUNN: Oh ok, so is there a drain in the garage?

CHARLIE EVANS: A storm drain? No.

NEIL DUNN: But you do have water and a bathroom I think in the original application you were talking about washing the cars at the carwash.

CHRIS MCGOWAN: Correct .

181 [Pause]
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183 JACKIE BERNARD: Your hours of operation...what days will they be and what will be the hours so we can
184 understand that?
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186 CHRIS MCGOWAN: Monday through Friday, eight to five.
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188 JACKIE BERNARD: Ok...
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190 NEIL DUNN:...I...I went by the location prior to the last months request for a rehearing and...I guess I have a
191 concern about the statement of the stability of the ground as a good surface and additionally there was a big
192 dirt pile in there where parking would be and I realized that is probably going to be cleared out because
193 otherwise you wouldn't have parking...I...I did notice that there is an awful lot of gravel if you want out in...in
194 28 or 128...128 excuse me...Richard...the applicant is stating that the gravel is a...the gravel surface is a steady
195 surface which can withstand a drainage erosion...with more business traffic in there...I...I didn't think it looked
196 that stable and I guess I don't know if you have been by there or if you can make a statement on what is
197 considered stable gravel.
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199 RICHARD CANUEL...Well...[chuckling]...depending on how well the gravel is compacted...you know it's...it's
200 hard to say how stable that is...there is a paved portion in front of the garage...so you know I can't really say...
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202 NEIL DUNN: Oh...ok...ok...I just...that was one of my concerns with more traffic going in...there are safety issues
203 with kicking stuff into the main road...any other questions from the board?
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205 JACKIE BERNARD: I did have a question...your...you're going to be detailing vehicles...when I...and...you need to
206 explain to me form the detailing, is it interior, exterior, all of the above? Just so I can get a feel for what there
207 will be for...the whole process of what you'll do.
208
209 CHRIS MCGOWAN: Ok, well I mean when we pick up the vehicles...we will be bringing them through Primrose,
210 which is a carwash right down the street, which is going to bring everything off of the vehicle itself...than we
211 go through and bring it to the garage and we use a claybar, which removes the rest of the contaminants that
212 are on the surface of the paint, and then we go through with a compounding, which is a paint correction
213 process...which is...you know with a rotary buffer standard tools that you can use at home...and then following
214 that is a wax application and a deep clean on the interiors and an extraction and basically cleaning out the
215 interior of the car so it is virtually new when it leaves the lot.
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217 JACKIE BERNARD: So your car washing the exterior will be done at a carwash. You will not be doing it out of
218 this garage?
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220 CHRIS MCGOWAN: That's our hopes...we didn't...we still have to work that out with Primrose but...we would
221 like to do the majority of it there. By the way we don't use...a lot of water when we are washing vehicles
222 anyway. Usually it's by bucket so...we go through maybe four or five gallons when we wash a vehicle...or hand
223 washing it.
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225 JACKIE BERNARD: Thank you.

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CHRIS MCGOWAN: You are very welcome.

NEIL DUNN: Anyone else here on the board? Anybody out in the audience who would like to speak against this proposal?...Anybody who would like to speak for it or has questions?...Nothing more from the board?...Ok we will go into deliberation. Thank you.

DELIBERATIONS:

DAVID PAQUETTE: I do remember this was the very first case that I was on...

JACKIE BERNARD: Yes

DAVID PAQUETTE: So...

NEIL DUNN: You have come a long way since than...[laughter]...

DAVID PAQUETTE:...[laughter]...yeah...I raised a motion to approve but did not have sufficient support for the five variances...the record didn't show the support...so I think that was part of the reason why we decided to rehear this case. So...that is just my two sense as to why we are here...[chuckling]...back on this case...I think that was Mr. Evans major issue is that the record didn't support...

NEIL DUNN: Ok...anything...

JIM TIRABASSI:...Just looking at the five points...I happened to be right across the street from there today...and I notices that a lot of the businesses did not appear to be a sixty foot setback themselves. I thought one of the things would be, how come...these buildings must be grandfathered in the same nature...the...idea of sunset clause is good because this is for business and not for the property.

NEIL DUNN: The property owner is here and I asked him and he didn't want the sunset.

JIM TIRABASSI: That's...he...

NEIL DUNN: I'm just...I did ask that...

JIM TIRABASSI: No, I know...I understand...that is his prerogative to not...not...lease the property...he can always come back if this thing sunsets he can always come with another business and make a re-proposal. So he is not shut down it's just...if we are...

DAVID PAQUETTE: I think that was part of my original motion as well...was with the sunset clause...sunset the variance...

JIM TIRABASSI: He wants to maximize the value...he doesn't want a long term business here...he would rather...lease the land to a...to a...to a larger national franchise.

271 JACKIE BERNARD: Which is...fantastic...
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273 JIM TIRABASSI: Right...
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275 JACKIE BERNARD:...You know...the way that the building is...you have...it doesn't meet the setback but...we are
276 talking...right now it is summer...
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278 JIM TIRABASSI: Right...
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280 JACKIE BERNARD: So you get some water that goes into the street...if they don't use the carwash and they
281 decide that they are going to start washing the cars...you know we all wash our cars...we all know what it
282 takes. The car washes are not allowed to have all of that water spew out into the street...
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284 JIM TIRABASSI: Right...
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286 NEIL DUNN: Right...
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288 JACKIE BERNARD: It is very close to the street...it...it is not going to be summer forever...
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290 JIM TIRABASSI: Right...
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292 JACKIE BERNARD: If we grant it...and it is now winter, than we have water that is going in there...because it is
293 so close to the road...and then what you brought up with the gravel, if we start having some of that go into the
294 road...I mean...there are very valid points that there is little use for this...however...depending on what
295 business goes in there...and...maybe they don't have...in two or three years doesn't make it...the sunset clause
296 is great because if that business doesn't thrive...if another one does get in there or it does thrive and he is
297 washing you know and we have a water issue...only because it...it is going to be...not going to be in the best
298 public interest if we...with all of this in the winter.
299
300 JIM TIRABASSI: Right...
301
302 JACKIE BERNARD: Especially if it takes off...god...you know that would be great but then we have another issue
303 here and we just need to consider...
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305 DAVID PAQUET: Additional restriction?
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307 JACKIE BERNARD: If...maybe just an additional restriction...
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309 JIM TIRABASSI: Yeah.
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311 JACKIE BERNARD: In...in pertaining to this...not so much...
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313 DAVID PAQUETTE: Water...
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315 JACKIE BERNARD: Yeah...just so that we...you know...protect the public here.

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NEIL DUNN: So that statement is in regard to the public interest?

JACKIE BERNARD: Yeah...

NEIL DUNN: I guess looking at number one, contrary to public interest the statement is gravel surfaces, which with withstand drainage and erosion...additional use of property would be...with gravel surfaces for short term operation...however the applicant is the property owner and they don't want the short term.

JACKIE BERNARD: But it says short term...so that's why...

[Gap between CDs]

DAVID PAQUETTE: Green space and...the parking area...unpaved parking area...so as far as the spirit of the ordinance is concerned that the structure is already there...

JACKIE BERNARD: It's grandfathered...

DAVID PAQUETTE:...The green space...it's not going to...you know...take away of the green space existing or add any additional green space...so we are talking kind of just...no...no change on that...and as far as the parking area being paved...I suppose that...that...that particular one would not be observed because we are using gravel surface to park...and the ordinance states that it...it needs to be paved...[Long pause]...,the first two requests the spirit would be observed whereas the third would not be...base on the grandfathered.

JACKIE BERNARD: Based on the grandfathered...you know it clearly states in the materials...3.10.13.2.1 suitable, durable material. I mean we could just...have it taken care of in the areas we are really concerned about...

NEIL DUNN: Also in 3.10.13.2.1, it says as approved by the Planning Board...I don't think this is going to the Planning Board...

JACKIE BERNARD: Ok

NEIL DUNN: Richard if I may get...if we may get clarification...

RICHARD CANUEL: Absolutely...yeah this being a change of use it would require site plan review by the Planning Board...so this is really just the first step in the process...

NEIL DUNN: And then they would have to let the Planning Board determine the...I guess my biggest concern...the suitability of that gravel and...

RICHARD CANUEL: Well no...because he is requesting a variance...that it be paved...

NEIL DUNN: So than the Planning Board would get this and look at everything except for what we gave variances for...

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362 RICHARD CANUEL: Yes
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364 NEIL DUNN: Ok...[chuckling]...thank you.
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366 JACKIE BERNARD: What threw me off is that the owner doesn't want this to just be for this business...so it's...
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368 DAVID PAQUETTE: So...in the application...it designates Mr. McGowan as a representative...at the request of
369 Mr. Evans Definitely more entails the business and not the future of the property.
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371 JACKIE BERNARD: Correct.
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373 DAVID PAQUETTE: if we were to grant it with restrictions of...of...of a sunset of the variance and the onsite
374 washing vehicles...water usage...but I am not sure how to word that...
375
376 NEIL DUNN: Well...I guess my big concern, getting back to the public interest and safety is that...I...I went in
377 there and pulled in the driveway and it is gravel and I...I don't know how stable it is and if it is an issue
378 for...throwing material into route 128...so the...the part on the paving that is in here...I would rather have
379 someone review that...and it says it has to go to the Planning Board and they are asking not to go there for
380 review...so I guess...
381
382 DAVID PAQUETTE: So from a procedural standpoint...we could grant a variance for the first two and not the
383 third...
384
385 NEIL DUNN: Richard...[chuckling]...yeah I am glad you asked...[laughter]...if I can provide some guidance...I am
386 always so glad you are here...[chuckling]...
387
388 RICHARD CANUEL: Yeah...because those standards in the ordinance regarding paving and...and alternative
389 surfaces it...puts that purview to the Planning Board so what this board can essentially do is deny that one
390 variance for the surface or the paving requirement for the parking lot and defer that to the Planning Board...
391
392 DAVID PAQUETTE:...To go out and actually investigate the surface and determine the safety...
393
394 NEIL DUNN: Well this is all tied into one...one application or one variance so we can deny that portion of it
395 specifically almost like a restriction...and then...
396
397 RICHARD CANUEL: Yeah they're three different sections of the ordinance that is being requested so you can
398 deny that one particular case...
399
400 NEIL DUNN: Ok thank you very much.
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402 DAVID PAQUETTE: I think that's...that's actually good...agreement anyway and allow the experts to determine
403 the safety of it...
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405 JACKIE BERNARD: Absolutely...because we can't determine that...

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DAVID PAQUETTE: Right...

JACKIE BERNARD: Ok...I am ok with that...

JIM TIRABASSI: Yeah.

NEIL DUNN: Alright so the value...I think we...stated before that we weren't concerned about impact on the...

DAVID PAQUETTE: The values...

NEIL DUNN: The values...does anyone have any thoughts on that?

DAVID PAQUETTE: It won't change the value of the property either way...

JACKIE BERNARD: No.

DAVID PAQUETTE: If anything...it's a value to the community anyways...

JACKIE BERNARD: It's a benefit to the community.

NEIL DUNN: And then 2.5...any thoughts there?

JIM TIRABASSI: [Reading to himself]...

DAVID PAQUETTE: So I think Mr. Evans brought that up that he is struggling with the use of the existing property and that the ordinances are presenting a hardship...but...

JACKIE BERNARD: But he...he also stated it's a...hopefully temporary hardship...

DAVID PAQUETTE: Correct...which is...which would apply to that sunset for this particular variance.

JACKIE BERNARD: That's correct...so it sort of wraps right back around...

[Pause]

DAVID PAQUETTE: So if we go back to the actual car washing...on site...should we discuss any more restrictions for that?...I think that if we are...if we do deny the third unpaved variance and let the Planning Board decide...that that restriction not be placed on tis...on the first two variances because the first two variances don't necessarily...that the car washing doesn't necessarily...effect it...those first two variance applications aren't affected by the car washing itself...we are just worried about the gravel surface and the runoff so I think that would be part of the Planning Boards...

NEIL DUNN: Purview and looking at the draining...

451 DAVID PAQUETTE: Exactly...exactly...
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453 JACKIE BERNARD: Richard would that be part of it? The whole scope of when the Planning Board looks at
454 it...they look at the gravel, they look at water runoff the look at the whole thing...
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456 RICHARD CANUEL: They look at everything...
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458 JACKIE BERNARD: Ok...
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460 RICHARD CANUEL: Drainage...how the additional parking area would affect drainage...take into consideration
461 the alternative paving materials if...if you will...
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463 JACKIE BERNARD: Ok...
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465 RICHARD CANUEL: They will take a look at all of it...
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467 JACKIE BERNARD: Ok...so that...that handles...
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469 DAVID PAQUETTE: Not placing the restriction...
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471 JACKIE BERNARD: Not even placing the restriction ...because the Planning Board will help resolve that because
472 that is there...expertise.
473
474 JIM TIRABASSI: Yeah the only restriction we are looking at is the sun setting.
475
476 [Long pause]
477
478 NEIL DUNN: Any other thoughts? Anyone want to make a motion?
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480 DAVID PAQUETTE: I am working on it...
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482 NEIL DUNN: You're working on it...ok...
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484 DAVID PAQUETTE: The wording...
485
486 [Laughter]
487
488 DAVID PAQUETTE: Anyone else have anything to say before I...move forward...?
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490 RICHARD CANUEL: Yeah, Mr. Chairman, if I could...
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492 NEIL DUNN: Absolutely...
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494 RICHARD CANUEL: Before you make a motion, being that the applicant is going to need to proceed to the
495 Planning Board for site plan approval...you could make the variance...conditional upon receiving site plan
496 approval...

497
498 NEIL DUNN: Thank you
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500 DAVID PAQUETTE: Ok...Mr. Chairman I would like to raise a motion to...approve case number 3/19/2014-
501 2...going through the five points...granting the variance would not be contrary to the public interested because
502 it would allow the use of a commercially zoned area...commercially zoned property within a commercially
503 zoned area...the spirit...spirit of the ordinance is separated into three parts...based on the three variances. The
504 variance for the sixty foot structure setback and the front thirty foot green space...the spirit of those
505 ordinances would be observed due to the grandfathered nature of the building and the properties...condition
506 that it is in now...the third variance pertaining to the parking area and unpaved that is prohibited by section
507 3.10.13.2.1, the spirit of the ordinance would not be observed...based on the fact that we are not experts in
508 the gravel surfaces and we will defer it to the Planning Board to look at. Granting the variance would do
509 substantial justice...the property is commercially zoned property and they are putting a commercial use to it.
510 Number four...for the following reasons, the values of the surrounding properties would not be
511 diminished...existing structure, not change to the property...and positive to the community. Number five, only
512 to special conditions to the property that distinguish it from other properties in the area...denial of the
513 variance would result in unnecessary hardship because there is a fair and substantial relationship between the
514 general public...purpose of the ordinance provision and the specific application that the provision to the
515 property because it is an existing structure and the...property the way it sits now does not allow for much
516 more. Number two, the proposed use is a reasonable one because it is a commercial use in a commercially
517 zoned property. I would like to...add a restriction that this variance for the first two approvals be sun-setted
518 after three years, bar a site plan approval and that the variance is not granted for the unpaved section of
519 3.10.13.2.1. So approving a variance for 2.4.3.1.1 and approving a variance for 2.4.3.2.1 and denying a
520 variance for 3.10.13.2.1...phew...

521
522 NEIL DUNN: [Chuckling]...thank you! All those in favor?
523

524 JACKIE EBRNARD: Aye.
525

526 DAVID PAQUETTE: Aye.
527

528 JIM TIRABASSI: Aye.
529

530 NEIL DUNN: Aye. Those opposed?
531

532 [Talking amongst one another]
533

534 DAVID PAQUETTE: IN regards to case 3/19/2014-2, variances for 2.4.3.1.1 and 2.4.3.2.1 have been granted.
535 The variance request for 3.10.13.2.1 has been denied. Special restrictions sunset after three years and baring
536 site plan approval.
537

538 RESULT: THE MOTION TO APPROVE CASE NO. 3/19/2014-2 IN PART* AND WITH RESTRICTIONS WAS

539 APPROVED, 4-0-0.

540

541 *The specific request for unpaved parking (Section 3.10.13.2.1.) area was not granted.

542

543 RESPECTFULLY SUBMITTED,

544

545

546

A handwritten signature in black ink, appearing to read "D. Paquette", is enclosed in a thin black rectangular border.

547 DAVID PAQUETTE, CLERK

548

549 TYPED AND TRANSCRIBED BY KIRBY WADE, EXECUTIVE ASSISTANT

550

551 **APPROVED JULY 16, 2014** WITH A MOTION MADE BY DAVID PAQUETTE, SECONDED BY JACKIE BENARD AND
552 APPROVED 4-0-1 WITH A. STOLLER ABSTAINING AS SHE HAD NOT ATTENDED THE MEETING.