

EXETER ZONING BOARD OF ADJUSTMENT
April 21, 2015 MEETING MINUTES

PRESENT:

Regular Members: Chair Bob Prior, Vice Chair John Hauschildt, Laura Davies
Alternate Members: David Mirsky and Hank Ouimet
Deputy Code Enforcement Officer: Barbara McEvoy

The meeting was convened at 7:00 PM. Chair Prior introduced the Board members and explained the protocol for the meeting.

AGENDA:

1. Case #1492: James Horne –Variance Request – 28 Front Street

NEW BUSINESS:

1. Case #1492: 154 Water Street Co., LLC (James Horne)

The application of 154 Water Street Co., LLC (James Horne) for a variance from Article 2, Section 2.2.55 Multi-Use (definition) to permit a residential use at street level in the building located at 28 Front Street. The subject property is situated in the C-1, Central Area Commercial zoning district. Tax Map Parcel #72-160. Case #1492.

James Horne, owner of 28 Front Street, said he has a basement unit that is difficult to rent as commercial. He noted that he had other residential units in the building that rent immediately given the strong demand in the downtown area. Mr. Horne explained that he had met with Building Inspector Doug Eastman on site to discuss the possibility of renting the unit as residential. He stated that they discussed the “street-level” regulations governing residential uses in a multi-use building and that Mr. Eastman really did not consider the unit as “street-level”, however, did advise him it would be best to file the variance application for clarity.

Mr. Horne continued to explain that on Front Street, there are two commercial establishments. In order to access this unit, you have to go around the building to the back, where it is on grade with Court Street. There are residences currently above this subject unit. He said the demand is there for inexpensive residential units. It is causing a hardship on him because the unit is always empty. He also owns the building next door. There is sufficient parking for all the residences. Chair Prior asked if there is a bathroom/kitchen. Mr. Horne said not yet, but he will be installing them. In regards to parking, Chair Prior said he hasn’t asked for any leniency. Mr. Horne said the property has nine parking spaces. This subject unit is small at about 450 square feet. Chair Prior said it requires two parking spaces. He went through parking space requirements and it was determined there are no parking issues. Ms. Davies asked how many residential units are in the building. Mr. Horne said there are three now. Mr. Mirsky asked when this subject unit was last occupied. Mr. Horne said it was vacant all winter. The last time it was occupied was probably last summer. The tenants have all been short term as the unit is small.

There was being public comment, Chair Prior moved to deliberations. Mr. Ouimet said residential is allowed here by right. The building is street level from Court Street. He said this is not even necessary, but it was good for precaution. Chair Prior said there was no need to go through the criteria any further.

MOTION: *A Motion was made by Mr. Ouimet and seconded by Mr. Hauschildt to approve the variance request as submitted.*

VOTE: *Motion carried – all in favor.*

Other Business:

There were four sets of minutes in the packet that the Board talked about approving and finalizing. It was decided they would table the approval of the minutes until May's meeting.

MOTION: *A Motion was made by Mr. Hauschildt and seconded by Mr. Mirsky to table the approval of the minutes for November, December, and March (4 total sets) until next month.*

VOTE: *Motion carried – all in favor.*

Mr. Mirsky had one correction on the March 31st minutes, page 4.

The Board talked about Board positions, which need to be voted on. Mr. Hauschildt said it would be good to get some new blood to take over the head positions. The rules of procedure have not been revised since June 2013. He said they should look them over and get their amendments proposed. He asked the Board to email him their suggestions and he would put them together. Chair Prior said at the May meeting they will have the election of officers. He asked all members and alternates to come and be present for the elections. Mr. Hauschildt talked about his applications with Planning Board and ZBA. He said state regulations and town regulations need to be clarified. The BOS had voted him in to the Planning Board, but the regulations need to be clarified to see if he can serve on the ZBA at the same time. Chair Prior said there is nothing in the regulations that prohibits repeated terms. He said you don't have to stand down after two terms. It has been the custom, but it is not in the regulations.

MOTION: *Mr. Hauschildt moved to adjourn.
Mr. Mirsky seconded.*

VOTE: *The motion passed unanimously.*

The meeting was adjourned at 7:30 P.M.

The next meeting of the Exeter Zoning Board of Adjustment will be Tuesday, May 19, 2015 at 7:00 P.M. in the Exeter Town Offices.

Respectfully submitted,

Nicole Piper
Recording Secretary