



ZONING BOARD of ADJUSTMENT
Town of Hollis
Seven Monument Square
Hollis, New Hampshire 03049
Tel. (603) 465-2209 FAX (603) 465-3701

Minutes of May 26, 2022

The Zoning Board of Adjustment meeting was held in the Community Room, Hollis Town Hall, and was called to order by Chairman Brian Major at 7:00 pm.

MEMBERS OF ZONING BOARD OF ADJUSTMENT PRESENT: Brian Major, Chairman; Jim Belanger, Vice Chairman; Regular Members – Cindy Robbins-Tsao, Rick MacMillan; Alternate Members – Bill Moseley, Meredith West.

MEMBERS ABSENT: Regular Members – Drew Mason; Alternate Members –Kat McGhee, Stan Swerchesky.

STAFF PRESENT: Bill Condra, Inspector/Code Enforcement; Donna Setaro, Building and Land Use Coordinator.

J. Belanger led the Pledge of Allegiance.

B. Major explained the policies and procedures.

B. Major stated that the voting members on case ZBA2022-010 at this meeting will be: B. Major, J. Belanger, C. Robbins-Tsao, R. MacMillan, B. Moseley; the voting members on cases ZBA2022-011, ZBA2022-012, and ZBA2022-013 will be: J. Belanger, C. Robbins-Tsao, R. MacMillan, B. Moseley, M. West.

By unanimous vote, the Zoning Board of Adjustment (ZBA) found no regional impact for cases ZBA2022-010, ZBA2022-011, ZBA2022-012, or ZBA2022-013.

ZBA2022-010

Application of Congregational Church, property owner, for a Variance to Section XIV; Sign Ordinance, paragraph P.5, storefront should not have more than 2 signs, to install 2 additional free-standing signs, located at 3 Monument Square, (Map 052, Lot 053) in the Town Center District.

Applicant: Attorney Thomas Hildreth, for Owner. T. Hildreth stated that they are seeking a variance to permit two additional free-standing signs on the main Church campus. Where the ordinance allows one main sign and one auxiliary sign, they already have one main sign, one free-standing sign in front of the handicapped entrance to the Church, and two small signs that are affixed to the façade of the building, on either side of the doors to the meetinghouse. By the ordinance, there is limit both on the number of signs, and also on the aggregate square footage of the total signage. They already exceed the number of signs, and want to exceed it by two more – but even with the two additional signs they will still fall well under the aggregate amount of square footage that would be allowed for signage. The total allowed is 32 square feet; they would have 28 square feet including the two requested additional signs.

T. Hildreth stated that the signs themselves will be fairly small, informational markers of different places on the Church campus, and are patterned on signage already in place on parts of the property that are not visible from the

front of the property and therefore not part of the total signage per the ordinance. They are trying to create uniformity in their informational signage.

T. Hildreth stated that they do not believe that granting the variance would be contrary to the public interest because it would not unduly or in a marked degree violate the objectives of the ordinance; the proposed signs would not alter the essential character of the neighborhood, or threaten health, safety, or general welfare; the signs are tasteful, professional, attractive, informative, and consistent with other signs in the area. They believe that the spirit of the ordinance would be observed for similar reasons – the proposal would not alter the essential character of the neighborhood. Indeed, the proposed signs would help to highlight and help define the essential character of the neighborhood by bringing attention to the significance some of the spaces on the Church campus that those spaces don't currently have. Granting the variance would do substantial justice because there is no individual loss, and there is advantage to the general public. There is a great deal of linear frontage that the Church has on Monument Square and on Broad Street; the signs would be spread out, so that they do not look crowded. They believe that the proposal is a reasonable use, considering the long-standing historical use of the property, and the unique characteristics of the property setting and environment.

B. Major stated that the Church has done a beautiful job with their park area; it's one of the focal points of the entire Town center. It's a beautiful building that has seen a lot of improvements over the years, some causing controversy, some not; but we have to view the Church as any other business. T. Hildreth stated that there is Federal law that gives religious institutions certain wider latitudes than other institutions or businesses. Churches are part of a separate category.

B. Major stated that we are trying to create a consistent and logical train of cases. If another business comes in and asks for further signage, how do we logically distinguish that request from this case? T. Hildreth answered that every case turns on its own facts. He doesn't know what the frontage of other businesses may be or what their existing signage is; the Church's signs are not commercial in nature, or trying to draw business or promote a product; they are just trying to be informative to the public. T. Hildreth further stated that the Church is a different institution than any other business, it plays a different role in the community, and the Congregational Church actually pre-dates the community. There are lots of ways to differentiate it from, for example, State Farm.

B. Major asked, though, that if the Board respects the Church, and values the Church's presence in the middle of our community, but still has to logically differentiate the Church from other businesses in order to show consistency, how do they do that? T. Hildreth answered that in order to do that, you look at the unique facts of the case and then you apply the standards. Looking at the standards, the variance will not be contrary to the public interest. It will not unduly or in a marked degree violate the basic zoning objectives of the ordinance. It passes that test. It is consistent with the spirit of the ordinance because it won't alter the essential character of the neighborhood.

B. Major further asked if there is really a practical utility to the signs; everyone knows where the Church is. T. Hildreth agreed, but stated that not everyone may know where the Squires Patio is.

R. MacMillan asked if the Applicant considered a granite marker in the walkway, for instance, instead of the signs. T. Hildreth answered that no, they did not consider that; they are trying to be consistent with existing signage on other parts of the property.

R. MacMillan further asked if T. Hildreth would address the hardship aspect of the application. T. Hildreth responded that there are special conditions that distinguish this property from other properties in the area. This property is different in that it is a corner lot, it has no depth, it butts right up against the cemetery, it has more frontage on Monument Square and Broad Street than any other parcel in Town, and it's the site of a 275-year-old historic building. There are all kinds of ways to call the property unique. A feature that makes it unique that is helpful in considering this application is the long stretch of frontage – because that allows the Church to spread the signs out.

C. Robbins-Tsao asked how far apart the sign on the corner is from the next sign over; T. Hildreth answered that he didn't measure them, but they are perhaps 50 or 60 feet apart.

B. Moseley stated that, regarding the proposed sign for the Squires Patio, it adds the comment "All are Welcome," and asked to define that. Does it mean that anyone could go over there this evening? T. Hildreth answered yes: it is a public space. M. West added that indeed, she thinks that is a key hardship issue. T. Hildreth stated that the Church has priority over use, and the Scouts are there on Tuesdays, but it is a public space.

Going back to the second two points on the hardship issue, T. Hildreth stated that no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to this property. The provision of the ordinance to limit the number of signs is presumably to avoid proliferation of signs, clutter of signs, too many signs. They are limited by number, and they are limited by the aggregate square footage. The Applicant exceeds the number, but they are under the square footage – even with the two additional, proposed signs. With the linear area of the property, they do not feel that there would be any feeling of clutter. Additionally, they believe that the proposal is a reasonable one because of the small, modest scale of the signs, and because of their tasteful, attractive, professional construction and installation.

In answer to a question from B. Major, T. Hildreth confirmed that the signs would not be lit.

J. Belanger asked if the signs would impede sight distance for traffic; T. Hildreth answered not at all. Indeed, there is a directional sign or a no parking sign that is much closer to the street.

B. Moseley asked what the material of the signs would be; T. Hildreth answered that they would consist of granite posts and thick, white, sign-grade PVC painted with semi-gloss, two-part polyurethane finish. The graphics would be digitally printed with UV-laminate and high performance vinyl.

M. West stated that she is firmly in favor of the application, and could come up with a lot of hardships, and she sees additional characteristics of the property to support finding of hardship.

B. Major stated that he did not think there would be any problem with the application except for the hardship issue.

Spoke in favor of the application:

James Seager, 467 High Street, Hampton, NH. Stated that he was a long-time resident of Ranger Road in Hollis, and now lives in Hampton, NH. Because he is working with his daughter and son-in-law to get a house built on property that he had owned on Howe Lane and since deeded over to his daughter and son-in-law, he is currently renting a room in the center of Town. He has been a member of the Church for more than 50 years, and is in favor of the sign variance. He would like to see the improvements that have been made to the Church over the years be more easily identifiable to people who come into Town or who have just moved here.

There were no speakers against the application.

No further questions from the Board and none from the floor. The hearing portion of the case was closed.

ZBA2022-011

Application of Reinhardt & Marie Ramas, property owners, for a Special Exception to Section IX; General Provisions, paragraph K; Accessory Dwelling Unit, to construct a 702 square foot Accessory Dwelling Unit, located at 9 Colburn Lane, (Map 035, Lot 039) in the Residential/Agricultural District.

Applicant: contractor Luke Bailey, for the Owners. Stated that the property owners have hired him to build the ADU, if the application passes. What they are proposing is a 702 square foot ADU in the basement of their home. The ADU would have living quarters for one person, including a bedroom, an office, a ¾ bath, a kitchen, and a

small living room. The total square footage of the existing home is just under 2,900 square feet – so the 702 square foot ADU would not be a large portion of that, and would be under the 800 square foot limit. B. Major asked what percentage of the total area of the home the ADU would comprise; L. Bailey stated that he had not done the math on that.

L. Bailey stated that they have gotten a plan for a new septic design. The home's current septic system is sized for four bedrooms, per the existing structure; the new design is for a 5.5 bedroom house, to handle the ADU in addition to the existing four bedrooms.

L. Bailey stated that they do not believe that the ADU would be detrimental to the character, environment, scenic value, health, safety, or general welfare of the Town because it will be in an existing basement. It will be in the original footprint of the home; they are not building an additional structure. This is a walk-out basement, with a door and two egress windows – one in the office and one in the bedroom. Portions of the basement will also be finished for homeowner use, not related to the ADU.

Per B. Major's clarification, the office part of the plan will be for the homeowner and will not be part of the ADU.

L. Bailey stated that the use shall not materially affect traffic or physical conditions of the Town roads because this is a small ADU. The plan is to rent it to one person, with one vehicle.

J. Belanger pointed out that, at 24% of the square footage of the building, the proposed ADU would be within the 30% allowed per the ordinance.

J. Belanger also pointed that there is a provision in the ordinance about a common wall, a common heated wall, and since this ADU is going to be in the basement he asked what the common wall would be in this instance. L. Bailey answered that what they are considering the common wall is the separation between the ADU and the homeowner area of the basement – the homeowner gym and homeowner office.

J. Belanger and C. Robbins-Tsao asked to confirm that the ADU is intended as a rental apartment and can be rented to anyone, not just family members. L. Bailey confirmed that that is correct. J. Belanger added that per the ordinance, the home must be owner-occupied, but the ADU did not necessarily have to be.

R. MacMillan pointed out that the ordinance section on General Provisions is actually IX (9), not XI (11), as in the application and the agenda for this meeting. B. Major indicated that they would clarify that.

M. West had a question about fair housing and restricting the rental to only one person; B. Major stated that he did not believe that we need to limit it – if they grant the application, they grant the ADU, and if the owner wants to restrict it, that has nothing to do with the Board.

L. Bailey agreed that the Applicant would remove the restriction limiting rental to only one person.

R. MacMillan asked if the basement was currently heated; L. Bailey said no – but there will be a heated wall because the whole space will get heated: the homeowner portion and the ADU portion.

No further questions from the Board and none from the floor. The hearing portion of the case was closed.

ZBA2022-012

Application of Steven Casey, for a Special Exception to Section IX; General Provisions, paragraph K; Accessory Dwelling Unit, to construct a 794 square foot Accessory Dwelling Unit, located at 3 Leonard's Way, property owned by Jennifer Casey, (Map 022, Lot 022-001-004) in the Residential/Agricultural District.

Applicant: Steven Casey, 3 Leonard's Way. Stated that he is currently living with his daughter, at the property. The plan is for the ADU to be occupied by himself and his wife during their retirement years. They plan to build the ADU above the attached garage. The ADU has been designed to consist of 794 square feet, which is 24% of the total living area of the structure and is less than the 30% maximum. The 794 square footage includes a stairway and first floor hallway. The ADU has been designed so it could be reincorporated into the principal dwelling. The septic system for the property has been designed, approved, and built to meet all local and State requirements for a three-bedroom home with attached ADU. The property has adequate off-street parking and provides for adequate ingress, egress, and vehicle maneuvering. The ADU has been designed to maintain the appearance of a single-family home, and to be constructed above the two-car attached garage. The garage is fairly large, at 30 feet by 30 feet. The construction of the proposed ADU will not result in or have any impact on the character, environment, scenic value, health, safety, or general welfare of the Town. The proposed ADU has been designed to meet all the requirements and limitations as outlined in section IX.K of the Hollis Zoning Ordinance and will provide for adequate on-site parking both inside and outside of the garage. Indeed, there is a separate, additional, detached two-car garage currently also being constructed on the property.

S. Casey stated that the proposed use of the ADU is as an in-law apartment, for the parents of the current homeowner.

As the proposal shows an unfinished attic area of the main house next to the proposed ADU, B. Major asked if that unfinished attic area and therefore the wall separating it from the proposed ADU were heated; S. Casey answered that no, it is not. B. Major asked, then, where the common heated wall would be, and S. Casey answered that it would be on the first floor – the stairway itself, the door going to the stairway with a small wall, and the hallway that will be created between the ADU and the main house, all to be heated.

S. Casey further clarified that access to the ADU would be through the back of the main house, or from the garage. What is shown on the plan as the proposed hallway and stairs will be part of the ADU.

J. Belanger pointed out that the ADU is upstairs, on top of the garage; they would have to go down the stairs to get into the hallway – so how is that part of the ADU, aside from being included in the calculated area?

R. MacMillan pointed out that a hallway and stairs are not a heated wall.

B. Major asked if there is a door between the hallway and the main dwelling area of the house, and S. Casey answered that there is one, and that they don't have to remove it.

J. Belanger stated that per the ordinance, when the ADU is no longer in use it has to be able to be incorporated into the house. Therefore, they would have to be able to get into the main house from the hallway. S. Casey agreed.

B. Major stated that the application might make more logical sense, in terms of applying the ordinance to the application, if that hallway were enclosed and purely part of the ADU – not part of the main house as well. B. Major further pointed out that if the main house's attic were heated, then the plan would have a heated wall in that area. However, that is not currently part of the plan and the attic vents to the outside.

B. Major explained that the hallway as shown on the current plan is really not part of the ADU, but is part of the main house, and so there is difficulty in defining the common heated wall that the ordinance requires.

J. Belanger concurred, especially as the hallway is not on the same floor as the rest of the ADU. C. Robbins-Tsao and R. MacMillan concurred.

M. West stated that there is a heated wall through the hallway, but beneath the actual residential area. The residential area is on the second floor, and there is not a heated wall there. However, the hallway and stairs are included in the square footage of the ADU. It comes down to it being on a separate floor.

B. Major asked about the possibility of the Board requiring there to be a door maintained between the hallway and the main house's pantry area. S. Casey stated that there is a door there currently; he had been going to take it out, but is perfectly willing to leave it in.

B. Moseley added that by leaving the doorway, by definition it shows that the hallway really is part of the ADU.

S. Casey stated that in that case he will definitely leave the doorway where it is.

J. Belanger stated that he has a problem with the hallway being on a separate floor than the living space of the ADU – it's just an entrance.

No further questions from the Board and none from the floor. The hearing portion of the case was closed.

ZBA2022-013

Application of Alpha Contracting, for a Special Exception to Section IX; General Provisions, paragraph K; Accessory Dwelling Unit, to construct a 595 square foot Accessory Dwelling Unit, located at 41 Howe Lane, property owned by Michael Golosovker, (Map 032, Lot 046-006) in the Residential/Agricultural District.

Applicant: Helton Rodrigues of Alpha Contracting Services, LLC, Nashua, NH. Stated that the owners of 41 Howe Lane hired his company to build an ADU to be used as an in-law apartment. The ADU would consist of 595 square feet, which would be 27% of the total square footage of the house. The in-law apartment will not occupy more than 30% of the proposed house, per the ordinance. It will not create damage to the health or safety of the Town. They have an approved five-bedroom septic system, which includes the ADU. There will be a long driveway, so there will be space for parking and turning vehicles within the property. The in-law apartment will have no impact on traffic or on the physical condition of the Town's roads. The specific use of the ADU will be to allow one additional family member, property owner Alison Golosovker's father, James Seager, to live on the property, with a private living space, bathroom, and entrance to the house.

B. Major asked for clarification regarding the entrance to the ADU; H. Rodrigues answered that there are two entrances to the ADU, one on the first floor, down the stairs, and one from the kitchen to the outside. There will be opening windows in the bathroom, as well.

Regarding the common heated wall, H. Rodrigues stated that they will use the same HVAC heating system and insulation as are being used for the main house. R. MacMillan asked specifically which wall of the ADU would adjoin the existing, heated main dwelling. H. Rodrigues answered that the entire basement will be heated. It will be the wall between the ADU and the storage area, in the basement, that is part of the main home. The main house is not completed as yet; the entire structure is a new construction.

J. Belanger stated that when the law was passed at the State level, the common heated wall concept was meant so that when the ADU was reincorporated into the main home, one could walk from the living area of the ADU to the living area of the home. It would be one, bigger house. R. MacMillan concurred that that is the spirit of the ordinance. J. Belanger pointed out that having the ADU in the basement, where if you walk out of the ADU you walk into a storage area, it is not reincorporating the ADU area into one home. C. Robbins-Tsao agreed; the ADU area would not be part of the main house's living area.

M. West asked if it would make a difference to the Board if the storage area was finished – if it was considered a finished area for the homeowner's gym, for instance.

B. Major asked if there were a way to re-design the plan, to have some of the upstairs living area extend into the basement, as well. Is there a way to re-design the plan so that there is either space upstairs that is part of the ADU, or space in the basement that is part of the main dwelling area of the primary home? B. Major pointed out that the Applicant has the option of asking the Board to table the application, and discussing the issue with the architect.

J. Belanger asked about the 320 square foot basement storage area – how does the homeowner access that area? H. Rodrigues answered that they access the storage area via the stairway shown on the plan. B. Moseley pointed out that the way the plan is drawn, it looks as if one has to go from the stairs through the ADU to get to the storage area.

J. Belanger asked if there were a way to make that storage area a finished part of the house, instead of just storage, and heat it. If it could be an exercise room, or computer room for the main house, the concern could be abated. Then they would have a common heated wall. The Board generally concurred with this idea; otherwise, the plan as presented would likely be too much of a stretch. H. Rodrigues agreed that they could plan to finish and heat what had been labeled as a storage area, with separate heating zones for the upstairs and the basement, as a condition of approval.

Spoke in favor of the application:

James Seager, 467 High Street, Hampton, NH. Stated that he is of the opinion that the contractor and homeowner will make the improvements that the Board recommends, in order for approval. He hopes that the Board will grant the Special Exception, as he would love to live there, help with maintaining the property, and have a place to live in Town that wouldn't be so expensive so that he could continue to drive a bus for the Town, as well.

Michael Golosovker, Owner of the property, 41 Howe Lane. Stated that he is currently living in Nashua, as the home in Hollis is being built; he has lived in Hollis in the past. His wife, James Seager's daughter, grew up here, and they are both looking forward to moving back. He stated that finishing and heating the rest of the basement area in the plan will not be a problem, and they are happy to do it. Time is the most important constraint to them: they are going to lose their right to lock on a construction loan with delays.

There were no speakers against the application.

No further questions from the Board and none from the floor. The hearing portion of the case was closed.

TWO-MINUTE RECESS.

J. Belanger moved to reopen case ZBA2022-013. Seconded by R. MacMillan. Motion unanimously approved.

ZBA2022-013 – Reopened.

Application of Alpha Contracting, for a Special Exception to Section IX; General Provisions, paragraph K; Accessory Dwelling Unit, to construct a 595 square foot Accessory Dwelling Unit, located at 41 Howe Lane, property owned by Michael Golosovker, (Map 032, Lot 046-006) in the Residential/Agricultural District.

J. Belanger asked, regarding the storage space in the basement that is going to be heated and used by the occupants of the main house, if that level is all underground. H. Rodrigues answered that no, the land is on a slope. J. Belanger further asked if there would be a door leading outside from that storage area. When that part of the building becomes living area, it needs an egress outdoors – so that would have to be a condition of approval. The Board generally agreed that a bulkhead would count as an egress.

No further questions from the Board and none from the floor. The hearing portion of the case was closed a second time.

DELIBERATIONS AND DECISION

ZBA2022-010

The discussion of the application of Congregational Church, property owner, for a Variance to Section XIV; Sign Ordinance, paragraph P.5, storefront should not have more than 2 signs, to install 2 additional free-standing signs,

located at 3 Monument Square, (Map 052, Lot 053) in the Town Center District.

R. MacMillan stated that one point in favor of the application is that the property is not commercial. It's a community area, and it's talking about people who did a good deed for the Town. These are all commemorative, positive things.

M. West stated that hardship comes down to the fact that the Church is a private, non-commercial entity of Town, which is providing two outdoor spaces for public use.

B. Major stated that his inclination is to do just about anything for the Church because it's a community resource – but there is also an ordinance, which has to be discussed. How is the Church different from any other property right across the way?

J. Belanger cited the third page of the application, pointing out that an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area – and obviously a church is going to be different – a property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use. Having signs that tell people where to go in and out, having parking signs, for a church that is open to the public, is a reasonable use.

R. MacMillan and M. West concurred; it is a reasonable use, and is for a public service.

B. Major stated that a difficulty, though, is that in terms of the ordinance a church is the same as any other business in Town – but if you look at it in terms of the real world, the Church is much more of a community structure. There would be no restrictions on a governmental building in Town, for this type of signage. B. Major further stated that what he finds persuasive is that the total aggregate signage is going to be under the maximum that is allowed. That is a huge factor.

R. MacMillan stated that he does not mind the Community Memorial Peace Park sign, but he believes that the Jim & Jan Squires Community Patio designation would be more fitting in a piece of granite, for instance, as opposed to another sign. B. Moseley added that if it were a piece of granite, it would be part of the structure.

M. West stated that it comes down to the part of the proposed signage that says "All are Welcome." This is more than a commemoration, as it is letting the Town know that everyone is allowed on this property. The public nature of the property is not otherwise obvious.

C. Robbins-Tsao stated that when the signs were proposed the point was that so many different groups use the Church and this patio area – it is for the public, and not just for members of the Church.

R. MacMillan added that in fact the Church does not benefit from this signage; it would be for the public's use, not for the Church. It's to tell people that they are welcome here, and that the Squires family has provided this for them. It's got nothing to do with selling anything, other than a public service. It would not be distracting to traffic, and it is in keeping with other signage in the center of Town.

J. Belanger moved for the following findings-of-fact;

1. The Board finds owing to the specific conditions of the property that distinguish it from others properties in the area (Church) the property cannot be used in strict conformance with the ordinance.

Seconded by B. Moseley.

Motion passed 4-1 with B. Major against.

M. West moved for the following finding-of-fact;

2. *The Board finds the property's use as a church is a unique and special condition of the property as it is a non-commercial entity focused on public and spiritual needs.*

Seconded by B. Moseley.

Motion unanimously approved.

M. West moved for the following finding-of-fact;

3. *The Board finds that having two outdoor spaces for public use is a unique and special condition of the property, and the signs are non-commercial and will encourage this public use.*

Seconded by B. Moseley.

Motion unanimously approved.

B. Major moved for the following finding-of-fact;

4. *The Board finds the total aggregate signage including the 2 proposed new signs is less than 32 square feet which is allowed under the ordinance.*

Seconded by B. Moseley.

Motion unanimously approved.

J. Belanger moved for the following condition of approval;

1. *The new signs shall remain unlit.*

Seconded by B. Moseley.

Motion unanimously approved.

Questions – Variance

Question 1.	The variance will not be contrary to the public interest.
Question 2.	The spirit of the ordinance is observed.
Question 3.	Substantial justice is done.
Question 4.	The values of surrounding properties are not diminished.
Question 5a(1).	No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property.
Question 5a(2).	The proposed use is a reasonable one.
Question 5b.	The property cannot be reasonably used in strict conformance with the ordinance, and a variance is, therefore, necessary to enable a reasonable use of it.

Board Member	Question #1	Question #2	Question #3	Question #4	Question #5a(1)	Question # 5a(2)	Total Yes	Total No
Major	Yes	Yes	Yes	Yes	Yes	Yes	6	0
Belanger	Yes	Yes	Yes	Yes	Yes	Yes	6	0
Tsao	Yes	Yes	Yes	Yes	Yes	Yes	6	0
MacMillan	Yes	Yes	Yes	Yes	Yes	Yes	6	0
Moseley	Yes	Yes	Yes	Yes	Yes	Yes	6	0

THEREFORE, THE VARIANCE WAS GRANTED WITH THE FOLLOWING CONDITION AND FINDINGS-OF-FACT:

CONDITION:

1. The new signs shall remain unlit.

FINDINGS-OF-FACT:

1. The Board finds that owing to the specific conditions of the property that distinguish it from others properties in the area (Church) the property cannot be used in strict conformance with the ordinance.
2. The Board finds the property's use as a church is a unique and special condition of the property as it is a non-commercial entity focused on public and spiritual needs.
3. The Board finds that having two outdoor spaces for public use is a unique and special condition of the property, and the signs are non-commercial and will encourage this public use.
4. The Board finds the total aggregate signage including the 2 proposed new signs is less than 32 square feet which is allowed under the ordinance.

ZBA2022-011

The discussion of the application of Reinhardt & Marie Ramas, property owners, for a Special Exception to Section XI; General Provisions, paragraph K; Accessory Dwelling Unit, to construct a 702 square foot Accessory Dwelling Unit, located at 9 Colburn Lane, (Map 035, Lot 039) in the Residential/Agricultural District.

The Board generally agreed that the proposal is relatively straightforward.

B. Moseley stated that he is ok with the proposal as long as it's stipulated that the homeowner area of the basement is indeed heated.

Questions/Special Exception

Question #1 Is the Exception specified in the Ordinance?

Question #2 Are the specified conditions under which the Exception may be granted present?

Question #3 Should the Exception be granted with the specified conditions and restrictions?

Board Member	Question #1	Question #2	Question #3	Total-Yes	Total-No
Belanger	Yes	Yes	Yes	3	0
Tsao	Yes	Yes	Yes	3	0
MacMillan	Yes	Yes	Yes	3	0
Moseley	Yes	Yes	Yes	3	0
West	Yes	Yes	Yes	3	0

ZBA2022-012

The discussion of the application of Steven Casey, for a Special Exception to Section XI; General Provisions, paragraph K; Accessory Dwelling Unit, to construct a 794 square foot Accessory Dwelling Unit, located at 3 Leonards Way, property owned by Jennifer Casey, (Map 022, Lot 022-001-004) in the Residential/Agricultural District.

B. Moseley pointed out that they need a door from the hallway into the main area of the house, other than the door the application seems to meet the ordinance. The ZBA members agreed.

B. Major moved for a condition of approval;

1. *Subject to the applicant installing and maintaining a doorway in-between the main dwelling unit and the first floor hallway which is part of the Accessory Dwelling Unit. (ADU)*

*Seconded by C. Robbins-Tsao.
Motion unanimously approved.*

Questions/Special Exception

Question #1 Is the Exception specified in the Ordinance?

Question #2 Are the specified conditions under which the Exception may be granted present?

Question #3 Should the Exception be granted with the specified conditions and restrictions?

Board Member	Question #1	Question #2	Question #3	Total-Yes	Total-No
Belanger	Yes	Yes	Yes	3	0
Tsao	Yes	Yes	Yes	3	0
MacMillan	Yes	Yes	Yes	3	0
Moseley	Yes	Yes	Yes	3	0
West	Yes	Yes	Yes	3	0

THEREFORE, THE SPECIAL EXCEPTION WAS GRANTED WITH THE FOLLOWING CONDITION;

- 1. Subject to the applicant installing and maintaining a doorway in-between the main dwelling unit and the first floor hallway which is part of the Accessory Dwelling Unit. (ADU)**

ZBA2022-013

The discussion of the application of Alpha Contracting, for a Special Exception to Section XI; General Provisions, paragraph K; Accessory Dwelling Unit, to construct a 595 square foot Accessory Dwelling Unit, located at 41 Howe Lane, property owned by Michael Golosovker,(Map 032, Lot 046-006) in the Residential/Agricultural District.

Deliberations went straight to conditions without further discussion. J. Belanger proposed two conditions. There were questions about wording the first condition, with B. Major uncertain about the clarity of the word “finished.” It was determined that the contractor knows what “finished” means. There will be insulated sheetrock. B. Major asked more about the word “finished.” It was determined by general Board agreement that the words “living space” clarified the condition.

J. Belanger moved for the following condition of approval;

- 1. The space shown on the plan and identified as “storage 320 square feet” be a finished heated space in use by the main home as a living space.*

Seconded by R. MacMillan.

Motion unanimously approved.

J. Belanger moved for a condition of approval;

- 2. The space shown on the plan and identified as “storage 320 square feet” must have an egress to the outside of the home.*

Seconded by B. Moseley.

Motion unanimously approved.

Questions/Special Exception

Question #1 Is the Exception specified in the Ordinance?

Question #2 Are the specified conditions under which the Exception may be granted present?

Question #3 Should the Exception be granted with the specified conditions and restrictions?

Board Member	Question #1	Question #2	Question #3	Total-Yes	Total-No
Belanger	Yes	Yes	Yes	3	0
Tsao	Yes	Yes	Yes	3	0
MacMillan	Yes	Yes	Yes	3	0
Moseley	Yes	Yes	Yes	3	0
West	Yes	Yes	Yes	3	0

THEREFORE, THE SPECIAL EXCEPTION WAS GRANTED WITH THE FOLLOWING CONDITIONS;

1. The space shown on the plan and identified as “storage 320 square feet” be a finished heated space in use by the main home as a living space.
2. The space shown on the plan and identified as “storage 320 square feet” must have an egress to the outside of the home.

Other Business

Non-Public under RSA 91-A:3, II (c). Reputation

B. Major moved to table the Non-Public session to June 23, 2022.

Seconded by B. Moseley.

Motion unanimously approved.

Review of Minutes

J. Belanger moved to approve the minutes of April 28, 2022.

Seconded by C. Robbins-Tsao.

Motion unanimously approved with B. Moseley and M. West abstaining.

J. Belanger moved to approve the minutes of May 5, 2022.

Seconded by B. Moseley.

Motion unanimously approved with C. Robbins-Tsao and M. West abstaining.

Meeting Adjourned

The ZBA meeting adjourned at 8:55 pm.

Respectfully submitted by:

Donna Lee Setaro, Building and Land Use Coordinator,
and Aurelia Perry, Recording Secretary.