

APPROVED
TOWN OF PELHAM
ZONING BOARD OF ADJUSTMENT MEETING
February 13, 2017

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

The Secretary Bill Kearney called roll:

PRESENT: David Hennessey, Svetlana Paliy, Bill Kearney, Alternate Darlene Culbert, Planner/Zoning Administrator Jennifer Hovey

ABSENT: Peter McNamara, Chris LaFrance, Alternate Thomas Kenney, Alternate Lance Ouellette, Alternate Pauline Guay, Alternate Kevin O'Sullivan

PLEDGE OF ALLEGIANCE

Ms. Culbert was appointed to vote.

Mr. Hennessey spoke to the public and explained it had been the practice of the Board to let an applicant decide if they wished to have their case heard with four seated members. A majority vote is required for a Variance to be approved (meaning three members would need to vote in the affirmative). In the event of a tied vote (2-2) a Variance will be denied. He gave the applicant the opportunity to decide whether to hear their case at the present meeting or continue to a subsequent meeting.

HEARINGS

Case #ZO2017-00001

Map 13 Lot 3-152-3

RIDEOUT, Rob - 59 Jeremy Hill Road - Seeking a Variance concerning Article III, Section 307-12-E to permit the addition of an existing shed to be no less than 3fr. from the side setback.

The applicant made the decision to have their case heard with four seated members.

Mr. Kearney read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

The applicant Rob Rideout and Dawn Raynor/Rideout came forward to speak to their variance request. Mr. Rideout stated they were seeking a variance for an existing shed built several years ago (to be expanded in size) that was located near the property line. He submitted a letter in favor of the variance from Jason & Tracy Sacca (the immediate abutter) at 63 Jeremy Hill Road. Mr. Rideout summarized the letter of intent attached to the application. He explained the proposed shed size (to be used for storage of outdoor furniture, recreational vehicles etc.) was designed for the practicality of its intended use. The footprint was adjusted; however, it would still fall within the setback area. Mr. Rideout read aloud the variance criteria as submitted with the application.

Mr. Kearney questioned if the existing shed would remain. Mr. Rideout answered yes. Mr. Kearney wanted to know how the new shed would be accessed. Mr. Rideout replied the proposed shed was designed to

allow for an overhead door on the backside (facing Jeremy Hill Road) used for access. Mr. Kearney asked for the distance between the shed and the property line. Mr. Rideout stated the shed would be 3ft. from the property line. He displayed an aerial photograph of the lot and pointed out the proposed location of the shed.

Mr. Hennessey opened the hearing to public input. No one came forward.

From a visual standpoint, Mr. Kearney didn't feel the shed was a very large structure and it would have access from the rear. Mr. Hennessey told Mr. Rideout that he had done a good job on their letter of intent and explaining the hardship for why his lot was different from other lots.

BALLOT VOTE Mr. Hennessey – Yes to all criteria
#ZO2017-00001: Mr. Kearney – Yes to all criteria
 Ms. Paliy - Yes to all criteria
 Ms. Culbert- Yes to all criteria

(4-0-0) The motion carried.

VARIANCE GRANTED

Case #ZO2017-00003

Map 30 Lot 11-336 & 11-351

HAGGERTY, Charles & Marjorie - 4 Springdale Lane - Seeking a Variance concerning Articles III & VII, Sections 307-8 & 307-39 to permit the expansion of a pre-existing non-conforming use by raising it 9ft and expanding the footprint and to allow soil disturbance to install a foundation.

There was no representative present. Mr. Hennessey informed the public that the Board could not conduct a hearing without someone presenting for the case. He apologized to the people seated in the public.

Ms. Paliy stated the Police Department had announced yesterday (February 12, 2017) that all the offices would be closed today (February 13, 2017), which she felt could be interpreted that everything would be closed and not going forward.

Ms. Hovey pointed out the case would need to be date specified to the next meeting if the Board didn't want to require re-notification of abutters. Mr. Hennessey replied the Board would date specify the case assuming she was satisfied the applicant's absence was out of their control. To Ms. Paliy's point, he believed there had been notice that the Board would be conducting their hearing. However, he stated the case would be date specified to the next meeting.

A member of the public came forward with a letter of representation (not for the applicant) and submitted such to the Board. They requested that the application be denied since the applicant was not present. Mr. Hennessey replied under the circumstances of public notification being sent out indicating that public offices were closed the Board would date specify. He apologized to the public and stated the situation was out of their control. The member of the public asked for notification if the hearing was rescheduled.

The case was date specified to March 13, 2017. Mr. Hennessey stated the Planning Department would make the determination in short order whether the case would be heard on March 13th, or if abutters would be re-notified.

MINUTES REVIEW

January 9, 2017:

MOTION: (Kearney/Paliy) To approve the January 9, 2017 meeting minutes as written.

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

ADJOURNMENT

MOTION: (Kearney/Paliy) To adjourn the meeting.

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

The meeting was adjourned at approximately 7:26pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary