

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
March 10, 2020

A public hearing of the Zoning Board of Adjustment was held on Tuesday, March 10, 2020 at 6:30 PM in the Auditorium, 229 Main Street, at City Hall.

Members in attendance were:

Steve Lionel, Vice Chair, Acting Chair in Mrs. MacKay's absence.

Jack Currier, Clerk

Rob Shaw

JP Boucher

Nick Kanakis

Carter Falk, Deputy Planning Manager/Zoning

Mr. Lionel explained the Board's procedures, including the points of law required for applicants to address relative to variances and special exceptions. Mr. Lionel explained how testimony will be given by applicants, those speaking in favor or in opposition to each request, as stated in the Zoning Board of Adjustment (ZBA) By-laws.

1. **Debra Milne Revocable Trust (Owner) 16 Hideaway Road (Sheet G Lot 147) requesting variance from Land Use Code Section 190-16, Table 16-3, to encroach 5 feet into the 20 foot required front yard setback (on Robin Lane) - to remove an existing one-car garage and construct an attached 24'x28' two-car garage. R18 Zone, Ward 2.**

Voting on this case:

Steve Lionel, Acting Chair

Jack Currier, Clerk

Rob Shaw

JP Boucher

Nick Kanakis

Debra Milne, 16 Hideaway Road, Nashua, NH. Ms. Milne said that she has owned the home for forty years. She said that the advertisement really sums up the request, and why they're asking for this variance.

Ms. Milne said that they currently have a one-car garage, and really want to expand it into a two-car garage.

Mr. Lionel said that the application is quite detailed, and the Board appreciates the drawings and pictures.

Mr. Currier asked what the existing edge of the existing garage now, and how much closer the proposal is than what is presently there.

Ms. Milne said that they're asking for an additional five feet, and they are coming out seven more feet, so it will extend for twelve more feet. She said that they're not touching the roof at all, but the length, and are coming out twelve feet.

Mr. Shaw asked about the second floor above, and asked if it will be living space.

Ms. Milne said no, it will only be used for storage.

Mr. Boucher asked to confirm the width of the garage.

Ms. Milne said it will be 24 feet wide, by 28 feet deep.

SPEAKING IN FAVOR:

Mr. Lionel said that there is a statement of approval from the owners at 9, 11 ,12, 13 Hideaway Road, and from 3 and 4 Robin Lane.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING - BEGINNING OF PUBLIC MEETING:

Board members all expressed support for the application

MOTION by Mr. Shaw to approve the variance request on behalf of the owner as advertised. He said that the variance is needed to enable the applicant's proposed use of the property, given the special conditions of the property, and the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than the

variance. He said that the property is a corner lot, with two front yard setbacks, also the position of the house and the addition leaves no other reasonable spot to add the additional garage space without encroaching into one of the setbacks.

Mr. Shaw said that the request is within the spirit and intent of the ordinance, and it will not adversely affect the property values of surrounding parcels.

Mr. Shaw said that the request is not contrary to the public interest, and substantial justice would be served.

SECONDED by Mr. Kanakis.

MOTION CARRIED UNANIMOUSLY 5-0.

MISCELLANEOUS:

REGIONAL IMPACT:

The Board did not see any cases of Regional Impact.

MINUTES:

2-25-2020:

Mr. Lionel asked if a statement could be put in that indicates when the Public Hearing is over, and when the Public Meeting begins.

Mr. Falk said that they haven't indicated that in past Minutes, but stated that he will revise the Minutes, and will indicate that in future Minutes moving forward.

Mr. Currier said that on Page 19, the adjournment should state Mrs. MacKay instead of Mr. Boucher. He said he understands that Mr. Falk already made the correction.

MOTION by Mr. Shaw to approve the minutes with the changes, waive the reading, and place the minutes in the file.

SECONDED by Mr. Kanakis.

MOTION CARRIED UNANIMOUSLY 5-0.

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ADJOURNMENT:

MOTION by Mr. Shaw to adjourn the meeting at 6:46 p.m.

SECONDED by Mr. Kanakis.

MOTION CARRIED UNANIMOUSLY 5-0.

Submitted by: Mr. Currier, Clerk.

CF - Taped Hearing