

1                   **HOOKSETT ZONING BOARD OF ADJUSTMENT**  
2                               **Tuesday, May 9, 2023**  
3                   **HOOKSETT MUNICIPAL BUILDING**  
4                               **35 Main Street**  
5                               **Meeting Minutes**  
6                               **6:30 pm**

7  
8    **CALL TO ORDER**

9  
10 Anne Stelmach (Chairman) called the regular meeting to order at 6:48 pm.

11    **PLEDGE OF ALLEGIANCE**

12  
13    **ATTENDANCE:** Anne Stelmach (Chairman), Richard Bairam (Vice-Chairman), Phil Denbow,  
14 Timothy Stewart, Gerald Hyde, and Roger Duhaime (Town Council Representative)

15    **ALTERNATES:**

16    **EXCUSED:** Alex Glennon (Alternate), Matt St. Pierre (Alternate), and Tony Lacasse  
17 (Alternate)

18    **NOT PRESENT:**

19    **STAFF:** Dana Pendergast (Code Enforcement Officer)

20    **APPOINTMENTS:** None

21  
22    **APPROVAL OF MINUTES:** February 14, 2023 and April 11, 2023

23    *R. Bairam motioned to approve of the minutes of the February 14, 2023 meeting. Seconded by*  
24 *G. Hyde. **Motion carried unanimously with a vote of 5-0.***

25  
26 Line 20 and 21 amended to read February 14, 2023 as opposed to February 9, 2023.

27  
28    *Seconded by G. Hyde. **Motion carried unanimously with a vote of 5-0.***

29  
30    **NEW PUBLIC HEARINGS:**

31  
32    **Derek Dumas #Z23-06**  
33    **1 Kappa Court, Map 30 Lot 61**  
34    **MDR**

35    **APPLICATION FOR SPECIAL EXCEPTION:**

36    **From Article 18 Section G. 2. a) & c) of the Zoning Ordinance**

37    This proposal is to use the area as a driveway turnaround. The current turnaround is in front of  
38 the house and very unsightly and being on a slope is difficult to maintain. The new turnaround  
39 would also make it much easier for larger vehicles to move around.

40  
41 Derek Dumas voluntarily continued this application to the June 13, 2023 ZBA meeting.

42  
43 **Stephen Cloutier #Z23-07**  
44 **21 Martins Ferry Rd, Map 30 Lot 39-1**  
45 **MDR**

46 **APPLICATION FOR VARIANCE:**

47 **From Article 5 Section 2. A) of the Zoning Ordinance**

48 For the construction of a breezeway that would form a duplex between two existing structures.  
49 The current frontage is 50 feet short that of a duplex. The variance is for that 50 ft.

50  
51 Stephen Redic: The owner would like to build a breezeway, 5 1/2' wide x 45' long, that would  
52 connect the house and garage. He is building this for his brother who is a disabled veteran, who  
53 lives there now, so he does not have to go outside.

54  
55 S. Redic read the application into the record.

56  
57 P. Denbow: Is the second unit currently existing?

58  
59 D. Pendergast: This is a single-family house that everyone is living in. The garage has a mezza-  
60 nine. Everyone is living in the main house. We don't allow two separate dwelling units on one  
61 property. It has to have separate everything. It will be a closed entryway with a stairway that  
62 goes to the second structure. He is 6,001' short of the lot size. He needs a variance from both  
63 sections of the same article.

64  
65 Open public hearing.  
66 No public comments.  
67 Close public hearing.

68  
69 **Criteria 1 & 2 - The variance will not be contrary to Public Interest & the Spirit of Ordinance will be observed.**

70  
71 It was a board consensus this will not be contrary to Public Interest & the Spirit of Ordinance  
72 will be observed and that this is consistent with the rest of the neighborhood.

73  
74 **Criteria 3 (Substantial Justice is done)**

75 It was a board consensus substantial justice is done.

76 **Criteria 4 (The value of surrounding properties will not be diminished)**

77 It was a board consensus the value of surrounding properties will not be diminished.

78  
79 **Criteria 5 (Literal enforcement of the provisions of the ordinance would result in an Un-**  
80 **necessary Hardship)**

81 It was a board consensus that a hardship exists due to the layout of the lot being challenging.

82

83 *P. Denbow motioned to grant variances from Article 5 Section 2. A) of the Zoning Ordinance*  
84 *for the construction of a breezeway that would form a duplex between two existing structures*  
85 *for Stephen Cloutier #Z23-07, 21 Martins Ferry Rd, Map 30 Lot 39-1, MDR. The current*  
86 *frontage is 50 feet short that of a duplex. In addition, the lot area is insufficient at 57,337*  
87 *when 65,340 is required. Seconded by G. Hyde. Motion carried unanimously with a vote of*  
88 *5-0.*

89  
90 **CONTINUED PUBLIC HEARING:**

91  
92 **Silver City NH LLC #Z20-12**  
93 **39 Hackett Hill Road, Map 13 Lot 51**  
94 **COM**

95 **APPLICATION FOR EXCAVATION PERMIT:**  
96 **OO-#14**

97  
98 A. Stelmach: Roy Tilsley requested another 90-day extension as the Supreme Court has not yet  
99 ruled on this matter.

100

101 *G. Hyde motioned to continue the application for an excavation permit for Silver City NH*  
102 *LLC, #Z20-12, 39 Hackett Hill Road, Map 13 Lot 51, COM, OO-#14 until the August 8, 2023*  
103 *ZBA meeting. Seconded by P. Denbow. Motion carried unanimously with a vote of 5-0.*

104

105 **Additional Items for Discussion:**

106

107 **1) Excavation Site Visits**  
108 **Current Operations & Last Inspection Dates**  
109 **Brox 6/24/2021**  
110 **Pike 10/20/2018**  
111 **Continental/Bow 3/18/2020**  
112 **Plourd No Record Found**  
113 **MS&G No Record Found**

114

115 D. Pendergast will schedule site visits for Pike and Continental/Bow.

116

117 **2) Training**

118

119 Discussion ensued regarding the training that has to be completed by the ZBA.

120

121 **OTHER BUSINESS**

122

123 D. Pendergast: We are still awaiting a ruling on Two College Park Drive.

124

125 Discussion ensued regarding adding “purpose” to the zoning regulations.

126

127 **ADJOURNMENT**

128

129 ***R. Bairam motioned to adjourn at 7:25 pm. Seconded by P. Denbow. Motion carried unani-***  
130 ***mously with a vote of 5-0.***

131

132 **Next meeting June 13<sup>th</sup>, Application Deadline May 24<sup>th</sup>**

133

134 Respectfully submitted by:

135

136 /s/ AnnMarie Scott

137

138 AnnMarie Scott

139 Recording Clerk