



City of Laconia
Zoning Board of Adjustment
Monday, September 16, 2019 - 6:30 PM
City Hall in the Armand A. Bolduc Council Chamber

9/16/2019 - Minutes

1. CALL TO ORDER

Meeting was called to order by Chair S. Bogert at 6:30 PM.

2. ROLL CALL

Present: Steve Bogert; Orry Gibbs; G. Ober; Michael DellaVecchia; Roland Maheu

Absent: Mike Foote

G. Ober and Michael DellaVecchia were seated as voting members.

3. RECORDING SECRETARY

Karen Santoro, Zoning Technician

4. STAFF IN ATTENDANCE

Karen Santoro, Zoning Technician

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

5.I. August 19, 2019 Zoning Board Of Adjustment Meeting Minutes

R. Maheu made a motion to accept the minutes of the August 19, 2019 meeting as presented.

G. Ober seconded the motion.

All in favor.

6. EXTENSIONS

7. CONTINUED PUBLIC HEARINGS, CONSIDERATION AND POSSIBLE VOTE Note: The Purpose Of This Agenda Section Is For The Board To Continue The Public Hearing For The Applicant And The Public To Provide Input. The Board May Also Deliberate The Application, Decide And Conduct A Final Vote At This Time.

8. PUBLIC HEARINGS, POSSIBLE CONSIDERATION AND VOTE Note: The Purpose Of This Agenda Section Is For The Board To Have A Presentation From The Applicant And Open A Public Hearing For The Public To Provide Input. The Board May Also Deliberate The Application, Decide And Conduct A Final Vote At This Time.

8.I. ZO2019-0028SE 17 McKinley Rd Variance (PDF)

Donna Mahan and David Drouin, agents for the applicant, addressed the Board. They outlined that the applicants would like to build a detached Accessory Dwelling Unit. The variance is required because the lot does not meet or exceed lot size requirements for the zone.

Due to the nature of the applications, both applications were heard at the same time. The Board

extensively discussed the size of the unit, it was determined that, not including the garage/storage area that is not connected to the unit, that the size is 684 sq feet. They also discussed parking. The applicant's representatives stated that parking is more than adequate as the driveway is over sixty feet long.

At 7:04 PM S. Bogert opened the hearing to the public.

Howard Epstein, 97 Pendleton Rd, expressed his opposition to the application stating that they do not need more people on McKinley; he stated that there were too many cars in driveway, that they would be parking on the road.

At 7:06 PM with no other members of the public to speak for or against the application, the public hearing was closed.

The applicant re-addressed the board stating that it is not adding any more cars or people than are already there.

The Board discussed the application stating that they have to consider the future and what the rooms could be turned into. They stated they could turn office into another bedroom, they could finish off storage area and put beds into it. They noted that the only hardship is the size of the lot.

G. Ober made a motion to approve Application ZO2019-0028VAR. Applicant is requesting a variance from Article VI Section 235-41(4) to allow for the addition of a detached Accessory Dwelling Unit (ADU) on a lot that does not meet minimum lot size. Lot size required is 10,000 sf; existing lot is 9147.6 sf.

(1) The variance will not be contrary to the public interest;

Granting the variance would not be contrary to the public interest.

(2) The spirit of the ordinance is observed; AND

If the variance were granted, the spirit of the ordinance would be observed.

(3) Substantial justice is done; AND

Granting the variance would do substantial justice because it would not alter the character of the neighborhood.

(4) The value of surrounding properties are not diminished; AND

If the variance were granted, it will have no effect on surrounding property values.

(5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship;

Literal enforcement of the regulations would not allow the property owners to add a detached ADU.

O. Gibbs seconded the motion

One in favor (Ober); Four opposed. Motion failed.

The Board noted that they still have use of the property and noted that because the variance failed, the homeowner may apply for an attached Accessory Dwelling Unit.

8.II. ZO2019-0029SE 17 McKinley Rd Special Exception (PDF)

The application was withdrawn by the applicant.

8.III. ZO2019-0024VAR 221 Pleasant St Variance (PDF)

Per the request of the applicant, the application was moved to the October 21, 2019 meeting.

9. OTHER BUSINESS

9.I. Election Of Vice Chair/Secretary (PDF)

G. Ober nominated O. Gibbs as Vice Chair

O. Gibbs accepted the nomination; all members in favor.

9.II. 2020 Proposed Meeting Schedule (PDF)

10. ADJOURNMENT

At 7:34 PM R. Maheu made a motion to adjourn the meeting.

G. Ober seconded the motion.
All in favor. (5-0)