

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
May 10, 2022

A public hearing of the Zoning Board of Adjustment was held on Tuesday, May 10, 2022 at 6:30 PM, both in person at City Hall and via Zoom.

Mariellen MacKay, Chair, asked for a Roll Call.

Mariellen MacKay, Chair
Steve Lionel, Vice Chair
Jack Currier, Clerk (on Zoom)
JP Boucher
Jay Minkarah
Nick Kanakis

Carter Falk, Deputy Planning Manager/Zoning
Kate Poirier, Zoning Coordinator

Mrs. MacKay explained the Board's procedures, saying that real-time public comment can be addressed using Zoom, or by telephone, or in person. Mrs. MacKay said that real-time comments via audio will be addressed at the conclusion of the public hearing, and the public is encouraged to submit their comments for future meetings via email to the Planning Department, which is Planningdepartment@nashuanh.gov, or by mail, at P.O. Box 2019, Nashua, NH, 03061. Mrs. MacKay identified the points of law required for applicants to address relative to variances and special exceptions. Mrs. MacKay 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. Sarah G. Marshall (Owner) Joseph Landry, Build Savvy LLC (Applicant) 6 Carter Circle (Sheet B Lot 2155) requesting special exception from Land Use Code Section 190-15, Table 15-1 (#3) to remove a 10'x20' one story addition and construct a 24'-8"x28' attached garage with accessory (in-law) dwelling unit on the right side of house. R9 Zone, Ward 9.**

Voting on this case:

Mariellen MacKay, Chair
Steve Lionel, Vice Chair
Jack Currier, Clerk

JP Boucher
Nick Kanakis

Alex Marshall, 6 Carter Circle, Nashua, NH. Mr. Marshall said that they are looking to remove their current 10'x20' addition and replace it with an accessory dwelling unit with a garage below. He said that his mother would live in the accessory dwelling unit, as it was formerly her home, and said that it was the home that he grew up in, so this will keep the family together, and give his mother her own space.

Gabrielle Mack, 6 Carter Circle, Nashua, NH. Ms. Mack said that they've discussed this with most all of their neighbors, and the ones that they've heard back from are on board with the proposal and design.

Mr. Marshall said that the in-law portion would be 24'x28', and the actual living space in the in-law would be 672 square feet.

Mrs. MacKay read over the points for an in-law apartment.

Mr. Marshall and Ms. Mack stated that they meet all the criteria.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Lionel said that he is in support, and has no other comments.

Mr. Currier said that he is in support, and it meets all of the criteria, and appreciates the architectural drawings.

Mr. Boucher said that he is in support.

Mr. Kanakis said that he is in support of the application.

Mrs. MacKay said that she is also in support of the application.

MOTION by Mr. Boucher to approve the special exception application on behalf of the applicant as advertised. He said that it is listed in the Table of Uses, Section 190-15, Table 15-1 (#3).

Mr. Boucher stated that it will not create undue traffic congestion or unduly impair pedestrian safety.

Mr. Boucher stated that it will not overload public water, drainage, sewer or other municipal systems.

Mr. Boucher said that the special regulations have been fulfilled, also, the applicant submitted a monumented survey with the application.

Mr. Boucher stated that it will not impair the integrity or be out of character with the neighborhood or be detrimental to the health, morals or welfare of residents.

SECONDED by Mr. Lionel.

MOTION CARRIED UNANIMOUSLY 5-0 BY VERBAL ROLL CALL VOTE OF THE MEMBERS.

2. The Sarah K. Zimmerman Rev. Tr. (Owner) 33 Fairmount Street (Sheet 62 Lot 192) requesting variance from Land Use Code Section 190-264 for accessory use area, 40% allowed - 62% existing - 58% proposed - to remove a 900 sq.ft boat house and replace with a new 750 sq.ft garage. RB Zone, Ward 3.

[CASE POSTPONED TO THE JUNE 14, 2022 MEETING].

3. Joseph M. Conway III (Owner) 70 Ridge Road (Sheet C Lot 191) requesting variance from Land Use Code Section 190-264 for accessory use area, 40% allowed, 85% proposed, to construct a 24' x 30' detached garage. R40 Zone, Ward 5.

Voting on this case:

Mariellen MacKay, Chair
Steve Lionel, Vice Chair
Jack Currier, Clerk
JP Boucher
Jay Minkarah

Joseph Conway, 70 Ridge Rd, Nashua, NH. Mr. Conway said that he's gone around to all his neighbors and has a signed document with everyone in agreement of building the garage.

Mr. Conway said that it's a pretty straight-forward request for the two-car garage, the square footage of his house is small, it's 937 square feet, and that's the only real reason why the variance is here, and the lot is about one-half acre in size. He said that in the packet, there is a drawing of the color and design of the structure, it will be blue with a black roof, which will match the house. He said that he submitted pictures of similar garage structures on Ridge Road, as well as before and after photos of the house when he bought it and what it looks like now. He said that he has two registered vehicles, and two watercraft that he wants to store indoors.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Currier said that he is in support of the application, he said at first it seemed like a big request, but it's an R40 zoned lot, and the house is small. He said that he appreciates that the applicant has spoken with his neighbors, and they all seem to be in support, as they know the neighborhood best.

Mr. Boucher said that he's in favor, and the applicant is only here due to the percentages of the size of the home size.

Mr. Minkarah stated that he is in support, the only reason he's here is due to the size of the house, the size of the proposed structure is not excessive itself, and it's consistent with the neighborhood.

Mr. Kanakis said that he is in support of the application for the reasons already stated.

Mr. Lionel said that he is in support.

Mrs. MacKay said that she is in support of the application.

MOTION by Mr. Boucher to approve the variance application on behalf of the applicant as advertised. Mr. Boucher stated that the variance is needed to enable the applicant's proposed use of the property, given the special conditions of the property, the only reason the applicant is here is because the lot is large, almost a half-acre, with a smaller sized house, 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.

Mr. Boucher said that the request is within the spirit and intent of the Ordinance.

Mr. Boucher stated that the request will not adversely affect the property values of surrounding parcels.

Mr. Boucher said that it is not contrary to the public interest, and substantial justice will be served.

SECONDED by Mr. Minkarah.

MOTION CARRIED UNANIMOUSLY 5-0 BY VERBAL ROLL CALL VOTE OF THE MEMBERS.

4. Scupp Realty, LLC (Owner) Falcetti Pianos, LLC (Applicant) 323 Daniel Webster Highway (Sheet A Lot 384) requesting variance from Land Use Code Section 190-108 (C)(2) to exceed maximum wall sign area, 75 sq.ft allowed, 104 sq.ft proposed. HB Zone, Ward 7.

Voting on this case:

Mariellen MacKay, Chair
Jack Currier, Clerk
JP Boucher
Rob Shaw
Nick Kanakis

Tony Falcetti, 323 Daniel Webster Highway, Nashua, NH. Mr. Falcetti said that the external sign square footage allotment is 75 square feet, and the request is for 104 sq.ft. He said that the building has a unique retail space, in that the only

entrance to the showroom is from the back parking lot. He said that they need the signage to let customers on the street see the business, but the sign needs to be somewhat larger in the back because that is where the customers will enter, not on Daniel Webster Highway. He said that the parking lot is confusing, as well as the entrance, as they get customers coming in every week thinking that they're entering Jordan's Furniture. He said that aesthetically, it will match what is on the property for the other tenant.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Boucher said that he's in support of the application, the main reason is that the extra signage is minor in the respect that the signage overage is in the back of the building, and it serves the purpose of directional signage to the showroom, and it is not obtrusive to the general public.

Mr. Minkarah said that he supports the application, clearly, signage on the front of the building needs to be maintained to identify the business location on a very busy street, and from the rear of the property, additional signage is necessary to clearly define where the business is, and to distinguish it from the other business on the property.

Mr. Kanakis said that he is in support as well, this is not distracting, it's a simple sign and helps customers in the back.

Mr. Lionel said that he is in support, and did not even know the business was there, so the signage is reasonable.

Mr. Currier said that he is in support, there have been lots of requests in this area, and this is different, because the sign is not loud and bright, and it's needed in the back of the building, and it stands on its own merit.

Mrs. MacKay said that she is also in support.

MOTION by Mr. Lionel to approve the variance application on behalf of the applicant as advertised. Mr. Lionel stated that the variance is needed to enable the applicant's proposed use of the property, they are trying to have people identify where the property entrance is, and given the special conditions of the property, this is a very confusing building with the entrance in the back, and the signage there is definitely needed, 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.

Mr. Lionel said that the request is within the spirit and intent of the Ordinance.

Mr. Lionel stated that the request will not adversely affect the property values of surrounding parcels.

Mr. Lionel said that it is not contrary to the public interest, and substantial justice will be served.

SECONDED by Mr. Boucher.

MOTION CARRIED UNANIMOUSLY 5-0 BY VERBAL ROLL CALL VOTE OF THE MEMBERS.

5. Martin A. Santos Lantigua & Elizabeth Ovalle (Owners) 33 Lock Street (Sheet 43 Lot 88) requesting the following: 1) variance from Land Use Code Section 190-16, Table 16-3, for minimum land area, 1,944 sq.ft existing, 6,970 sq.ft required; and, 2) variance from Land Use Code Section 190-198, Table 198-1 (#6) for minimum parking, 3 spaces existing, 4 spaces required - to convert a single-family home with an approved accessory dwelling unit to a two-family dwelling. RC Zone, Ward 3.

Voting on this case:

Mariellen MacKay, Chair
Jack Currier, Clerk
JP Boucher
Rob Shaw
Jay Minkarah

Adelina Hernandez, acting as interpreter for owners. Ms.

Hernandez said that the house was approved as a single-family, with an in-law unit, with the owner occupying the lot, with three parking spaces. She said that the request is only to use the property as a two-family, nothing about it would change, but the owner would not occupy the building.

Mr. Lionel asked how long the current owners have owned the property, and how was it presented to them in terms of number of units when they bought it.

[Applicant on zoom - connection lost - the Board is going to the next case.]

6. David L. & Sarah H. Hall (Owners) 54 Robinhood Road (Sheet B Lot 1527) requesting variance from Land Use Code Section 190-17 (E)(1) to exceed maximum driveway width, 23 feet existing, 24 feet permitted - up to an additional 9 feet proposed on left side of driveway for a total width of 32 feet. R9 Zone, Ward 9.

Voting on this case:

Mariellen MacKay, Chair
Jack Currier, Clerk
JP Boucher
Rob Shaw
Nick Kanakis

Sarah Hall, 54 Robinhood Road, Nashua, NH. Ms. Hall stated that she is on zoom. Ms. Hall said that they've lived here the past twenty years, and the application is to extend the driveway, as now the children are of driving age. She said that they would like to add a little more space to the current driveway, so it wouldn't block the access to the existing garage, or put cars on the street, or move them around a lot.

Ms. Hall said that there are other houses in the neighborhood that have very similar situations, houses positioned very close to the road, so the request would fit in. She said that they did speak to all of the neighbors, and all of them are comfortable with the request moving forward. She said that they also talked to Mark Jennings of DPW and he is fine with it.

Mr. Currier asked if the garage has always been there.

Ms. Hall said yes. She said that there is a very large right-of-way area here, the City owns about 17 feet from the street to the property line.

SPEAKING IN FAVOR:

Mrs. MacKay read two letters of support into the record from:

1. Paul & Lynn Ouelette, 55 Robinhood Road, Nashua, NH
2. Steve & Charisa Martin, 28 Glen Rd, Nashua, NH.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF THE PUBLIC MEETING:

Mr. Lionel said that he is in support of the application, this is a rather peculiarly shaped lot, and the house is placed at an angle very close to the property line, and the proposal is consistent with the area.

Mr. Currier said that he is in support for the reasons Mr. Lionel spoke to.

Mr. Boucher said that he is in favor, and the property is very aesthetically pleasing.

Mr. Kanakis said that he is in support.

Mr. Minkarah said that he is in support.

Mrs. MacKay said that she is also in support.

MOTION by Mr. Boucher to approve the variance application on behalf of the applicant as advertised. Mr. Boucher stated that the variance is needed to enable the applicant's proposed use of the property, given the special conditions of the property, it is a corner lot and the house sits at an angle, and the garage is really close to the property line, 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.

Mr. Boucher said that the request is within the spirit and intent of the Ordinance.

Mr. Boucher stated that the request will not adversely affect the property values of surrounding parcels.

Mr. Boucher said that it is not contrary to the public interest, and substantial justice will be served.

SECONDED by Mr. Kanakis.

MOTION CARRIED UNANIMOUSLY 5-0 BY VERBAL ROLL CALL VOTE OF THE MEMBERS.

At this point, the applicant for 33 Lock Street is back on zoom, and that case, as already introduced and began, will resume:

Continuation of 33 Lock Street:

Mr. Lionel asked when the current owners purchased the property, and how it was represented to them, either as a one-unit or two-unit property.

Ms. Hernandez said that it was presented as a two-unit property.

Mr. Lionel said that the accessory dwelling unit (ADU) came before the Board in October, 2020, and the description was that the ADU was going to be in the basement, and one of the rules for an ADU is that there is an interior door, no separate front entrance. He asked where the entrance to the second unit is.

Ms. Hernandez said that the basement is the second unit, and basically has the same entrance to the other apartment, so the way it was approved before, everything stays the same, they have a separate entrance.

Mr. Currier said that it looks like the driveway is about 40 feet long, and asked to clarify how long it is.

Ms. Hernandez said that three cars can fit in the driveway.

Mr. Currier said that the plan shows the driveway at about 40 feet, and it looks as if maybe two cars can fit on it at most, and most driveways are 9'x20', and three cars in a row would be 9'x60', and finds that it would be very challenging to fit three cars there.

Mr. Minkarah said that from the testimony, the current owners live at 18 Caldwell Road. He asked who is currently living at the property, and if both units are occupied.

Ms. Hernandez said that both of the units are occupied right now, and the owner lives on Caldwell Road.

Mr. Falk said that it is true that a parking space is 9'x20', staff has seen several photographs from over the years that three cars park in the space, and have given them the benefit of three cars parking there, it is a small lot with a tight area for parking, and was built before zoning regulations, and it remains as an existing nonconforming situation.

Mrs. MacKay said that the door for an ADU has to be accessible through the main unit. She said that she heard that there are separate entrances, and asked if you enter through only one front door, where is the other door located, and is it in a hallway, or is it private.

Ms. Hernandez said that the door is in the hallway.

Mrs. MacKay asked if either of the residents are related to the owner.

Ms. Hernandez said that they are not related.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

Cindy Goodman, 31 Lock Street, Nashua, NH. Mrs. Goodman said that their house abuts the applicants driveway. She said that two years ago when they asked for the in-law apartment, they had no issue with it, as the family that owned it at that time had medical issues and were granted the variance. She said that the issue is that they are in the process of hiring a surveyor to survey the lot, and believes that part of that driveway is her property, according to the deed. She said that they are in opposition to make it a two-family and the driveway is so narrow, you cannot even open your doors. She said that she sent an email as well. She said that they need to put up a fence for

their dogs, and want to survey their lot so that is is all on their lot, and believe that their lot is one foot into their driveway.

SPEAKING IN FAVOR - REBUTTAL:

Ms. Hernandez said that they are aware that one foot of the property that the neighbor mentioned, but everything will be the same as before, nothing has changed, it's just that the owner will not live there.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS - REBUTTAL:

Gerry Goodman, 31 Lock Street, Nashua, NH. Mr. Goodman said that the deed shows the end of the driveway and they are actually parking on his property, so there is no way that three cars fit there. He said that they cannot fit cars there if the new survey is done.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Minkarah said that he cannot find support, and the owner does not live on the premises, and there are no conditions that are inherent in the property that would distinguish it from any other properties, and the departure of square footage requested is quite significant. He said that ADU's by their very nature are considered to be a single-family home, we treat them as a single-family home in every other way, and part of the reason for that is because there is an owner occupying the site. With three parking spaces, with the owner there, it can be figured out, but with two units, the tandem parking will continue to be a problem, and cannot support the application.

Mrs. MacKay asked about the one foot disputed land area, if that was mentioned or included, and what would the City do if it is one foot less, and if it is impactful in this application.

Mr. Falk said that he's never heard of that one foot space until now. He said that one option would be to table the application pending the outcome of the results of the survey.

Mr. Minkarah said the results of the survey would make no difference to him, he said that no matter what, the difference of a foot or so makes no difference and still will not support the case.

Mr. Kanakis said that the two-family is more of a desire than a need, and cannot support this.

Mr. Lionel said that he is not in support of the application, and it does not meet the spirit and intent of the ordinance and an ADU is much less of a burden on the property than a two-family is, the parking is part of the problem, and said he sees nothing unique about the property to justify it being converted from a single-family with an ADU to a two-family.

Mr. Currier said he's not finding support for the reasons already stated. He said that even the ADU was a tight squeeze, and this is a very large overage request.

Mr. Boucher said that he cannot find support for the application, there is too much to justify.

Mrs. MacKay said that she is not in support for all the reasons already stated. She said that one of the rules is that the owner has to live there, it has to be owner-occupied, and this violates the ordinance.

MOTION by Mr. Lionel to deny the application on behalf of the applicant as advertised. Mr. Lionel stated that the variance is needed to enable the applicant's proposed use of the property, but there are no special conditions of the property, and the benefit sought by the applicant is not reasonable.

Mr. Lionel said that the request is not within the spirit and intent of the Ordinance.

Mr. Lionel stated that the request will likely adversely affect the property values of surrounding parcels.

Mr. Lionel said that there was no real determination about this being contrary to the public interest, and substantial justice would be served, however, because this does not meet all of the points of law, the motion is to deny this variance.

SECONDED by Mrs. MacKay.

MOTION CARRIED UNANIMOUSLY 5-0 TO DENY, BY VERBAL ROLL CALL VOTE OF THE MEMBERS.

Mr. Kanakis asked if the motion is to include the parking variance as well.

Mr. Lionel said that it was part of his motion, to deny both variances.

Mr. Currier said that the request is for both variances together.

Mrs. MacKay said that she understands that the motion is for both, and everyone on the Board stated that they understand the motion was for both to deny.

7. Sylvia A & Kenneth I. Jelley (Owners) 130 Pine Street (Sheet 96 Lot 121) requesting variance from Land Use Code Section 190-16, Table 16-3, for minimum laned area, 3,293 sq.ft existing, 6,970 sq.ft required - to convert a single-family home into a two-family home. RC Zone, Ward 6.

Voting on this case:

Mariellen MacKay, Chair
Jack Currier, Clerk
JP Boucher
Rob Shaw
Jay Minkarah

Steve Richard, Rockport Properties, new owner. Mr. Richard said that he purchased the property on April 25th from Mr. Jelley, Ken was a tenant on the first floor as a child, and was raised there, and eventually the people on the second floor passed away, and he purchased the property, and many years ago Mr. Jelley's mother passed away, and the property has been vacant for about 13 years. He said that he knew it was a single-family when he bought it, and is a real estate investor, and did a lot of due diligence on the front end.

Mr. Richard said that when he walked the property, it was clear that it was a two-family property at one time. He said that Mr. Jelley gave him the background of the property, and confided that there was a dwelling unit on the second floor, they later never ended up finishing the floor, and it became a workshop with some tools, and stuff accumulated. He said that he provided some pictures that should be very helpful.

Mr. Richard said that from a structure perspective, it has three doors and three entrances, front middle and back, two of the three already have common areas, where there are locked doors on both floors. He said next to the middle door, there are two electrical meters, and in the basement you can see two separate electrical panels, where they show downstairs to the left, upstairs to the right, and they are daisy-chained together, when they went from a two-family to a single-family, probably around 1990-91. He said that in looking at the property next door, they are the same building, essentially from the origin, and the one next door is a two-family. He said that this property has 2,831 sq.ft, there is a lot of room in there, it's a beautiful property.

Mr. Richard said that he would not be living there, they would be rental properties. He said that there wouldn't be any major traffic changes to the area, it is fundamentally going to be the same neighborhood from what it is currently. He said that they will just be just making the inside more attractive again, and light up the second electrical meter and turn them into two nice rental units. He said that he has two parking spots in the driveway today, and has two additional parking spots from 128 Pine Street, there is a signed agreement that the Board has.

Mr. Richard said that there may be a point in time when he comes back to the Board, as a long term solution, to expand the driveway. He said that his company has long-term rental units in Manchester as well, and tends to serve and support lower income Section 8 residents, and is very safety conscious and they do not cut corners. He said that all his units are good, safe living units. He said that he brought in a third-party licensed asbestos company to do testing.

Mr. Minkarah asked if there ever was a conversion of the second unit to turn it back into a single family.

Mr. Richard said that per they owner, the second unit fell into dis-use. Mr. Jelley was a young boy, raised there, and at some point, his father lost his job working at a local manufacturing plant, and then his health declined, and they were going to update and convert the second floor, but it was never done. He said that the second floor unit looks just like the first floor and they are separate.

Mr. Kanakis asked about the parking agreement with the next door

property owner.

Mr. Richard said that it is a month-to-month agreement, the owners provided two spots for use.

Mr. Currier asked how many bedrooms would be in each unit.

Mr. Richard said that there would be three on the bottom unit, and on the second floor, it could be three or four bedrooms, one could be an office. He said that the third floor attic area has two bedrooms, but there is no electricity or plumbing up there, so it will be locked and closed off. He said that the stairway going up there is very narrow.

Mr. Lionel asked if it will be tested for lead paint.

Mr. Richard said that he is not obligated to, and there is no lead ordinance on it, so they are assuming that it does have lead paint.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Currier said that he appreciates the applicants due diligence with the property, and thinks that the parking spaces are a worthy addition, but they're not tied to the property. He said that it does appear that it was a two-family at some time in the past, the evidence is there. He said that the overage request is pretty high, and he said that he's on the fence.

Mr. Boucher said that he is in support of the application, there is significant evidence that it was a two-family, and believes what the applicant has testified to. He said that for the parking, if there ever is an issue with parking from next door, the applicant stated that he would extend the driveway. He said that a lot of this area pre-dates zoning, and the identical building next door is a two-family, and it fits into the neighborhood.

Mr. Minkarah said that he supports the application, he said that he struggled with the area variance at first, but based upon the evidence provided, that this was a two-family building, and the second unit fell into dis-use for a number of years. He said that a 2,800 sq.ft house is very large, and the proposed use is viable.

Mr. Kanakis said that he is in support.

Mr. Lionel said that he is in support, it is consistent with the neighborhood, and it is very similar to the house next door that is a two-family.

Mrs. MacKay said that the irony is that the house she lives in is very similar to this situation, such as the floor plans and electric. She said that she gets two bills, for floor one and floor two.

MOTION by Mr. Boucher to approve the variance application on behalf of the applicant as advertised. Mr. Boucher stated that the variance is needed to enable the applicant's proposed use of the property, given the special conditions of the property, clearly through testimony and evidence received, that this house was a two-family house all along, 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.

Mr. Boucher said that the request is within the spirit and intent of the Ordinance.

Mr. Boucher stated that the request will not adversely affect the property values of surrounding parcels.

Mr. Boucher said that it is not contrary to the public interest, and substantial justice will be served.

SECONDED by Mr. Lionel.

MOTION CARRIED UNANIMOUSLY 5-0 BY VERBAL ROLL CALL VOTE OF THE MEMBERS.

MISCELLANEOUS:

REHEARING REQUESTS:

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None.

REGIONAL IMPACT:

The Board did not see any cases of Regional Impact.

MINUTES:

None.

ADJOURNMENT:

MOTION by Mrs. MacKay to adjourn the meeting at 8:13 p.m.

Submitted by: Mr. Currier, Clerk.

CF - Taped Hearing