

ALSTEAD ZONING BOARD OF ADJUSTMENT
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MEETING MINUTES
April 27, 2015

Note: These minutes are furnished for public inspection in accordance with RSA 91-A:2 and are unapproved until offered for disposition by the Board at a regular meeting. **ACCEPTED AS CORRECTED 5/4/15.**

Members present: Dennis Molesky/Chairman, Sam Sutcliffe, Joseph Cartwright, Kevin Clark, Alternate Member – David Konesko, and Hans Waldmann/Zoning Officer.

Molesky/Chairman opened the Meeting at 7:30PM. The 4/6/15 Minutes were reviewed. A Motion (Cartwright/Clark) was made to accept them as corrected. Motion passed.

At 7:45PM the Public Hearing for an Application for a Special Exception for Andrew and Dawn Dunton, Tax Map #59, Lot #9, located on 573 Gilsum Mine Road in Alstead, NH concerning Article VII Section G, to allow a for an auto related business for service, repair, and sales was opened. No Abutters were present; Lonn Livengood/Septic Designer was present on the Dunton's behalf.

Member Konesko was appointed a Full Member for purposes of the Hearing. Molesky reviewed the Application for completeness. A Motion (Clark/Cartwright) was made to accept the Application as complete. Motion passed.

A. and D. Dunton provided an overview of their proposal, stating the property was located in the Rural Residential District and there were other similar type businesses that operate in the same area (Autoworks and Arnie's Automotive were two that were named). The Dunton's explained they have a 15-acre lot, and that the proposed building would be located 125' from the road, and 65' from the closest boundary line to another lot. Cartwright inquired about the driveway that was shown as 'proposed' on the map - A. Dunton explained that the driveway existed when they bought the property. Cartwright asked if only the auto related business would be on the site – A. Dunton explained that they eventually wanted their house to be on the lot as well, and that two separate septic systems would exist. Livengood explained that the soil type(s) on the parcel can support two individual septic systems, based on lot loading calculations figured. Molesky inquired about sight distance pulling out of the lot – A. Dunton said he felt he had 300-500 feet of sight line; Molesky felt it was closer to 300-feet to the south.

A. Dunton explained he also wanted to sell some cars, but that the main business would be auto work and repair. He explained that the building would be a 38X48 2-bay building, with an 8X16 bump out for the bathroom and office. Waldmann stated that a Building Permit would still be required, even if this request gets approved. Molesky inquired about the size of the septic system –Livengood stated DES requires 125 gallons/bay, and that the minimum sized system to put in is a 300 gallon/day; and that there would be a 1250 gallon septic tank.

Molesky asked Dunton about his intention to sell cars. A. Dunton stated he didn't want to be limited in number. Molesky asked what he felt a typical number at a time might be for sale – A. Dunton stated up to 6 possibly, but probably more like 1 or 2. Sutcliffe asked about if there should be a limit on the number of cars that can be stored awaiting repairs. Livengood asked if the Board had an aesthetic or environmental concern. Sutcliffe stated both were concerns. A. Dunton stated he didn't want to be limited to less than

100 cars at a time, to avoid having to come back if his business grew; Sutcliffe stated he felt that number was unreasonably high. Cartwright pointed out that the State limits the number to 3 for unregistered cars before a business is considered a junkyard. Molesky asked A. Dunton how many cars he felt he could service in a day with two bays, and asked if there should be limits on that. Sutcliffe stated he didn't feel there should be a limit on cars being repaired, only on cars sitting there to be sold. A. Dunton came back with a number of 15 – the Board Members agreed.

Cartwright stated he wanted to see a Driveway Permit issued. Dunton explained he had asked about one at the Town Offices, and if one had been issued – and no one seemed to know. Dunton expressed frustration over misinformation/miscommunication with his Application process. Marsden explained that Driveway Permits, until recently, were destroyed after one year, but the Planning Board has asked they get saved indefinitely.

At 8:18pm the Hearing was closed. The Deliberations were then opened.

Wording on the two conditions were discussed and finalized:

1. Maximum number of vehicles for sale at one time shall be 15.
2. Applicant shall obtain or verify approved Driveway Permit.

A Motion (Sutcliffe/Clark) was made to close the Deliberations. Motion passed. Discussion commenced:

As it pertained to criterion A) The proposed use is in an appropriate location by virtue of the adequacy of public roadways and the nature of surrounding development and land uses – all Members agreed it was.

As it pertained to Criterion B) the granting of the Special Exception would not reduce the value of any other property in the area, nor otherwise be obnoxious, injurious or offensive to the neighborhood – all Members agreed it met this criterion.

As it pertained to Criterion C) No nuisance or hazard to vehicles or pedestrians will result from the granting of the Special Exception – all Members agreed it met this criterion.

As it pertained to Criterion D) Adequate and appropriate facilities will be provided for the proper operation of the proposed use – all Members agreed it met this criterion.

It was determined that criterion E) Additional reports or studies may be required by the Board including but not limited to traffic; High Intensity Soil Survey; parking; stormwater, erosion and sediment control; and fiscal and environmental impact analyses was more of a comment than a condition to be discussed in this case.

Molesky stated the two conditions, aforementioned.

A Motion (Clark/Sutcliffe) was made to vote on the proposal:

On Criterion A – all Members felt it was met.

On Criterion B - all Members felt it was met.

On Criterion C - all Members felt it was met.

On Criterion D - all Members felt it was met.

On Criterion E – none required.

Chairman Molesky stated that the Special Exception request had passed unanimously, with the two aforementioned conditions.

At 8:30PM a Motion (Cartwright/Sutcliffe) was made to adjourn the Meeting. Motion passed.

Respectfully submitted,

Melanie Marsden/Administrative Assistant

The next regular meeting of the ZBA is scheduled for Monday, May 4, 2015 to be held at the Alstead Municipal Offices at 7:30PM.