

June 20, 1991

Members in attendance: Richard Smith, Sr., Chairman; Dr. Robert Marston; Catherine George

Others in attendance: Austin Carter, Fire Dept., Joe Conti, Building Inspector and Larry Smith, Conservation Commission

The meeting was opened at 7:47pm.

The Board has suggested that the Selectmen's Assistant distribute the Home Occupation worksheets with all Home Occupation applications.

Upon review of the application for David Kinchla and Francis Colanton, it was determined that the wrong application (Site Plan Review Application was received; actually want a Lot Line Adjustment) was submitted and it was incomplete. It will be returned for corrections and Kevin Jones, representative for Mr. Kinchla will be requested to contact Mr. Smith for further directions.

The Public Hearing for Shirley Madej was opened at 7:48pm.

Ms. Madej stated that she owns a 12 room house and wishes to use two of the rooms (formerly sunporches). She said she has adequate parking in her driveway for 9 vehicles. She also said she has parking in front of her house, could use the church area.

In answering the checklist, Ms. Madej questioned the display of glassware in the windows for exterior visibility. She noted she was unsure if this would be an outward visible feature of her Home Occupation.

Mr. Smith said that unless the neighbors complained, he did not feel this would be to her disadvantage.

The following notes were made on the checklist: Interior light to shine on specific item, not to illuminate to the exterior. Use of two sunporches, one for storage. Open hours: 10-5 on Saturdays and 11-5 on Sundays and by appointment. Closed at 8:00pm. No hazardous materials at the site. All cleaning of antiques done by professional off site. Category: 10.3.10 - Arts, crafts, hobby & antique shops.

Dr. Marston motioned to recommend approval of this application to the Board of Selectmen.

Mrs. George second.

The motion passed 3-0.

The Public Hearing for Ms. Madej closed at 7:55pm.

The Public Hearing for Curtis Jacques was opened at 8:00pm.

Ann Bialobrzkeski, Stockton Services stated that the Jacques have been to the Board of Adjustment and have discussed the previous Public Hearing and noted that they feel they have addressed all concerns.

Ms. Bialobrzkeski stated that all permits have been received except the septic which is pending. They have NH Water Supply & Pollution Control and the driveway permits. She noted that after some discussion the Board of Adjustment agreed that a variance could be granted subject to the conditions listing on the plan. She further explained that Mr. Joseph Conti had noted the potential for a problem with Lot 2 having over 300 ft. of frontage and three acres that would qualify it for a duplex with a Special Exception. She noted this would not be the intent of the ordinance and that the Jacques did not or would not seek this from this variance. She explained the Board of Adjustment's arrival at the condition so imposed that the statement for no duplex to be granted unless they receive a variance on Lot 2.

Ms. Bialobrzkeski said the monuments have been set and the lots are staked as presented on the plan. She noted they are prepared to request a conditional approval pending the Wetlands approval. She has a letter from the Dept. of Environmental Services that approval is pending the Wetlands permit.

Ms. Smith asked if they have subdivision approval from the State. Ms. Bialobrzkeski said it will not be approved until the Wetlands approval is received. The information came five or six weeks ago and has not been reviewed yet.

Mr. Conti asked how much wetland is involved.

Ms. Bialobrzkeski said she has submitted to the Board for permission to place a culvert in the drainage swale. The Conservation Commission has written a letter to notify that the driveway goes through the Group 5 Soils and it may or may not be in the Wetland Board's jurisdiction. They have submitted the plans. The Conservation Commission has been to the site and sent a letter to the Wetlands Board to recommend approval.

Mr. Larry Smith noted that it is up to the Wetland Board now.

Ms. Bialobrzkeski stated that she is confident that the Wetlands Board will approve.

A letter from Sarah Campbell, Rockingham Planning Commission was circulated for Board members and Ms. Bialobrzkeski to read.

There was considerable discussion about the condition of the Variance or Special Exception (as allowable).

Kerri Marshall stated the variance was predicated on the preservation of the two lots and the RSA allows the Board to attach such conditions.

Ms. Bialobrzkeski stated they have obtained the approvals they were asked to get and they have monumented the lots.

Mr. Conti said he doubted if they can restrict a frontage of 250 ft. and five acres from getting a variance.

Mr. Smith agreed and added that it would depend on the Board.

Ms. Bialobrzkeski said she was disturbed that Ms. Campbell sat in for the last two meetings and then came up with this now.

Mr. Jacques explained the scenario of fencing possibilities and thus creating a hardship on his property.

Ms. Campbell's letter suggested a frontage of 120 ft. at the first lot and 299 for the second.

Ms. Bialobrzkeski said she was led to believe with the Board of Adjustment approval the Planning Board would also accept.

Ms. George said she felt the note on the plan would take care of the duplex problem adequately and had not problems with it.

Mr. Conti explained why he had requested the notation, ie, future owners may wish to take advantage of the situation, not especially the Jacques.

Ms. Bialobrzkeski said they were asking for a conditional approval, subject to Wetlands and Water Pollution approvals. She noted the conditional approval would be a help to the Jacques's sons in going to the bank for financial talks.

Ms. George motioned conditional approval of the Subdivision for the Jacques pending Wetlands response and State Subdivision approval receipt.

Dr. Marston second.

The Board was polled: Richard Smith, yes; Catherine George, yes; Dr. Robert Marston, yes.

The motion passed and conditional approval was granted.

Ms. Bialobrzkeski will collect the signatures of the Board when the approvals are received.

Dr. Marston motioned to adjourn the meeting at 8:53pm.

Ms. George second.

The meeting was adjourned at 8:53pm.

Respectfully submitted,

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Nancy J. Marden, Secretary

Note: Ronald Pica, Engineer for Dr. Scapicchio came by after the meeting had been adjourned. He submitted a letter requesting an extension.

Typed: June 25, 1991