

City of Keene
New Hampshire

ZONING BOARD OF ADJUSTMENT
MEETING MINUTES

Monday, August 6, 2018

6:30 PM

Council Chambers

Members Present:

Nathaniel Stout, Chair
Joshua Gorman, Vice Chair
Jane Taylor

Staff Present:

Gary Schneider, Plans Examiner
John Rogers, Zoning Administrator

Members Not Present:

Michael Welsh
Louise Zerba, Alternate

I. Introduction of Board Members

Chair Stout called the meeting to order at 6:33 PM, introduced members of the Board and welcomed everyone to the meeting. Chair Stout introduced and welcomed Ms. Taylor as a new member of the Board.

Chair Stout explained the Board would consist of three members rather than five members and that it is the practice of the City to ask the applicant if three members would be appropriate.

II. Minutes of the Previous Meeting-June 4, 2018

Chair Stout announced there are only two members present that attended the ZBA meeting on June 4, 2018. Discussion of minutes will be continued until the next ZBA meeting in September.

IV. Hearings

Continued ZBA 18-10:/ Petitioner, John and Josephine Russell of 893 Old Walpole Rd., Surry, represented by Jim Phippard, of Brickstone Land Use Consultants, LLC, of 185 Winchester St., Keene, requests a Variance for property located at 83 Court St., Keene, Tax Map # 554-107-000, owned by the American National Red Cross, 2 Maitland St., Concord NH and is in the Office District. The Petitioner requests a Variance to permit Offices for Healing Arts and Therapies in an existing 3,962 square foot building (formerly the Red Cross) where Offices of Arts and Therapies is not a permitted use in the Office District per Section 102-602.

Mr. Rogers reported the petitioner has submitted a new letter of intent for this property. He stated as the Zoning Administrator, they have determined the new proposed use as the petitioner has described, would meet the requirements of the Office District. The petitioner has requested to withdraw this application at this time.

Vice Chair Gorman made a motion to withdraw ZBA 18-10. The motion was seconded by Ms. Taylor.

With a vote of 3-0, the Zoning Board of Adjustment approved to withdraw ZBA 18-10.

ZBA 18-12:/ Petitioner, Kay M. Alderman of 350 Hurricane Rd, requests a Variance for property located at 350 Hurricane Rd., Tax Map # 234-019-000, owned by the Petitioner and is in the Rural District. The Petitioner requests a Variance to permit the extension of a garage to within 11 feet of side boundary line and to within approximately 45+/- feet of Hurricane Rd. where 50 feet is the setback requirement for both side and front side yards per Section 102-791, Basic Zone Dimensional Requirements.

Mr. Schneider reported City staff received an email notification from the petitioner to request postponement of the hearing due to health issues. The petitioner has requested the application be heard at the next ZBA meeting that will be held on Monday, September 4, 2018.

Vice Chair Gorman made a motion to postpone ZBA 18-12 to Monday, September 4, 2018 at 6:30 PM in Council Chambers. The motion was seconded by Ms. Taylor.

With a vote of 4-0, the Zoning Board of Adjustment agreed to postpone ZBA 18-12 until Monday, September 12, 2018 at 6:30 PM in Council Chambers.

ZBA 18-13:/ Petitioner, Jacob D. and Geraldine J. Liebert of 447 Hurricane Rd, represented by Brickstone Land Use Consultants, LLC of 185 Winchester St., Keene, requests a Variance for property located at 0 Hurricane Rd., Tax Map # 225-016-000, owned by the Petitioner and is in the Rural District. The Petitioner requests a Variance to allow construction of a single family home on an existing two acre lot in the Rural District where five acres is required per Section 102-791, Basic Zone Dimensional Requirements.

Mr. Schneider reported City staff received an email communication from the petitioner to request postponement of the hearing in request of a five member board. The petitioner has requested the application be heard at the next ZBA meeting on Monday, September 4, 2018.

Chair Stout announced that he was one a neighbor to the petitioner and that he would be recusing himself once the application is heard at the next ZBA meeting. However, he stated that he would vote on having the application postponed.

Vice Chair Gorman made a motion to postpone ZBA 18-13 to Monday, September 4, 2018 at 6:30 PM in Council Chambers. The motion was seconded by Ms. Taylor.

With a vote of 3-0, the Zoning Board of Adjustment agreed to postpone ZBA 18-13 until Monday, September 12, 2018 at 6:30 PM in Council Chambers.

ZBA 18-14:/ Petitioner, Hundred Nights, Inc. of 17 Lamson St., Keene requests a Variance for property located at 76 Railroad St., Keene, Tax Map # 374-010-000, owned by The Moving Company Dance Center, 76 Railroad St., Keene and is in the Central Business District. The Petitioner requests a Variance to permit a lodging house in the Central Business District where a lodging house is not a permitted use per Section 102-482 of the Zoning Ordinance.

Mr. Schneider noted the Tax Map # 374-010-000 was the incorrect number and would be corrected.

Chair Stout asked if there was further comment from City staff. Mr. Rogers stated the petitioner was present for comment.

Chair Stout welcomed Mindy Cambiar, 574 North Shore Road, Munsonville.

Ms. Cambiar stated she sent an email to City staff requesting postponing the hearing until the September 4, 2018 for a five member board.

With no further comment. Chair Stout asked for a motion.

Vice Chair Gorman made a motion to postpone ZBA 18-14 to Monday, September 4, 2018 at 6:30 PM in Council Chambers. The motion was seconded by Ms. Taylor.

With a vote of 3-0, the Zoning Board of Adjustment agreed to postpone ZBA 18-14 until Monday, September 12, 2018 at 6:30 PM in Council Chambers.

V. New Business:

Chair Stout asked the Board and City staff if there was any new business. With no comment, Chair Stout addressed Communications and Miscellaneous Business.

VI. Communications and Miscellaneous

Mr. Rogers reported that Senior City Planner, Tara Kessler would be available to present the City's Land Use Code Project to the ZBA. Chair Stout noted the importance of this project in reference to the ZBA.

VII. Adjournment

Vice Chair Gorman made a motion to adjourn the meeting, which was seconded by Ms. Taylor Gorman and carried unanimously. Hearing no further business, Chair Stout adjourned the meeting at 6:46 PM.

Respectfully submitted by,
Jennifer Clark, Minute Taker