

Present: Chair Brett Hunter, Vice Chair Jack Karcz, Members Roger Barham, Jack Downing, Andy Kohlhofer, Alternate Member Tom O'Brien, Building Inspector Rick Foye, RPC Senior Planner Jenn Rowden, and Recording Secretary Casey Wolfe

Also present: Tom Nisbet

Mr. Hunter opened the meeting at 6:59 pm.

I. MINUTES

Mr. Karcz made a motion to approve the minutes of February 8, 2017. Mr. Downing seconded the motion. The motion passed.

II. CONTINUED BUSINESS

The Board read through a letter submitted by Bob Kelly about the berms and tailings on his site that are out of compliance with his site plan. Ms. Rowden felt that it would be tough to Mr. Kelly to get back into compliance in the spring, unless we happen to have a very dry spring. Mr. Kohlhofer would like to see monthly reports from him updating the Board on his progress. He should then see the Board on June 7th for a final report. If Mr. Kelly, fails to comply with these requests, then the Board would refer to the Board of Selectmen for a cease and desist. Mr. Karcz emphasized that moving the berms from the wetlands is the priority. The Board felt that by having Mr. Kelly stay in contact with the Board, he will be more likely to work towards site plan compliance.

III. NEW BUSINESS

Preliminary meeting with Tom Nisbet at Map 3 Lot 37 (corner of Main Street and Spaulding) for possible change of use

Mr. Nisbet owns several units that were a part of a subdivision that John Wilder created back in 2005. As recorded in the subdivision plans, the units were approved for light manufacturing. However, after the Zoning Ordinance change back in 2006, light manufacturing is no longer an approved use. Mr. Nisbet has been operating his business out of unit 3 since 2013. Before him, Pete Doucette used the same unit for a similar use. Before Pete Doucette, John Wilder used the unit. The unit has continuously been used for light manufacturing. Mr. Nisbet is trying to move his business and lease the unit. Ms. Rowden explained that if the use has been ongoing since the Zoning Ordinance change, then it can continue as a non-conforming use. If more than eighteen months go by without the use, then the use cannot continue. Additionally, the non-conforming use cannot expand without a variance from the Zoning Board. Mr. Nisbet has other units that would need to go before the Zoning Board for a variance. Unit 3, however, is grandfathered. Mr. Nisbet also has a question about unit 7, which used to be John Wilder's office. He wants to change that unit into a residential unit. Ms. Rowden explained that this can be done, but if he wants to make it more than two residential units, he would have to amend the site plan. Also, in the future if he wants to go back to non-residential, he would need an amended site plan.

IV. BUILDING INSPECTOR'S REPORT

Mr. Foye informed the Board that there is a resident on Sandown Road storing and driving a tractor trailer and a tri-axle truck at her home. She is currently in violation of the home occupation ordinance. She is looking to build an 80 by 100 foot garage to screen these vehicles along with antique trucks that she collects. Mr. Foye has a problem with this use on a residential lot. Mr. Kohlhofer felt that Mr. Foye should deny the permits and send her to the Zoning Board for a variance.

V. CIRCUIT RIDER BUSINESS

Ms. Rowden handed out copies of the Zoning Ordinance Recodification to the Board members. She also passed out a chart that reorganized the current sign ordinance. She explained that what she did to the Zoning Ordinance is consolidate some of the areas that were broken up into parts and reorganize the chapters so that it would flow better. This draft does not reflect some of the proposed ZO changes. After we know what zoning changes pass at the upcoming Town meeting, Ms. Rowden suggested moving the recodification to a public hearing so that the Board can officially approve it. Mr. Karcz gave a couple minor changes to Ms. Rowden for her review.

VI. OTHER BUSINESS

Ms. Wolfe announced to the Board that the previous night the Zoning Board denied a Motion for Rehearing request by John Galloway. The Town expects the Galloways to file to Superior Court.

Ms. Wolfe also told the Board about Josh Yokela, the alternate ZBA member who would like to talk to the Board about some proposed ZO changes. Ms. Wolfe will schedule him to come in to see the Board at one of the April meetings.

Mr. Barham made a motion to go into non-public session per RSA 91-A:3(1) for the purpose of discussing a legal matter. The motion was seconded by Mr. Kohlhofer. The motion passed by a unanimous roll call vote.

Mr. Barham made a motion to leave non-public session. Mr. Karcz seconded that motion. The motion passed with a unanimous roll call vote.

Mr. Kohlhofer made a motion to seal the minutes. Mr. Barham made a motion to second that with all in favor.

Mr. Karcz made a motion to adjourn the meeting at 8:08 pm. Mr. Barham seconded that motion with all in favor.

Respectfully Submitted,

Casey Wolfe
Land Use Administrative Assistant