

APPROVED
TOWN OF PELHAM
ZONING BOARD OF ADJUSTMENT MEETING
July 12, 2021

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

PLEDGE OF ALLEGIANCE

Secretary Matthew Hopkinson called roll:

PRESENT ROLL CALL:	David Hennessey – Present Peter McNamara – Present Matthew Hopkinson – Present Jim Bergeron – Present Alternate David Wing – Present Alternate Jeff Caira – Present Alternate John Westwood - came in later Planning/Zoning Administrator Jennifer Beauregard – Present
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ABSENT/NOT PARTICIPATING:	John Passamonte
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Mr. Hennessey explained that people may have received an earlier agenda where the continued hearing of ZO2021-00014 was left off. It was properly noticed and will be heard.

MINUTES

Mr. Hennessey noted that the meetings from last meeting would be deferred to the next meeting.

CONTINUED HEARING

ZO2021-00014

Map 30 Lot 11-134

RICHARDSON, GILBERT & JANET, TRUSTEES, WEST SHORE DRIVE NOMINEE TRUST – 170 West Shore Drive –Seeking a Variance to Article (s): III & VII Section(s) 307-7, 307-12, 307-14 & 307-41-B of the Zoning Ordinance to permit construction of a 2 bedroom single family home on a pre-existing non-conforming lot of record that contains 11,845 sf where 43,560 sf is required and maintains 0 of frontage on a town approved road where 200’ is required. The proposed home will maintain a 30’ setback to the pond where 50’ is required.

Mr. Hennessey said the board performed a site walk. The meeting was short and to the point. The meeting was closed quickly. And the abutter withdrew his objections.

Mr. McNamara added that they looked at the property and the abutter had talked with the applicant and all his terms had been met.

Mr. Hennessey said the board would continue with the public hearing that had been opened. He asked if there was anyone from the public that wished to speak.

Steve Meyers – 156 W Shore Drive, Pelham NH came forward. He thanked, the engineer, the abutters, and the board for coming out. All his questions were answered; and he is fully supportive of what they are doing.

Mr. Hennessey closed the public hearing.

Ms. Beauregard asked Mr. Hennessey to name who attended the site walk for the record.

Mr. Hennessey replied that it was himself, Mr. Bergeron and Mr. McNamara, the owner, the abutter, and Mr. Gendron.

Mr. Hennessey assigned Mr. Caira to vote

ZO2021-00014

BALLOT VOTE: Mr. McNamara – Yes to all criteria
Mr. Bergeron – Yes to all criteria
Mr. Caira – Yes to all criteria
Mr. Hennessey – Yes to all criteria
Mr. Hopkinson – Yes to all criteria

(5-0-0) The motion carried

VARIANCE GRANTED

Mr. Hennessey noted there was a 30-day right of appeal.

HEARINGS

ZO2021-00016

Map 41 Lot 10-299

RIENDEAU, MAUREEN – 1 McLain Drive –Seeking a Variance to Article: III Section(s) 307-12 & 307-12E Table 1 of the Zoning Ordinance to permit construction of a front deck (21 sq ft). Proposed stairs to sit 4' beyond the existing footprint.

Mr. Hennessey assigned Mr. Wing to vote.

Mr. Hopkinson 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.

Ms. Susan Riendeau, daughter of Maureen Riendeau spoke on her mother's behalf. She discussed the improvements that they are making to the home. It is a classic ranch house built in the early 60's with a living room addition that was put on in the late 80's. Both entrances have a small decking porch. She is

looking to marry to the two entrances with one staircase. It is basically in the same footprint, but the proposed stairs will be 4' beyond the current footprint. The house is setback on 29.5'.

Mr. Bergeron said he was very familiar with the area. This is a lot of record that is on a corner and what they are doing will improve the safety access to this building. The traffic there is minimal.

Mr. Wing asked what the elevation of the deck was. The reply was approximately 32".

Mr. Hennessey opened the discussion to the Public. As no one from the Public came forward, Mr. Hennessey brought the discussion back to the Board.

Ms. Beauregard noted that the criterion from the application needs to be read into the record.

Mr. Hennessey asked Ms. Riendeau to read the 5 criteria into the record. He explained that by law for a variance the replies to the 5 questions need to be read into record.

Mr. Riendeau read them.

ZO2021-00016

BALLOT VOTE: Mr. McNamara – Yes to all criteria
Mr. Bergeron – Yes to all criteria
Mr. Wing – Yes to all criteria
Mr. Hennessey – Yes to all criteria
Mr. Hopkinson – Yes to all criteria

(5-0-0) The motion carried

VARIANCE GRANTED

Mr. Hennessey noted there was a 30-day right of appeal.

ZO2021-00017

Map 41 Lot 11-327

CARREEN & ROBERT DROUIN, JR. – 9 Wood Road - Seeking a Variance to Article: III Section (s) 307-12E & Table 1 of the Zoning Ordinance to permit construction of a 20' x 28' garage attached to a single-family home, 8' from lot line located on the right side of the property where 15' is required. Shoreland Permit approved by NH DES (file #2021-01920)

Mr. Hennessey assigned Mr. Westwood to vote.

Mr. Hopkinson 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.

Ms. Drouin explained that they are there year-round on the lake and would love to build a garage since this is New England. The side setback should be 15' and it will be 8' with the garage. They have a shoreland permit from the DES.

Mr. Hennessey asked Ms. Drouin to read the responses to the criteria into the record.

Ms. Drouin read the responses for the record.

Mr. McNamara asked how high the proposed garage would be.

Ms. Drouin did not have the actual height. It would be one story with an attic above it. It would be lower than the two-story house that it is attaching to.

Mr. McNamara asked if it would impact any of the neighbor's view of the lake.

Ms. Drouin replied that it would not.

Mr. McNamara asked how close to the garage was the closest neighbor's home on the garage side.

Mr. Drouin replied that it was about 50-60'. There are woods between them.

Mr. Wing asked if the garage is being built on top of the existing driveway.

Ms. Drouin's reply was yes, a small portion of it will be next to the existing driveway but most of it is over the driveway.

Mr. Hennessey asked the public if anyone wanted to speak in favor of this application.

Cynthia Bethany from 28 Pheasant Hill Lane, Methuen MA came forward. She is part of the McAndrew irrevocable trust. She and her siblings own 93 Webster Ave. and her mom, Ms. McAndrews, lives at 117 is also an abutter. Ms. McAndrews built her house around 2000 and a few years later added a garage because the roads on the lake are difficult in the winter. They are in support of this addition. They are good neighbors, and the house is beautiful.

Mr. Hennessey asked the public if anyone would like to speak in opposition or had a question. Seeing none, he brought it back to the board.

Mr. McNamara wanted to let the Drouin's know that typically the board likes to know the height of any proposed structure. As long as they are committed to the fact that it will be lower than the existing house, he is okay with that.

Ms. Drouin reaffirmed that it would be and that there would be an architectural drawing submitted.

Mr. McNamara did not feel that a stipulation was necessary.

Mr. Bergeron recalls that this house came before the board a few years ago. They did a great job in building this and this will not infringe on the EDA setback requirements. He agrees that the garage will not block anyone's view at all.

Mr. Hennessey closed the public hearing.

ZO2021-00017

BALLOT VOTE: Mr. Westwood – Yes to all criteria
Mr. Hopkinson – Yes to all criteria
Mr. Hennessey – Yes to all criteria
Mr. McNamara – Yes to all criteria
Mr. Bergeron – Yes to all criteria

(5-0-0) The motion carried

VARIANCE GRANTED

Mr. Hennessey noted there was a 30-day right of appeal.

NON-PUBLIC SESSION

Mr. Hennessey said that they are going into executive session. This is to review legal opinion. Mr. Hennessey handed the chair off to Mr. McNamara who would be presiding over the Executive session.

Mr. Hennessey recused himself from the proceedings.

MOTION: (Bergeron/Wing) Request for a non-public session per RSA 91-a:3,1
(consideration of legal advice or council).

ROLL CALL VOTE: Mr. Caira – yes
Mr. Bergeron – yes
Mr. Wing – yes
Mr. Hopkinson – yes
Mr. McNamara – yes

(5-0-0) The motion carried

The Board entered a non-public session at approximately 7:35 pm.

ADJOURNMENT

Mr. McNamara noted that when the Board returned after the non-public session, the Board would adjourn.

Respectfully submitted,
Jordyn M. Isabelle
Recording Secretary