

APPROVED
TOWN OF PELHAM
ZONING BOARD OF ADJUSTMENT
December 12, 2022

Chairman Dave Hennessey called the meeting to order at approximately 7:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT ROLL CALL: David Hennessey
Jim Bergeron
David Wing
Jeff Caira
Alternate Ken Stanvick
Alternate Jason Goucher
Planning Director/Zoning Administrator Jennifer Beauregard
Recording Secretary Jordyn Isabelle

ABSENT: John Westwood
Alternate Shaun Hamilton

MINUTES

November 14, 2022

MOTION: (Bergeron/Wing) To approve the November 14, 2022 meeting minutes as written.

VOTE: (4-0-0) The motion passes.

NEW CASES

CASE #ZO2022-00024

Map 30 Lot 11-152

THISSELL, Troy – 8 Gaston Street – Seeking a Variance concerning: Article III Section 307-7, 307-12 & 307-14 & Article V Section 307.19.A of the Zoning Ordinance to permit construction of a 24' x 24' 2-story garage on a pre-existing non—conforming lot that contains 3,274 SF where 43,560 SF is required and maintains 127' of frontage where 200' is required. The garage will also have a 3' setback from Gaston Road and a 5' setback from Campbell Road where 30' is required, and an 8' side/rear setback where 15' is required. Relief is also sought to permit the construction of a free-standing garage which is not customary, secondary, or incidental to any permitted principal use.

Mr. Wing read the list of abutters aloud. There was no person whose name was not called that is an abutter or has a statutory interest in the case.

Mr. Shane Gendron, representative for the applicant, and Mr. Troy Thissell, the applicant, came forward to address the Board.

Mr. Hennessey explained that one of the abutters is a relative of his wife's. He asked if there was any objection to him sitting on the case. The applicant expressed that he had no objection to Mr. Hennessey sitting on the case.

Mr. Gendron explained that Mr. Thissell owns 8, 15, and 17 Gaston Street. He explained that lots 15 and 17 have single-family homes on them with his daughter occupying one and a long-time renter in the other. He informed the Board that the applicant is looking to build a garage on 8 Gaston Street to serve as an accessory to 15 and 17 Gaston Street, as they currently do not have garages. Mr. Gendron explained that this would allow for the applicant to make use of this lot without adding the additional strains on the neighborhood that a new house would. Mr. Gendron informed that the area above the garages would be used for a bonus room and that there would not be a well or septic attached to the lot.

Mr. Gendron passed out a tax map and pictures of the applicant's properties to give the Board context of the property. He informed that the total height on the building would be about 27' tall. He continued that they were asking relief from the dimensional requirements, noting that it only has 3,270 square feet and that they would need relief from the setbacks and frontage. Mr. Gendron stated that the garage would be about 24' x 24'. Mr. Gendron explained that there are several similar stand-alone garages on Gaston Street.

Mr. Gendron read the five criteria for the variance into the record.

Mr. Wing asked if 15 and 17 Gaston Street were directly across the road from 8 Gaston Street. Mr. Gendron replied that was correct. Mr. Wing asked what was directly behind the lot. Mr. Gendron replied that there is a newly constructed single-family home. Mr. Wing asked if the proposed garage would block the view of that new home. Mr. Gendron replied that it is not their intention to block any view.

Mr. Stanvick asked what the second floor of the garage would be used for. Mr. Gendron stated that it would be extra space for a bonus room. Mr. Stanvick asked what utilities would be attached to the garage. Mr. Gendron replied that possibly electrical services, but there were no current plans.

Mr. Wing stated that he presumed nothing was on the lot now. Mr. Gendron stated that there are paved parking spots. Mr. Gendron added that they would need to get a shoreland protection permit.

MOTION: (Wing/Stanvick) To require the applicant get a shoreland protection permit.

VOTE: (5-0-0) The motion carried.

Mr. Goucher asked if anyone else owns a property with just a garage. Mr. Gendron replied that there are at least two other garages on Gaston Street that are independent lots.

Mr. Stanvick asked if the applicant had any plans to make the garage a business to which Mr. Gendron replied no. Mr. Stanvick asked what would be stored in the garage. Mr. Thissell replied that they would store regular household stuff, a canoe, a kayak. Mr. Stanvick asked what type of additional equipment would be stored in the bottom of the garage. Mr. Thissell replied that cars would be stored in the bottom floor of the garage.

Mr. Caira asked what the acreage of lot 11-153, 17 Campbell Road, was. Mr. Gendron replied that it had about 0.2, similar to the applicant's lot. He noted that there is a full-sized home on that lot.

Mr. Hennessey opened the discussion up to the Public.

Mr. Hennessey informed that he received a note from the owner of 24 Campbell Road stating that they could not see how two cars could park on that lot and expressed their opposition to the request.

Mr. Ed S. and Cindy Ronning of 8 Andover Street came forward to address the Board. He explained that he was not necessarily against the proposal but wanted to share some concerns. He then explained that on January 14, 2022 there was about 6 inches of snow on the road and one of the ambulances got stuck in the snowbank on the corner of Gaston and Andover Street. He continued that a couple years prior, a Town plow got stuck in the same location and a garbage truck got stuck on the opposite end of the street, completely blocking both entrances and preventing emergency services from being able to enter the area. He added that Campbell Road is a very steep hill where the proposed garage would be. He asked if the applicant had a certified plot plan. Mr. Gendron replied that they have done a full survey on the lot and are confident on the boundaries. He continued that when they build, they would have a survey stamp on the plans. Ms. Ronning asked again if it was a certified plot plan. Mr. Gendron replied yes.

Mr. Hennessey stated that the Board often conducts site walks on properties by the pond. He continued that he was uncertain if the Selectmen would want to weigh in on the garage. Ms. Beauregard stated that she would ask Town Council, noting that they have not heard cases on garages yet.

Ms. Ronning stated that the area is a very sharp corner with a telephone pole.

Mr. Wing asked if this is a private road and if the Town has jurisdiction on that road. Mr. Hennessey stated that he is alerting the applicant that if the variance is granted, they may have to go to the Planning Board for recommendation to the Selectmen.

Mr. John Charest of 5 Methuen Road came forward to address the Board. He stated that he was not notified and that he is very concerned about plowing on the road. He added that he was also concerned that this will end the widening of the road that they want to do. He added that he is against this, as it may benefit another resident of Town. Mr. Hennessey asserted that resident was not involved in this case. Mr. Hennessey asked Mr. Charest if he would recommend a site walk to which he replied yes. Ms. Beauregard informed Mr. Charest that he fell just outside of the 250' requirement for abutter notification.

Mr. Kevin Crooker of 2 Andover Street came forward to address the Board. He stated that he is not against the proposal, noting that the applicant should be able to use his land. He noted that he was concerned about the setbacks on Gaston Street. Mr. Gendron replied that the closest the building would be to the street is 5', the setback shows as 3' due to a small deck on the second floor that juts out slightly. Mr. Crooker asked the setbacks for the back of the lot. Mr. Gendron replied 8'. Mr. Crooker asked if it was possible to move the garage backwards on the lot to even out the setbacks. He added that he is concerned about the snow removal as well. He reiterated that he was not against the plans and that he wants the applicant to be able to use his property.

Mr. Hennessey stated that he believed this would require a site walk.

MOTION: (Caira/Bergeron) To conduct a site walk of the property.

VOTE: (5-0-0) The motion carried.

The site walk was set for Saturday December 17th at 9:00 am.

The case was continued to the January 9th, 2023, meeting.

Mr. Stanvick noted that the Conservation Commission had a site walk in the area and that a members' car was hit.

Ms. Ronning came back to address the Board. She stated that she is also concerned about drainage on the lot if this were to pass. Mr. Gendron replied that he would need to obtain a shoreland protection permit that would require them to address the drainage on the lot.

SITE WALK – December 17, 2022

Case #ZO2022-00024 – Map 30 Lot 11-152 – THISSELL, Troy – 8 Gaston Street

DATE SPECIFIED CASE(S) – January 9, 2023

Case #ZO2022-00024 – Map 30 Lot 11-152 – THISSELL, Troy – 8 Gaston Street

ADJOURNMENT

MOTION: (Caira/Wing) To adjourn the meeting.

VOTE: (5-0-0) The motion carried.

The meeting was adjourned at approximately 7:41 pm.

Respectfully submitted,
Jordyn M. Isabelle
Recording Secretary