



**TOWN OF PITTSFIELD
ZONING BOARD OF ADJUSTMENT
TOWN HALL, 85 MAIN STREET
PITTSFIELD, NH 03263**

MEETING MINUTES of Thursday, May 10, 2018

CALL TO ORDER

The Zoning Board of Adjustment Meeting for May 10, 2018 was called to order by Mr. Hetu 7:04p.m.

MEMBERS PRESENT

James Hetu
Jason Rokeach
Scot Palmer
Deidre Benjamin

OTHERS PRESENT

Jim Pritchard
Jeff Lewis
Mike McDonough

REVIEW AND APPROVE THE MINUTES

Motion. Mr. Rokeach made a motion to approve the minutes for April 26, 2018. Mr. Palmer seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Hetu – Yes; Mr. Rokeach - Yes; Mr. Palmer – Yes; and Mrs. Benjamin - Abstained. The Chair declared the Motion passed.

CONTINUE DISCUSSION ON APPLICATION FOR SPECIAL EXCEPTION FOR SELF STORAGE FACILITY ON HIGH ST, TAX MAP R15 LOT 30 IN THE LIGHT COMMERCIAL ZONING DISTRICT.

The Chair said they had a chance to review the Central NH Regional Planning (CNHRP) report. He asked the Mr. Lewis and Mr. McDonough to discuss how things went with the Planning Board and any changes they are required to make.

Mr. Lewis said they would be going back to the Planning Board the first week of June to seek acceptance and a public hearing. There were a few things in the memo from the CNHRP the Planning Board wanted address which they don't perceive to be critical items. He explained they wanted them to check abutters on the plan, marking some parking spaces on the plan, some traffic data out there and a few other items. He said nothing is changing on the plan which would affect the special exception.

Mr. Lewis informed the Board the Planning Board determined all the buildings on both lots would be considered principal buildings and there is an RSA which says there can only be one principal building on each lot. The Planning Board suggested they merge the lots so the other buildings would become accessory buildings to the main building in order to avoid having another zoning issue. He said they are planning to make that change subject to the Planning Board approval.

The Chair asked Mr. McDonough if he was acceptable to if they made the special exception conditional to the approval of the merging of the lots. Mr. McDonough said he was.

The Chair informed the Board they have a copy of the Planning Board meeting from last week where the applicant met with them.

The Chair explained there was concern from a neighbor about water runoff. Mr. Lewis responded the plans are designed to meet the standards of the sight plan violations and the DES terrain regulations. They have a storm water basin on site which is collecting all the run off. They submitted a change report as part of the Planning Board application and it is all being reviewed by DES.

The Chair asked if the storm water review went to the Planning Board. Mr. Lewis said that was correct.

The Chair said another question that came up at the Planning Board was about the landscaping and not being detrimental to the neighborhood. There was some concern with the cemetery across the street and boundaries. Mr. Lewis explained there was concern about the cemetery across the street and they have the proper screening between the two. He said they drew up a landscaping plan for the Planning Board and will look at keeping some of the existing vegetation there.

The Chair asked if they plan on putting a bush line. Mr. Lewis said they have a plan in place and showed them a copy of the plan to the Board. He said they will be consulting with the landscape architect as well.

Mr. Rokeach mentioned the review from CNHRP suggested fencing as screening and for security. He asked if they were doing anything to address security for it. Mr. Lewis responded that his interpretation was for the screening and they don't have a fence at the existing property. He doesn't think there is any requirement to have security fencing.

The Chair asked if they are considering leaving some room for expanding the landscaping such as additional trees. Mr. Lewis said they were considering it. They want to agree to adequate screening that everyone will agree on. Mr. McDonough explained they would like to keep some of the existing natural buffer and plant some shrubs there. The Chair commented it seems as though the existing property has some vegetation.

The Chair opened the hearing to the public. He asked anyone speaking to state their name and address for the record.

There were no comments from the public. The Chair closed the hearing to the public.

The Chair informed Mr. McDonough they only had four members tonight and he had the right to wait for a full board. Mr. McDonough said they could proceed.

The Chair sat Mrs. Benjamin on the Board.

The Chair read Criteria A “the use shall not be detrimental or offensive to the neighborhood.” He said for the most part it sounds like they are handling some of the concerns with the vegetation. He asked if they think this is out of place. Mr. Rokeach commented it is right next to an existing storage place.

The Chair stated they have an option for asking for a third party review on drainage and asked the Board if they want to do that. Mrs. Benjamin said she reviewed their storm water plan and there is a big storm water basin so she doesn't have any concerns. The other members agreed with Mrs. Benjamin.

The Chair read Criteria B “the use shall not diminish the value of any of the surrounding properties.” The Board agreed there were no concerns with diminishing value of the surrounding properties.

The Chair read Criteria C “the use, its parking needs, and its access ways shall be no nuisance or serious hazard to pedestrian or vehicular traffic. Parking needs shall be deemed a nuisance if parking needs force vehicles to park on a street or on a nearby property.” He asked Mr. McDonough addressed parking at the Planning Board. Mr. McDonough explained the way it works is people pull up to their storage space and there won't be any additional parking spaces. The Board agreed there was no concern with parking spaces.

The Chair read Criteria D “the use shall have adequate and appropriate facilities and utilities to ensure the proper operation of the use.” He believes the merger takes care of this criteria and can't see anything else being an issue.

The Chair asked if they are looking to add a connection between the two properties with the merger. Mr. McDonough explained the existing storm treatment is between the two properties so they can't connect them. The Board agreed there were no concerns with the facilities and utilities.

The Chair read Criteria E “the use shall be in harmony with the general purpose and intent of the zoning ordinance.” He thinks this is straight forward as long as it meets the five criteria this qualifies for a special exception. Mr. Palmer said only as long as the two properties are joined together. The Board agreed there was no concern with the harmony of the zoning ordinance.

The Chair read Criteria F “All conditions specific to the proposed use. The zoning ordinance requires various uses to satisfy permitting conditions specific to the use in addition to conditions A through E above.” He said there are no specific requirements on self-storage. The Board agreed there were no concerns.

The Chair asked if they were ready to make a decision on the application. Mr. Rokeach said they were on the condition of the merger of the two properties.

The Chair asked do you feel the use shall not be detrimental or offensive to the neighborhood conditional to the merger of the two properties. All in favor.

The Chair asked the use shall not diminish the value of any of the surrounding properties conditional to the merger of the two properties. All in favor.

The Chair asked the use, it’s parking needs, and its access ways shall be no nuisance or serious hazard to pedestrian or vehicular traffic conditional upon the two properties being merged together. All in favor.

The Chair asked the use shall have adequate and appropriate facilities and utilities to ensure the proper operation of the use contingent on the two properties being merged together. All in favor.

The Chair asked the use shall be in harmony with the general purpose and intent of the zoning ordinance

The Chair asked all conditions specific to the proposed use. The zoning ordinance requires various uses to satisfy permitting conditions specific to the use in addition to conditions A through E above contingent on the two properties being merged together. All in favor.

Motion. Mr. Rokeach made a motion to grant the special exception for application for self-storage facility on High St, Tax Map R15 Lot 30 in the light commercial Zoning District conditional on the merger of Lot 30-1 and Lot 30. Mr. Palmer seconded the Motion.

A Roll Call Vote was taken: Mr. Hetu – Yes; Mr. Rokeach - Yes; Mr. Palmer – Yes; and Mrs. Benjamin - Yes. The Chair declared the Motion passed.

The Chair informed the applicant there is a 30 day appeal process.

MEMBERS CONCERNS

Mr. Palmer asked about finding someone to fill the open positions. The Chair was unable to get an advertisement in the paper. He will work on getting it in for the next Suncook Sun release.

The Chair spoke with Mr. Boson and he will be ready to go in July. He will advertise for the alternate positions.

Mr. Palmer asked if there was any word on the special exception for the women who had the kennel in her house. The Chair said it has not been an application yet so it is just to notify them of the situation.

PUBLIC INPUT

A resident asked if chickens in suburban an exception. The Chair responded agriculture in a suburban zone would have to be a special exception. The resident asked if they distinguish between a hen and a rooster. The Chair responded he had a good question and without speaking of a specific case he thinks the rooster might fall a foul to the nuisance criteria they would have to get past.

Mr. Pritchard explained the definition of what is agriculture is long and they would need to have it before them to determine if they are going to distinguish between the two.

The Chair asked if the Planning Board was looking at splitting livestock between large and small this year. Mr. Pritchard said he hopes not because they have a rather large project but maybe next year.

ADJOURNMENT

Motion. Mr. Palmer made a motion to adjourn. Mrs. Benjamin seconded the Motion. There was no additional discussion.

A Roll Call Vote was taken: Mr. Hetu – Yes; Mr. Rokeach - Yes; Mr. Palmer – Yes; and Mrs. Benjamin - Yes. The Chair declared the Motion passed.

The Vice Chairman adjourned the meeting at 7:37pm.

APPROVED: June 28, 2018

JAMES HETU, CHAIRMAN

DATE

Notice of Decision

On May 10, 2018, pursuant to RSA 674:33, IV, and RSA 676:7, the Pittsfield Zoning Board of Adjustment conditionally approved a special exception for a self-storage facility according to Pittsfield Zoning Ordinance, article 3, section 3, (b), (2) and (6); and article 6, sections 2 and 3. The proposal is to construct four multi-unit self-storage buildings, including driveways, parking, drainage, and stormwater management infrastructure, on High Street, tax map R-15, lot 30, in the Light Industrial/Commercial zoning district. The proposed work area is located adjacent to a lot that was previously developed for construction of self-storage units. This existing self-storage facility, on tax map R-15, lot 30-1, will administer the four proposed buildings on tax map R-15, lot 30. The board of adjustment approved the special exception on condition that tax map R-15, lot 30, and tax map R-15, lot 30-1, shall be merged.

The applicant's name and address is Pittsfield Self-Storage, LLC, 20 Montgomery Street, Concord, NH 03301.

The vote to approve the special exception conditionally was yes: 4, no: 0, and abstaining: 0. Board of adjustment members voting to approve the special exception conditionally were James Hetu, Deidra Benjamin, Scot Palmer, and Jason Rokeach.

The board of adjustment may reconsider this decision, upon the board's own motion or at the request of any aggrieved person, within 30 days after the date when the board voted the decision (May 10, 2018). (74 Cox Street v. Nashua, 156 N.H. 228, 931 A.2d 1194 (2007).) Within 30 days after the date when the board voted the decision (May 10, 2018), the selectmen, any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion for rehearing the ground therefor. (RSA 677:2.) Any person aggrieved by the decision may appeal the decision to the superior court according to RSA 677:4 within 30 days after the date when the board voted to deny the motion for rehearing. For the purposes of saying who may appeal the decision to the superior court according to RSA 677:4, "person aggrieved" includes any party entitled to request a rehearing under RSA 677:2. (RSA 677:4.)

July 17, 2018

James Hetu, chair
Pittsfield Zoning Board of Adjustment