

**ZBA MEETING ATTENDANCE**

MEETING OF: January 14, 2020

Robert Shaw ✓  
Jack Currier ✓  
J.P. Boucher ✓  
Mariellen MacKay ✓

Jay Minkarah ✓  
Steve Lionel ✓  
Efstathia Booras \_\_\_\_\_  
Nick Kanakis \_\_\_\_\_

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**APPROVAL OF MINUTES**

Minutes of 11.26.19

MOTION BY: JP Boucher

SECONDED BY: S. Lionel

Corrections:

J. Minkarah - S. Lionel - J. Currier

JP Boucher - m. Mackay

APPROVED  
5-0

DENIED

TABLED

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Minutes of 12.10.19

MOTION BY: JP Boucher

SECONDED BY: J. Currier

Corrections:

J. Minkarah - S. Lionel - J. Currier

JP Boucher - m. Mackay

APPROVED  
5-0

DENIED

TABLED

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**STAFF ATTENDANCE**

Carter Falk ✓

Marcia Wilkins \_\_\_\_\_

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**REGIONAL IMPACT**

Yes \_\_\_\_\_ N/A NO AGenda

No \_\_\_\_\_

JP Boucher motion  
Rob Jack 2nd  
Chair - M. Mackay  
VChair - S. Lionel  
check - J. Currier  
5-0

Motion to Adjourn - J. Currier  
Second - S. Lionel  
Time - 8:39 pm

ZONING BOARD OF ADJUSTMENT

MEETING OF: 1/14/2020

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ADDRESS OF ZBA REQUEST: 69 Hessler Farm Dr CLERK OF ZBA: Mariellen MacKay

APPLICANT: Pennichuck Water Works Inc

OWNER: Unit Owners Association of the Villages at Hessler Farm

VOTING: R. Shaw, S. Lionel, T. Currier, J P Bouchey, M. MacKay

VARIANCE: REQUEST #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
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Reason for granting / denial: \_\_\_\_\_

VARIANCE: REQUEST #2	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
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Reason for granting / denial: \_\_\_\_\_

USE VARIANCE: EXCEPTION #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
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Reason for granting / denial: \_\_\_\_\_

SPECIAL EXCEPTION REQUEST #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
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Reason for granting / denial: demanded Use Code Sect 190-15 Table 15-1 (#27K)

To replace an existing water tank w/a new one. 11.3.3' tall, in same location  
Board feels all criteria has been met. No safety concerns. Concrete less maintenance

SPECIAL EXCEPTION REQUEST #2	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
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Reason for granting / denial: Board is unanimous in its approval. Special

conditions have been met.

PETITION FOR REHEARING/APPEAL FO ZONING ADMIN	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
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Reason for granting / denial: \_\_\_\_\_

ZONING BOARD OF ADJUSTMENT

MEETING OF: 1/14/2020

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ADDRESS OF ZBA REQUEST: 13 Alder Dr

CLERK OF ZBA: Mariellen MacKay

APPLICANT: Jose Mendez & Angela Lano

OWNER: (name)

VOTING: J. MinKarah, R. Shaw, S. Lionel, M. MacKay

JP Boucher & J Curpin recused themselves

VARIANCE: REQUEST #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting / denial:

VARIANCE: REQUEST #2	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting / denial:

USE VARIANCE: EXCEPTION #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting / denial:

SPECIAL EXCEPTION REQUEST #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
	Approve	R Shaw	m MacKay	Y	Ø	

Reason for granting / denial: claim land use (code Sect. 190-47(B)) to allow a major home occupation for an in-home day care for 12 children. Board feels all criteria have been met a special condition also have been agreed too

SPECIAL EXCEPTION REQUEST #2	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting / denial: Board is unanimous in its approval. NO outsidisplay prior to 9<sup>30</sup>am - NO neighbor trucks parked in the yard

PETITION FOR REHEARING/APPEAL FO ZONING ADMIN	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting / denial:

**ZONING BOARD OF ADJUSTMENT**

MEETING OF: 1/17/2020

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ADDRESS OF ZBA REQUEST: 3 Lyons St

CLERK OF ZBA: Mariem Mackay

APPLICANT: Santa Tijada

OWNER: (name)

VOTING: S. Lionel, R. Shaw, J. Corriey, J.P. Boudry, M. Mackay

VARIANCE: REQUEST #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
	Deny	S Lionel	R Shaw	5	0	

Reason for granting/denial: from Land Use Code Sect 190-31, to encroach 14' into the 20' required front yard setback to construct a 15' x 20' detached pool house. Board feels that there is no hardship on the land. The

VARIANCE: REQUEST #2	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting/denial: from Land Use Code Sect. 190-264 to exceed maximum accessory use area 40% permitted, 76% existing - 109% proposed. Structure is too large for the property & neighborhood - Unanimous denial. If the

USE VARIANCE: EXCEPTION #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting/denial: applicant re-designs it could be brought back as a completely diff event application.

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Reason for granting/denial: \_\_\_\_\_

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PETITION FOR REHEARING/APPEAL FO ZONING ADMIN	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting/denial: \_\_\_\_\_

ZONING BOARD OF ADJUSTMENT

MEETING OF: 1/14/2020

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ADDRESS OF ZBA REQUEST: 39 Amherst St

CLERK OF ZBA: Mariellen Mackay

APPLICANT: Albert Monaco

OWNER: (None)

VOTING: J. Minkarah, S. Lionel, J. Currier, J.P. Bouchy, M. Mackay

#1

VARIANCE: REQUEST #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
	approve	J Currier	M Mackay	5	0	

Reason for granting/denial: from land use code Sect. 190-192(C) to exceed maximum driveway width, 24' allowed - 40' requested. - Special conditions support this request. No opinion - tickets happen

#2

VARIANCE: REQUEST #2	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
	1	11				

Reason for granting/denial: To exceed maximum 50% of front yard paved - 66% proposed - in keeping w/ the neighborhood. All criteria have been met

#3

USE VARIANCE: EXCEPTION #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:
	11	11				

Reason for granting/denial: from land use code Sect 190-16 Table 16-3 for minimum open space, 35% required - 33% proposed. Board is unanimous in its approval

SPECIAL EXCEPTION REQUEST #1	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting/denial: \_\_\_\_\_

SPECIAL EXCEPTION REQUEST #2	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting/denial: \_\_\_\_\_

PETITION FOR REHEARING/APPEAL FO ZONING ADMIN	MOTION	1 <sup>ST</sup>	2 <sup>ND</sup>	IN FAVOR	OPPOSED	WHO OPPOSED:

Reason for granting/denial: \_\_\_\_\_

ZONING BOARD OF ADJUSTMENT

MEETING OF: 1/14/2020

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ADDRESS OF ZBA REQUEST: "L" Silver Dr CLERK OF ZBA: Marcella Mackay

~~Owner~~: Owner / Applicant: Sarcom LLC, 4G Cellular & 4G Wireless

~~Appealing Party~~: Princeton Properties Management, Pleasant Run Apts

VOTING: \_\_\_\_\_

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11.12.17 Public Hearing  
 Reason for granting / denial: All criteria was discussed thoroughly and full board was in agreement that no substantive changes & for information was brought forward. The Board answered all 4 points individually & unanimously

**ZONING BOARD OF ADJUSTMENT**

MEETING OF: 1/14/2020

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ADDRESS OF ZBA REQUEST: 1 Handy St CLERK OF ZBA: Mariellen MacKay

~~██████████~~ Owner/Applicant: Ali Bird, Linatras Family Trust

~~██████████~~ Appealing Party: Clayton & Krongold Alexanders, 1 Amherst Terrace

VOTING: \_\_\_\_\_

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Reason for granting / denial: 9-10-19 30 day appeal window expired 10-24-19

all five members believe it is untimely. No City Law to allow the ZBA to hear a Planning Board Decision