

1 **HOOKSETT ZONING BOARD OF ADJUSTMENT**
2 **Tuesday, September 12, 2023**
3 **HOOKSETT MUNICIPAL BUILDING**
4 **35 Main Street**
5 **Meeting Minutes**
6 **6:30 pm**

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8 **CALL TO ORDER**
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10 Anne Stelmach (Chairman) called the regular meeting to order at 6:32 pm.

11 **PLEDGE OF ALLEGIANCE**
12

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

15 **ALTERNATES:** Matt St. Pierre, Colin Merritt, and Thomas Chesnard

16 **EXCUSED:** Alex Glennon, Gerald Hyde, and Tony Lacasse (Alternate).

17 **NOT PRESENT:** Phil Denbow (Alternate)

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

19 M. St. Pierre and C. Merritt will be voting members this evening.

20 **APPROVAL OF MINUTES:** August 8, 2023 and August 16, 2023 site walk

21 *R. Bairam motioned to approve the minutes of the August 8, 2023 meeting. Seconded by T.*
22 *Stewart. Motion carried unanimously with a vote of 6-0.*
23

24 *R. Bairam motioned to approve the minutes of the August 16, 2023 site walk. Seconded by T.*
25 *Stewart. Motion carried unanimously with a vote of 6-0.*
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27 **CONTINUED PUBLIC HEARING:**
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29 **Distribution Oasis LLC #Z23-10**

30 **11 Bemis Rd, Map 37 Lot 44**

31 **MUD3**

32 **APPLICATION FOR Variance**

33 From Article 14 Section B. of the Zoning Ordinance

34 ****Request to CONTINUE to the next scheduled meeting on October 10th 2023****

35 ***Email provided for record**
36

37 *M. St. Pierre motioned to continue the application for variance From Article 14 Section B. of*
38 *the Zoning Ordinance for Distribution Oasis LLC #Z23-10, 11 Bemis Rd, Map 37 Lot 44,*

39 ***MUD3 until the October 10, 2023. Seconded by R. Bairam. Motion carried unanimously***
40 ***with a vote of 6-0.***

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42 **NEW PUBLIC HEARINGS:**

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44 **Douglas Urquhart #Z23-12**
45 **1 Cemetery Rd, Map 30 Lot 49**
46 **MDR**

47 **APPLICATION FOR Variance**

48 From Article 5 Section E.1 of the Zoning Ordinance

49 To allow the house and garage set back 28 feet from the road where 35 feet is required.

50 *The applicant would like to keep the new house in line with the existing garage.*

51
52 D. Urquhart: I would like to rip down the old house and put a new one in it's place. The garage
53 and breezeway are staying. It will be a two-story home.

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55 A. Stelmach: The applicant mentioned he got variance or special exception for the garage when
56 he built.

57
58 D. Pendergast: Correct.

59
60 D. Urquhart: The house and garage are in the straight shot and I have only 25' from the edge of
61 the road. I am the only house there. The cemetery is across and a homeowner is below me. I do
62 not want to set the house back any further because there is a window and I want to be able to see
63 if someone comes into the driveway. The house would be where it is now but goes into the side.

64
65 A. Stelmach: Are you going to keep the breezeway?

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67 D. Urquhart: Yes.

68
69 R. Duhaime: The house is currently at 28'?

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71 D. Urquhart: Yes and I would like to keep it that way.

72
73 D. Pendergast: He will be increasing the nonconformity on the length and side.

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75 A. Stelmach: The cemetery is on the left?

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77 D. Urquhart: Yes.

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79 A. Stelmach: What is on the right?

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81 D. Urquhart: A house. The owners have the abutment papers to let them know what I would like
82 to do.

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84 R. Bairam: Are you going to put in a new foundation?

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D. Urquhart: Yes.

C. Merritt: Who owns the cemetery?

D. Pendergast: The town.

T. Stewart: How close is it going to be to the cemetery?

D. Urquhart: 15' from the property line.

A. Stelmach: Is the back of your lot wooded?

D. Urquhart: Yes. Beyond the trees is the Martins Ferry stream. One of my corner markers is in the wetlands.

Open public hearing.

No public comments.

Close public comments.

D. Urquhart read his application into the record.

Close public hearing.

REVIEW NEW APPLICATIONS FOR IMPACT TO REGIONAL PLANNING per RSA 36:56 Review Required

It was a board consensus that there is no regional impact for the Douglas Urquhart, #Z23-12, 1 Cemetery Rd, Map 30 Lot 49, MDR application.

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

It was a board consensus that The variance will not be contrary to Public Interest & the Spirit of Ordinance will be observed.

Criteria 3 (Substantial Justice is done)

It was a board consensus that substantial justice is done.

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

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

127 **Criteria 5 (Literal enforcement of the provisions of the ordinance would result in an Un-**
128 **necessary Hardship)**

129 *It was a board consensus that breezeway the area is wetlands in the back. not a heavily trav-*
130 *elled road. and the hardship criteria has been met.*

131
132 *C. Merritt motioned to approve the application for a variance from Article 5 Section E.1 of the*
133 *Zoning Ordinance to allow the house and garage set back to be 28 feet from the road where 35*
134 *feet is required for Douglas Urquhart, #Z23-12, 1 Cemetery Rd, Map 30 Lot 49, MDR. Se-*
135 *conded by R. Bairam. Motion carried unanimously with a vote of 6-0.*

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137 **MOTION TO ADJOURN:**

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139 *R. Bairam motioned to adjourn at 7:24 pm. Seconded by T. Stewart. Motion carried unani-*
140 *mously with a vote of 6-0.*

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142 **Next meeting October 10th application deadline September 20**

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144 **Respectfully submitted by:**

145
146 */s/ AnnMarie Scott*

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148 *AnnMarie Scott*
149 *Recording Clerk*