



City of Laconia
Zoning Board of Adjustment
Monday, Month XX, 2018 - 6:30 PM
City Hall in the Armand A. Bolduc Council
Chamber

5/16/2023 - Minutes

1. CALL TO ORDER

Steve Bogert called the meeting to order at 6:32PM

2. ROLL CALL

Scott Pelchat called the roll in attendance. Richard Boddie, Roland Maheu, Jane Laroche , Mike DellaVecchia , Steve Bogert, and Marcia Hayward.

3. RECORDING SECRETARY

Scott Pelchat Zoning Technician

4. STAFF IN ATTENDANCE

Scott Pelchat Zoning Technician

5. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

the minutes were accepted with the condition to amend the finding of facts on the denial of ZO2023-0018SE.

5.I. Zoning Board Of Adjustment

6. EXTENSIONS

6.I. Zoning Board Of Adjustment

ZO2019-0021 – 614 Endicott St. East. Applicant is seeking an extension to an approved special exception. Article XIII Administration and Enforcement. Section 235-81 duration of permits (D) extension of approvals. To allow for the installation of a power generation facility. Adam Sandal, CMA Engineers, spoke on behalf of the project and requested a six-month extension to allow for project development. The plan is to start construction early fall Steve Bogert asked if it would be completed by winter. Steve also inquired about any material shortages that may be holding up the project Adam stated the bulk of materials have been procured. Richard Boddie inquired to the applicant if the property was owned by the city and is being leased by your entity and the mailbox near the property does not match and Steve advised that this has been investigated from past ZBA meetings and that Scott was to look into the ownership of the lot and advise of his findings. Richard Stated he felt it was a great use of the property. Steve opened it to the public for discussion at 6:45 PM and closed it to the public at 6:45. The Board discussed the property and Mike DellaVecchia motioned to approve the application based on its benefit

to the public and does no injustice to neighboring properties and their use. Steve Bogert also stated that they met the timeline for renewal. Marcia Hayward seconded the motion and the board voted unanimously to grant the six-month extension.

7. CONTINUED PUBLIC HEARINGS, CONSIDERATION AND POSSIBLE VOTE Note: The Purpose Of This Agenda Section Is For The Board To Continue The Public Hearing For The Applicant And The Public To Provide Input. The Board May Also Deliberate The Application, Decide And Conduct A Final Vote At This Time.
8. PUBLIC HEARINGS, POSSIBLE CONSIDERATION AND VOTE Note: The Purpose Of This Agenda Section Is For The Board To Have A Presentation From The Applicant And Open A Public Hearing For The Public To Provide Input. The Board May Also Deliberate The Application, Decide And Conduct A Final Vote At This Time.

8.I. Zoning Board Of Adjustment

Application ZO2023-0003STL The applicant requested to be removed from the agenda.

9. Zoning Board Of Adjustment

ZO2023-0034VAR – 395 Main St. Applicant is seeking a variance for density from Article VI Dimensional Standards. Section 235-33 maximum residential unit density. To allow for the conversion of an existing building to a four unit sprinklered multi family residence. Tom Cochran from Laconia Housing spoke on behalf of the application. And touched on aspects of the housing itself as well as grants and the management model that will oversee the rentals. Sonya Misiaszek spoke about the zoning variance and the design of the facility also mentioned the sprinkler system to be installed. Sonya stated the size of the building as well would allow one apartment per Laconia's current guidelines and the proposed apartments needed fit the clientele for the proposed size. Sonya Touched on the tenants and there needs which in fact would be ideal for the proposed 362 Square feet. This location would create an ideal apartment for tenants that walk and use this area and all its amenities. Sonya also stated there would be an ADA accessible parking spot made for this building. Steve Bogert inquired about the true square footage and Archie advised the board on the true feel and size of the building. And it was made clear that there would be high efficiency apartments, two on the first floor and two on the second floor. Roland asked if the converted building would remain on the tax roll, and it was stated by Tom that it would be a nonprofit and donation would be made to the city through assessment. Marcia Stated that she had been out to the property and felt that this was a great use for the property. Steve opened to the public at 6:55 and closed to the public at 6:56. Richard Boddie asked about the size requirement and if this was a regular request that we get, and that the sprinkler was because of a code through the fire Dept. and life safety codes. The Board spoke amongst themselves, and the consensus was that this was a great idea and of great use for this location and the people it would help. Steve Bogert asked for a motion and Marcia motioned to approve the variance and the reasons given by the applicant were to be used as the finding of facts 1. Granting the variance would not be contrary to the public interest because; Allowing four tenants to live in this apartment would provide much needed housing in the city. The project would be an extension of the campus of sunrise house and sunrise towers. The square footage of the units would meet the needs of the tenants of LHA. There is enough space on the existing paved area to meet the off-street parking requirements. 2. If the variance were granted, the spirit of the ordinance would be observed because; The neighborhood is in the uc district, where the intent of this district is to permit expansion of existing uses or the redevelopment of parcels to new or different uses. The use we have for this property is to serve the tenant of limited means, and the 1000 sqft of floorspace per occupant standard cannot comply with market rates and modern code. 3. Granting the variance would do substantial justice because; Justice is the habit of awarding to one that which is owed. We do not owe anybody a house, but we want to broaden the range of accommodations to better complement the means of Laconia's citizens, In this case through efficiency apartments that fall between a hotel room and an apartment. 4. If the variance were granted, the values of the surrounding properties would not be diminished because; The property is a buffer between more residential and mixed-use buildings and commercial uses and that is apparent in its architecture and that of the surrounding buildings. For a downtown district the density is appropriate. There are dozens of other small apartments in the area, and it is a convenient location to travel on foot. 5. Unnecessary Hardship b. If the criteria in subparagraph (a) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions

of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. The layout of the building is not ideal for the conversion to two or three units, because utilizing the entire floor plan of either story would put the square footage of the apartments above what we would need to make them 1-bedroom efficiencies, while being able to receive reasonable enough return even to maintain the units. In short, the density outlined in the ordinance is not in line with the architecture of this particular property and the tenants that we seek to serve. The Motion was seconded by Jane Laroche, and it was Passed unanimously.

10. Zoning Board Of Adjustment

ZO2023-0035VAR – 928 White Oaks Rd and 884 White Oaks Rd. Applicant is seeking a variance from article IX Signs Section 235, attachment 5 City of Laconia Table VI Table of sign regulations to allow for the use of two freestanding signs where currently in the RR2 this use is not allowed. Jon Rokeh spoke about the signage variance on behalf of Prescott Farms Conservatory to allow for two freestanding signs, one at the main entrance and another smaller sign at the lower entrance. These signs would allow for the proper identification of entry to the desired portion of the conservatory. Jon also read the finding of facts as to allow for this variance to be granted. Jon also mentioned that with the major upgrades made to the property this variance and the signs it would allow fit well with this property. Steve Bogert inquired about the lighting and picture provided. Judy Hamell spoke about the lighting, and they would be top mounted, and the light would be downlight. Marcia congratulated the team on the conservatory. Richard Boddie stated there are signs on the road currently and Steve clarified the rationale behind the reasoning for the variance. Jane Laroche made a motion to approve based on the facts found by the applicants' criteria. 1. Granting the variance would not be contrary to the public interest because. The Prescott Farm Conservancy has been in operation for many years and the proposed signs will simply replace the existing sign at the upper entrance. The lower sign is a small information sign about the new facility that was approved and constructed in 2022. 2. If the variance were granted, the spirit of the ordinance would be observed because; The spirit of the ordinance is to prevent large signs in a rural area. The Prescott farm is a landmark in this area and the proposed signs will replace the upper existing sign and add a small informational sign at the lower entrance. They are not overly large and will fit well with the neighborhood. 3. Granting the variance would do substantial justice because; Allowing the proposed signs by granting the variance would do substantial justice to the project. A major upgrade to all the facilities has been approved and is nearing completion. The proposed signs will simply an upgrade an existing sign and provide information about the newly constructed facility. 4. If the variance were granted, the value of the surrounding properties would not be diminished because; The surrounding property values will not be diminished by the proposed signs. Prescott Farms is a landmark site in the community and the upgraded proposed signs will only enhance the look of the neighborhood. 5. Unnecessary Hardship; The general purpose is to prevent signs from being put up in residential areas. Prescott Farms is a long-standing part of this neighborhood and has recently made a significant upgrade to the site. The proposed signs will replace the existing sign and provide information about the newly constructed facility and will fit well with the neighborhood. There is no fair and substantial purpose for the new signs not to be allowed. There are no other properties in the area like Prescott Farms. It is a destination facility and has been a major part of the area for years. The request is not unreasonable for the property. And it was seconded by Mike DellaVecchia, and it was unanimously approved.

11. Zoning Board Of Adjustment

ZO2023=0038VAR – 38 Doe Ave. Applicant is seeking a variance from Article VI Dimensional standards section 235-35 minimum setback requirements. (b). to allow for the replacement of stairs and construction of a deck where 5 feet exist, and 15 feet is needed. Andrew Baker spoke on behalf of his application to allow for a variance to allow for a section of decking that will pass through the current setback area the stairs to be replaced are of like and kind and would attach to the deck and wrap around the house towards the driveway and stopping before the left side setback. The area of the deck that would go through the setback would be no further into the setback than the existing stairs are at this time. Steve Bogert asked about the proposed plan and Andrew stated the proposed plan is to replace the existing stairs and to allow for the attached deck. Marcia mentioned she had visited the property and questioned a few items Andrew gave the details again on the proposed deck and stairs. Richard and Marcia discussed the direction of the deck and its proximity within the lot. Opened to the public at 7:18 and closed to the public at 7:19. Richard Boddie stated this is a high-density area with multiple non-conforming lots and decks and sheds and docks

Richard asked if this was a public or private rd. and it was public. Steve Bogert made a motion to grant the variance based on 1. Not contrary to public interest will be replaced in kind and will not be any closer to the lot line. 2. Spirit of the ordinance would be observed by allowing for enjoyment of the house safe usage of the stairs. 3. The value of surrounding properties would not be diminished because the area is of high density and non-conforming structures. 4. There were no findings of increased or decreased property values because of this proposal. 5. UNNECESSARY HARDSHIP the original construction of the house has made the primary entrance and exit reliant on repairs to allow for safe egress.

12. OTHER BUSINESS

Steve Bogert addressed the board and thanked them for the great job that has been done by them and that going forward the expectation will be the same expectation moving forward.

13. ADJOURNMENT

The board adjourned at 7:27pm and it was unanimous

DRAFT