

**Town of Boscawen NH
ZONING BOARD OF ADJUSTMENT
Boscawen Municipal Complex**

**MEETING MINUTES
Tuesday, August 24, 2021 at 7:00 PM**

Members Present: Dr. Gail Devoid, Chair, Tracy Jo Bartlett, Scott Maltzie, Ed Cherian, Roger Sanborn, and Tama Tillman

Absent: Ann Dominguez, Rose Fife, Recording Secretary

Others present: Kellee Jo Easler, Planning and Community Development Director, Kearsten O'Brien, Planning & Community Development Assistant

Guests: David Caron, Cynthia Caron, Kevin Leonard, Alan Andrian, David Parrotto

Call to Order by Chair – 7:00 p.m.

Roll Call done by Planning & Community Development Assistant Kearsten O'Brien

A **motion** to accept Ed Cherian as a voting member was made by Chair Sanborn, seconded by Bartlett and passed by a unanimous vote.

Open the Public Meeting – by Chair Sanborn

Review and Acceptance of Draft Minutes of July 27, 2021. – An amendment to lines 35, 70, 88, 162, 172,173. A **motion** to approve the Minutes as amended was made by Vice- Chair Maltzie, seconded by Bartlett and passed by a 5-0 vote.

Old Business: Bartlett asked PCD Director Easler when her appointment letter will be resigned by the Select Board. PCD Director Easler said she has sent it to the Town Clerk's office by email on Monday, 08.23.21 and requested it for Select Board signature. She could check in with the Town Clerk to find out when it will be processed.

New Business:

A request for a **Variance** seeking relief from **Article IV, Use Regulations 4.01, Residential – Planned Unit Development- and Article XII Definitions PUD** for relief from PUDs to single ownership requirement, submitted and owned by **David and Cynthia Caron 21 Village Street, Penacook, NH 03303**, property address of **Villa Brasi Lane, Boscawen NH 03303** on **Map 83, Lot 9** located in an **COM zone**.

Testified: Kevin Leonard, Engineer. David and Cynthia Caron were also available to testify. Leonard explained that Mr. and Mrs. Caron purchased the property formally known as Kesavan Mobile Home Park. The property previously had six mobile home units and one single-family home in the front totaling the bedroom count on the property to be fifteen bedrooms. Mr. and Mrs. Caron have been grandfathered to replace the six mobile homes and the single-family. Currently, Mr. & Mrs. Caron has a building permit for the duplex to replace the single-family and he will be paying an impact fee for the new unit. In the grandfathered condition the front setback is 13.86 feet. What Mr. and Mrs. Caron would like to do is to put four duplexes instead of doing the one duplex and six mobile homes in the back. Each unit would only consist of one bedroom, totaling the bedroom count on the property to eight bedrooms. Each unit would have a two car garage and also provides provisions to be ADA friendly. Mr. and Mrs. Caron are seeking a Variance because Planned Unit Development is not allowed in a Commercial Zone and would like the potential to

condo the units to be able to sell the units in the future. Maltzie asked if the intention was for the units to be rentals at this time. Leonard said yes. Bartlett asked as a rental property is the owner in control of how many people are actually living in one unit. Mr. Caron said they are being solely built to be a one bedroom apartment. Bartlett asked if he was thinking this would be a starter home for someone or more of a retirement home. Cherian asked if there were at least two spaces for parking for each unit. Leonard said there will actually be five per unit. Two spots in the garage and three in the driveway. Cherian asked as the landlord would they have a dumpster or would the tenants have to go to the Transfer Station. Mr. Caron said he is opting to not have a dumpster because there is the Town's Transfer Station which the tenants will have access to. Cherian asked about if they would be receiving water and sewer. Mr. Caron said yes they will use both.

Chair Sanborn opened the Public Hearing at 7:10 PM

Abutters for:

David Parrotto owner of 149 North Main Street thanked Mr. Caron for cleaning up what had been on the property before he had purchased it. He asked if there would be ten feet of frontage from the back of his fence line and if they planned on using pole lighting. Leonard said yes from the property line and that they will not be using pole lighting. The only lighting would be whatever is coming off the house to light the driveway or the door step.

Alan Andrian owner of Alan's Restaurant said he looked at the plans many times and is happy that the property will be cleaned up from what it was before.

Abutters against: None

Members of the Public for: None

Members of the Public against: None

Chair Sanborn closed the Public Hearing at 7:30 PM.

DECISION:

The members of the Zoning Board of Adjustments reviewed and discussed the five criteria points.

1. Granting the Variance (would/ would not) be contrary to the public interest because: discussion ensued. The decision of the ZBA that granting the variance would be an upgrade to what was previously on the lot.
2. The spirit of the ordinance (would/would not) be observed because: discussion ensued. The decision was made by the ZBA that it will be an improvement to the property.
3. Granting the variance would do substantial justice because: it creates affordable housing in which can be modified to be handicap accessible.
4. For the following reasons, the values of the surrounding properties would not be diminished because the values would increase the surrounding properties.
5. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because: (II) The proposed use is reasonable one because it is increasing the value of land and building up the lot to look nicer than what was there before.

The Zoning Board of adjustments concluded that it would be in the favor of the general public and would clean up the area. Motion to approve the request for a Variance as presented, by Dr. Devoid. Seconded by Vice- Chair Maltzie with a unanimous vote of five members.

A **motion** to adjourn at 7:43 pm was made by Dr. Devoid, seconded by Bartlett and passed by a unanimous vote.

*Respectfully submitted,
Kearsten O'Brien Recording Secretary*