

HAMPSTEAD BOARD OF ADJUSTMENT MINUTES
AUGUST 3, 2022

DRAFT

Members present: Hank Riehl, Dale Blaine, Proc Wentworth, Randy Clark, Karen Hanides, and alternates Neil Emerson and Jaye Dimando. Also present was Chief Building Official, Kris Emerson.

A copy of the Posting Notice and abutters' notice is a part of these minutes.

FREDERICK (JAY) NIXON 3/82

The request was for a variance to permit construction of an addition 21.4 feet from the side lot line at 34 Blueberry Circle. The lot is .59 acres. The applicant was represented by Tim Lavelle of Lavelle Associates. He told the board the plan is for a garage with living space above. It will be one and a half stories. The upper floor is less than 50 percent of the downstairs. The building will be 185 ft. from the water so it will need a Shoreland Protection Permit. The property is on a corner and three are streets. The applicant will not be adding to the number of bedrooms that are there, which is two. Tim showed pictures of the lot and Blueberry Circle. He said the house was originally a camp. The addition will be larger than the house which is 30 x 36 ft.

A shed was shown that is encroaching on a neighboring property. Tim said the two owners are discussing what can be done - including a possible lotline adjustment. Hank asked about runoff and asked if the Shoreland Permit would address that. Tim said there will be a dry well for roof gutters or a dripline trench. Hank said the board could give a conditional approval based on the issuance of a Shoreland Permit. Karen noted that there are two sheds and a gazebo on the property and that's a lot of buildings on the lot. Mr. Nixon said one is not a shed but a bar. Tim said the shed with the garage door will be removed. A neighbor read a letter from an abutter, Susan Finocchiaro, who was not

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able to attend, with her concerns. She cited erosion control and septic system. Tim said erosion control will be addressed in the Shoreland approval. He said this is only the first step. Jay asked if the Shoreland Protection permit is denied, what happens? The board said there would be no building permit issued. Abutters asked if they would be notified. Kris said a denial notice would be sent to the Town. Hank asked how old the septic system was. Jay said he didn't know but guessed about 10 years old. Hank asked why it couldn't go behind the house. Tim said the land slopes. Dale asked if it could be moved 10 ft. Tim said it would go into the hill. Karen asked if they would be using the existing driveway. Tim said they will be. He addressed the requirements for a variance. He said it will not adversely affect neighbors. He said it would not diminish any property values. He said the property use is reasonable, the topography of the lot makes it difficult to build in another place. He said the lot was created prior to zoning. Tim said there will be no added bedrooms. The existing house has two bedrooms and one will be moved upstairs. Proc made a motion to permit construction of an addition 21.4 ft. from the side lot line, per plan submitted. Randy seconded. Members filled out their variance worksheets. The request was granted 3-2. Randy and Karen voted to deny.

WBZ, LLC 18/155

The request was for a Special Exception/variance to permit a warehouse and repackaging business at 3 Commerce Park Drive in the C-1 Zone. The applicant, Ontario Limited, LLC was represented by Tim Lavelle. The building is now occupied by Hampstead Print and Copy

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and was originally occupied by Malden Door and Window. Tim showed that plan from 1985. The building is on the corner of Route 111. He said the company brings in electrical circuit boards, repackages them and sends them back out. The building has a loading dock. He said he ran the plan by Kris who determined it did not fit in any Commercial zone, according to our zoning, and the use is not listed in our zoning regulations. For that reason Kris advised Tim to apply for a Special Exception first and if the board decided that did not apply, to also apply for a variance. Neil noted that on the original plan, it was approved as a warehouse. Kris said the business is similar because all work is done inside. Karen asked if there would be anything hazardous. Tim said there would not be. Hank said he wanted to know more about the nature of the business. Marketing Agent – Chris Goodnow, said there would be no manufacturing or taking the circuit boards apart – only repackaging. Karen asked how many people would be working there. Tim said 12. Hank asked how the business activity would be monitored. Kris said the Fire Department does annual inspections. He said the business would be in violation if not operating as discussed at this hearing. He said C-1 allows customers coming in and out and C-2 allows plants for manufacturing, R&D, testing, etc. Randy said he had no problem with the Special Exception. Proc and Neil agreed. Neil said it's better than traffic and people going in and out. Hank said he had a problem with any chemicals that might be used to wash products. Randy made a motion to permit a warehouse and repackaging business in an existing facility with the understanding the Building Inspector and Fire Department will do periodic inspections. Proc seconded the motion and the vote was unanimous to grant the request. At that point the request for a variance was withdrawn without prejudice. OTHER BUSINESS – The minutes of the July hearing passed with one correction in the Couture hearing “there's room for parking on Longview” not on the lawn.

Respectfully submitted,

