



WEARE ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
January 4, 2022

PRESENT: JACK DEARBORN, CHAIRMAN; MICHAEL MEYER, VICE CHAIRMAN; MALCOLM WRIGHT, MEMBER; GARY SHELTO, ALTERNATE; NAOMI BOLTON, INTERIM LAND USE COORDINATOR

Absent: BOBBI-JO PLAMONDON, MEMBER; MARC MORETTE, MEMBER

GUESTS: Jasmine Trudel, Michelle Kapos, Carolyn Parker, Neal Kurk

Chairman Dearborn called the Town of Weare Zoning Board of Adjustment January 4, 2022 meeting to order at 7:30 pm.

I. INTRODUCTION/ADMINISTRATIVE ITEMS:

The Chair stated there are two cases before the Board, Case #01-2022 and Case #02-2022 and read the agenda explaining how the meeting will run. He stated there are four members this evening and then asked the Board to introduce themselves, all being seated for the hearings. Gary Shelto will be a voting member tonight.

II. PUBLIC HEARING

A. Case #01-2022: Timothy S. Trudel (owner); Jasmine Trudel (applicant) 37 Colby Road, Tax Map 412 Lot 002, Rural Agricultural Zone Special Exception - Article 19, Section 19.10.1 Applicant is seeking a special exception to construct an attached ADU to the existing home.

The Chair went through the application for completeness and asked for a motion to accept. **Vice Chairman Meyer moved, Malcolm Wright seconded to accept ZBA Case #01-2022.** Discussion: Being none.
Passed 4-0-0.

The Chair asked the Board if they had any questions of the applicant. Being none, the Chair asked the applicant to read the following seven (7) conditions of the Zoning Ordinance which must be met in the positive to warrant the granting of a special exception; Jasmine Trudel began:

1. The specific site is an appropriate location for such a use or uses in terms of overall community development: *The site is an appropriate location for an ADU and is a location as described in Article 19 section 10 units 1-8 where ADU's are allowed.*

2. The proposed use will not adversely affect the neighborhood and shall produce no significant reduction of real estate values in the neighboring area: *The proposed use will not affect the neighborhood other than one additional car and person living on this road. Neighbors will not even notice a change.*

3. The proposed use will not be a nuisance or serious hazard to vehicular traffic or pedestrians: *Only one additional car will be added to the already existing dwelling vehicle inventory.*

4. The proposed use will not cause an undue burden on the Town through the provision of basic Town services: *No, the proposed dwelling will be tied into the existing dwelling's utilities. Only one person will be residing in the proposed ADU and they are elderly.*

5. Adequate off-street parking be provided if determined necessary by the Zoning Board of Adjustment: *There is ample space in the driveway and open area for adequate off-street parking.*

6. A buffer may be required to screen neighboring uses from the proposed use. Buffers may be fence screens, dense planting of suitable trees and shrubbery, or naturally occurring shrubs and trees: *I do not believe any buffers are required because no neighbors or businesses are visible where the dwelling will be. If required, then we will do so.*

7. The Zoning Board of Adjustment, in granting any special exception, may include such restrictions or conditions to ensure compliance with this section: *No restrictions or conditions should be required. The proposed dwelling conforms with all of the sections written in Article 19 of the Zoning ADU laws.*

The Board asked some questions for clarification on the number of bedrooms and septic capacity.

The Chair asked for approving abutters to speak. There was none.

The Chair asked for disapproving abutters to speak. There was none.

The Chair asked for public at large and other boards to speak. There was none.

The Chair asked for second round of approving/disapproving abutters to speak. There were none.

The Chair asked for public at large or other boards to speak. There was none.

The Chair asked the applicants if they wish to speak. She declined.

The Chair closed the public hearing at 7:52 pm.

Gary Shelto moved, Vice Chairman Meyer seconded to approve the special exception. Discussion: Chairman Dearborn stated it meets the conditions and is pretty straightforward. **Granted by right, passed 4-0-0.**

The Special Exception passed.

B. Case #02-2022: Aubuchon Realty Co., Inc. (owner); Dollar General (Applicant) 455 South Stark Highway, Tax Map 412 Lot 248, Commercial Zone Variance – Article 34, Sections 34.10.3.2 Applicant is seeking a variance for the construction of three (3) total signs where one (1) is allowed; 120.04 square feet of total signage where 64 square feet is allowed.

The Chair went through the documents included with the application. **Vice Chairman Meyer moved, Gary Shelto seconded to accept ZBA Case #02-2022.** Discussion: Malcolm Wright stated this is unusual to not have a deed, who owns the lot and did not see abutter's notices. Town Administrator Bolton shared the abutters were noticed. Vice Chairman Meyer asked for documentation that Carolyn Parker is cleared to represent the owner. Chairman Dearborn asked for consent for sign installation and permit. Malcolm Wright also questioned the lack of a clear consent. Chairman Dearborn pointed out only part of #5 is completed, missing i and ii. Chairman Dearborn stated the application is not complete due to #5. **Failed 0-4-0.**

The Chair explained the application has outstanding: the deed, and missing #5 i and ii.

The Chair closed the hearing at 8:06pm.

IV. MINUTES:

December 7, 2021 Minutes: tabled to get the correct square footage for Boisvert.

V. NEXT MEETING:

February 1, 2022

Being that there was no more business to come before the Board, Vice Chairman Meyer moved, Malcolm Wright seconded to adjourn the meeting at 8:09 pm., passed 4-0-0.

ADJOURNMENT

A True Record.

Karen Nelson

Karen Nelson transcribed from

You Tube recording & TA Bolton notes