

**EXETER ZONING BOARD OF ADJUSTMENT
JUNE 3, 2014 MEETING MINUTES**

PRESENT:

Regular Members: Vice Chair John Hauschildt, Clerk Rick Thielbar, Martha Pennell, and Laura Davies
Alternate Members: Hank Ouimet
Building Inspector/Code Enforcement Officer: Doug Eastman
Deputy Code Enforcement Officer: Barbara McEvoy

The meeting was convened at 7:00 PM. Vice Chairman Hauschildt announced that Chair Prior was unable to attend this evening and therefore he would be chairing the meeting. He introduced the Board members and explained the protocol for the meeting.

AGENDA:

Case #1469: Tuck Realty Corp./ Highland Street
Variance requests for density relief for multiple buildings to be permitted on one lot

NEW BUSINESS:

1. Case #1469: Tuck Realty Corp./Highland Street

The application of Highland Street, for variances from Article 4, Section 4.2, Schedule I and Section 4.3, Schedule II of the Exeter Zoning Ordinance to permit 12 dwelling units in the R-2 zone and a variance from Article 5, Section 5.5.2 to allow more than one principal building on a lot in a residential district. Tax -Map 65, Lots 138, 139 & 142.

Attorney John Ratigan, of Donahue, Tucker & Ciandella PLLC was present on behalf of the applicant; he acknowledged that Mr. Mike Garrepy, of Tuck Realty Corp. was also present to address the Board.

Mr. Garrepy began by identifying the properties under consideration, and noted that the majority of the two parcels were located in the R-2 zoning district with only a small portion of Tax Map parcel #65-138 extending into the C-2 zoning district with access to Portsmouth Avenue. He noted that a lot line adjustment was also being proposed in conjunction with the proposal in an effort to address the odd parcel configuration. Mr. Garrepy indicated that the existing neighborhood consisted of single-family, two-family and multi-family residences in addition to several commercial uses (the Hampton Inn and Seacoast Mental Health). He described the proposal to construct multiple dwelling units on this site as an “in-fill project” and explained that the applicant was seeking relief from the density requirements and for some flexibility as to how the units would be configured. Mr. Garrepy noted that the required minimum lot area in the R-2 district was 15,000 square feet; however, the average lot area of parcels in the neighborhood was approximately 4,700 square feet. He indicated that the density being proposed for this project was slightly less, approximately 4,300 square feet per unit.

Mr. Garrepy indicated that the subject parcels currently had a two-family structure and several out-buildings situated on them. He pointed out that Tax Map parcel #65-139 was not part of the proposal, but would be subject to the lot line adjustment. He also commented that he had the opportunity to speak

with several of the abutters prior to the meeting and he believed there was more support for the development of detached single-family units rather than multi-family units.

Attorney Ratigan proceeded to address the variance criteria as outlined in his cover letter, dated May 5, 2014, which accompanied the application.

Vice Chairman Hauschildt confirmed that the proposal being presented was for the construction of twelve (12) dwelling units, each with two (2) bedrooms. He inquired about the proposed parking. It was represented that on the conceptual plan submitted (which shows six duplex structures), attached garages and drive-under garages were being proposed, with spaces also in front of the garages. Mr. Garrepy indicated that twenty-six (26) spaces had been provided (2 spaces/dwelling unit = 24 and 2 visitor parking spaces). He stated that all existing impervious surface would be removed and that the proposed building coverage was calculated at 20% (R-2 zoning allows for 25%) and open space calculated at 56%. Mr. Garrepy noted that the proposed lot line adjustment was an equal exchange of area, and therefore the total lot area for the project would not change.

Ms. Davies inquired about limited common ownership. Mr. Garrepy responded that at this time the type of ownership was not certain, but that multiple condominiums on one lot or fee-simple single-family lots were both options.

Mr. Ouimet initiated a discussion relative to what could be done on the subject properties without any relief (with respect to density). The following scenarios were discussed: residential conversion which could yield up to possibly eight (8) or nine (9) units, three single-family dwelling units or two (2) two-family structures. Mr. Ouimet commented that he also felt the "single-family" approach was a better fit for the neighborhood.

Ms. Pennell indicated she would like to see various layout possibilities which could include single-family, two-family (or mix of both) or possibly a 'quad' at the rear of the property.

Ms. Davies asked for clarification of the density being proposed for the project. Attorney Ratigan stated that it was similar to the R-5, Multi-Family district density requirements.

There being no further questions from the Board at this time, Vice Chairman Hauschildt asked if there were any abutters or interested parties who wished to speak on the application.

Mr. Dana Wyman, owner of the three-unit building at 18-20 Highland Street, expressed his concern regarding the potential impact on the abutting properties from additional drainage and snow storage. He inquired about the proposed garages being utilized to satisfy the parking calculations; he commented that owners may choose to use the garage area for storage, and if so, the parking would then become deficient. He indicated that he would prefer to see a multi-family building with adequate parking situated to the rear of the property.

Ms. Larissa Kiers, 15 Highland Street, inquired as to why what could be developed on the site was not sufficient, and why was there a need for twelve (12) units; she stated that she saw no hardship. She explained that the homes in the neighborhood were very close to the street, the street is very narrow and problems with off-street parking currently existed. She expressed concern that the proposed density and the potential traffic impacts would both present safety issues for the neighborhood. She also stated such a proposal would adversely affect the neighborhood and would change the whole character of the street. Ms. Kiers commented that she would be interested in a 'single-family' proposal for the site.

Mr. Pete Coletti, 21 Highland Street, indicated that he had the opportunity to speak with Mr. Garrepy prior to the meeting. He commented that he also would prefer to see single-family homes be developed; however, the construction of minimal-sized homes (lesser square-foot area) would not be conducive to neighboring property values. He noted that currently the street consisted of nine (9) homes and approximately 24 persons.

Ms. Helen Calvert, property owner of 8 Highland Street, also expressed concern regarding the density. She commented that she would like to see something there but less dense. She indicated that she agreed with the earlier comment about the proposal presenting safety issues for the neighborhood.

Mr. Joe Drohan, speaking on behalf of his daughter who had just purchased the condominium unit at 6 Highland Street, also expressed his concerns relative to density, traffic and the time-frame of disruption during construction.

Mr. Coletti reiterated that property values were a huge concern as well as safety in the neighborhood. He encouraged the Applicant to be considerate of the neighborhoods' property values when further developing their plans.

Mr. David Jones, 17 Highland Street, commented that it had been a good discussion of the pros and cons of the proposal, and hopefully the decision made will be in the best interest of the neighborhood.

Mr. Rod McCann, property owner of 8 Highland Street, echoed the comments of previous speakers, and indicated that he would be interested in hearing more about other options available.

There being no further public comment, Vice Chairman Hauschildt offered the Applicant the opportunity for rebuttal.

Mr. Garrepy commented that from what he has heard, the abutters have voiced their support of single-family structures; however, with much concern relative to the proposed density of the project. He offered that the Applicant would be willing to amend the application to delete "multi-family" use as being an option for proposed development; however, in doing so, he would subsequently request density relief for nine (9) detached single-family structures. He also suggested that possibly requesting the Board to table the application to allow the Applicant adequate time to reconfigure the layout may be an option.

Vice Chairman Hauschildt clarified that the concern being heard from the abutters was that the proposed density would alter the character of the neighborhood.

Mr. Garrepy inquired about the potential of amending the application. Attorney Ratigan suggested continuance of the application to allow the Applicant to submit new plans and present a revised application for public discussion at the Board's July 15th meeting.

MOTION: *Mr. Ouimet moved to continue discussion on the application at the July 15th, 2014 meeting.*

Ms. Pennell seconded.

VOTE: *The motion passed unanimously.*

APPROVAL OF MINUTES: April 15, 2014

*These minutes are subject to possible corrections/revisions at a subsequent
Exeter Zoning Board of Adjustment meeting.*

Ms. Pennell requested that the minutes be amended to reflect further clarification of her comments relative to the parking discussion in conjunction with the 27 Chestnut Street, LLC application (Case #1468.)

MOTION: *Ms. Pennell moved to approve the minutes of April 15, 2014, as amended.
Ms. Davies seconded.
VOTE: The motion passed unanimously.*

OTHER BUSINESS:

ELECTION OF OFFICERS:

MOTION: *Mr. Hauschildt moved to nominate Mr. Prior to serve as Chairman for the upcoming year.
Motion seconded by Mr. Thielbar.
VOTE: The motion passed unanimously.*

MOTION: *Mr. Ouimet moved to nominate the same slate of officers to serve for the upcoming year (Mr. Prior as Chair, Mr. Hauschildt as Vice Chair and Mr. Thielbar as Clerk).
Motion seconded by Mr. Thielbar.
VOTE: The motion passed unanimously.*

CHAIRMAN'S ITEMS: None

MOTION: *Ms. Davies moved to adjourn.
Ms. Pennell seconded.
VOTE: The motion passed unanimously.*

The meeting was adjourned at 8:25 P.M.

The next meeting of the Exeter Zoning Board of Adjustment will be Tuesday, June 17th, 2014 at 7:00 P.M. in the Nowak Room at the Exeter Town Offices.

Respectfully submitted,

Barbara S. McEvoy
Deputy Code Enforcement Officer
Planning & Building Department