



# CITY OF CONCORD

*New Hampshire's Main Street™*  
**Zoning Board of Adjustment**

**In accordance with CDC and Department of Health and Human Services guidance, this meeting will be held telephonically and via an internet-based option. Interested parties are encouraged to submit testimony via mail or email prior to the meeting via the contact information listed below. Access information for the meeting will be available on the City of Concord Code Administration website at:**

**[www.concordnh.gov/322/Code-Administration](http://www.concordnh.gov/322/Code-Administration)**

July 23, 2020

The Zoning Board of Adjustment will meet on **Wednesday, August 5, 2020 at 7:00 PM** using telephonic and internet-based options. Instructions for accessing and participating in the meeting can be found at the link above.

### **Wednesday, August 5, 2020 ZBA Public Hearing Agenda**

- 1) Call meeting to order
- 2) Review and acceptance of Minutes
- 3) Chairperson's comments
- 4) Public Meetings:
- 5) Public Hearings:
- 6) Any other business that may legally come before the Board.

The Zoning Board of Adjustment will hold a public hearing on the following appeals:

### **PUBLIC HEARINGS**

**28-20 Dan Arndt:** Applicant wishes to convert an existing 2 bedroom apartment into 3 rooming units and combine the 3 new rooming units with an existing 20 unit rooming house (all units are within the same structure), for a total of 23 rooming units, and requests a Special Exception from Article 28-8-4(b), Change from One Non-conforming Use to Another by Special Exception, to allow the conversion and inclusion of the new rooming units for a total of 23 rooming house dwelling units and maintain existing non-conforming parking for 11 vehicles (currently 11 spaces provided where 24 required) where 25 would be required, for property located at 56 South Main Street in a CU Urban Commercial District.

If the Board does not approve the request for the granting of a Special Exception, The applicant requests the following:

Applicant wishes to expand an existing 20 unit rooming house by converting a 2 bedroom apartment, existing within the same building, to 3 additional sleeping rooms with shared bathroom and kitchen facilities, resulting in a total of 23 sleeping rooms and requests the following:

- 1) Variance to Article 28-2-4, The Table of Principal Uses, and Article 28-5-6, Rooming Houses, to allow an existing non-conforming rooming house to expand from 20 dwelling units to 23 dwelling units where the maximum number of dwelling units within a rooming house may not exceed accommodations for 10 individuals, inclusive of a resident manager or resident family,

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2) Variance to Article 28-7, Access, Circulation, Parking and Loading, To maintain the existing non-compliant parking configuration for 11 parking spaces where 25 spaces would be required (24 spaces currently required),  
for property located at 56 South Main Street in a CU Urban Commercial District.

**30-20 The Sign Gallery for Joseph Concord NH Trust:** Applicant wishes to install a building sign and requests a Variance to Article 28-6-9(b), Permitted Building Signs, to permit the installation of a 35 square foot sign over their storefront in a space where only 19.5 square feet is permitted, for property located at 75 Fort Eddy Road in a GWP Gateway Performance District.

**31-20 The Sign Gallery for Sanel Auto Parts:** Applicant wishes to install a second freestanding sign on a single lot and requests a Variance to Article 28-6-9(c), Permitted Freestanding Signs, to permit 2 freestanding signs on a single lot where only 1 freestanding sign is permitted per lot, for property located at 102 Old Turnpike Road in an IN Industrial District.

**32-20 Kelley R. Catanzaro:** Applicant Wishes to add a 10' x 20' addition on the east side of an existing 18' x 26' garage and requests a Variance to Article 28-4-1(h), The Table of Dimensional Regulations, to allow a 3 foot +/- side setback from the eastern property line where a 10 foot side setback is required, for property located at 19 Monroe Street in an RD Residential Downtown District.

**33-20 Mountain Lake Heating/Fuel, LLC.:** Applicant wishes to convert an existing 2 unit residence to 4 dwelling units (Use A-11) and provide required parking onsite and requests a Variance to Article 28-4-1(h), The Table of Dimensional Regulations, to allow a total lot coverage of 65% +/- where the allowed maximum lot coverage is 60%, for property located at 28 South Street in an RD Residential Downtown District.

**34-20 Michael Chapman:** Applicant wishes to convert a 2 unit dwelling to a 3 unit dwelling and requests the following:

- 1) A Variance to Article 28-5-3(b), Conversions (of residential buildings) in Districts Other Than Performance Districts, to allow a conversion resulting 3 dwelling units in a single building on a 5,869 sf lot where a minimum lot size of 7,500 sf is required,
- 2) A Variance to Article 28-7-1(a), Applicability (Parking), to allow a change of use without bringing the property into compliance with all parking requirements including, but not limited to:
  - a. A Variance to Article 28-7-2(e), Table of Off-street Parking, to allow the provision of 4 standard 9'x19' onsite parking spaces where 6 spaces are required,
  - b. A Variance to Article 28-7-7(e), Minimum Aisle Width, to allow a 10 foot aisle adjacent to the southerly parking space where a 24 foot aisle is required for maneuvering,
  - c. A Variance to Article 28-7-5, Requirements for Handicapped Spaces, to provide no designated accessible spaces where 1 space is required,
  - d. A Variance to Article 28-7-7(f), Driveway Widths, to maintain a driveway with a minimum width of 12 feet where a minimum width of 18 feet is allowed (CUP) and 24 feet is standard,
  - e. Variance to Article 28-7-7(g)(2), Setbacks from Lot lines, to maintain zero foot setback for the driveway along the westerly lot line where a 5 foot setback is required,

for property located at 27 Fayette Street in an RD Residential Downtown District.

**35-20 Kenneth Smith and Lee Adams:** Applicant wishes to convert a 2 unit office/apartment building to a 3 unit dwelling and requests the following:

- 1) A variance to Article 28-5-3(b)(1), Minimum Lot Size, to allow for a 3-unit conversion on a property with a lot size of 9,486 +/- square feet where 10,000 square feet is required,
- 2) A Variance to Article 28-7-7(f), Driveway Widths, to permit a 12 foot wide driveway for 2-way traffic where a 24 foot wide driveway is required,

for property located at 8 Perley Street in a UT Urban Transitional District.

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- 36-20 [Spring Corner Realty, LLC.](#):** Applicant wishes to expand a non-conforming restaurant (Use I-1) and requests Variances to Article 28-8-4(c), Expansion of a Nonconforming Use, and, to the extent applicable, Article 28-2-4(j), Table of Principal Uses, to permit the expansion of an existing restaurant to include a "roof top patio" to be used for outdoor dining for 32 +/- customers, for property located at 60 Pleasant Street in a CVP Civic Performance District.
- 37-20 [Rosemary Hinton](#):** Applicant wishes to enlarge an existing single-family dwelling and requests a variance to Article 28-4-1(h), Table of Dimensional Regulations, permit enlargement of a second level by vertically extending the existing single-family structure having a 9 foot side setback where a 15 foot side setback is required, for property located at 21 Iron Works Road in an RS Single Family Residential District.
- 38-20 [Robert T. Seaward Jr.](#):** Applicant wishes to construct a 30 foot wide by 30 foot deep garage and request a variance to Article 28-4-1(h), Table of Dimensional Regulations, to allow for a 34 foot side setback where a 40 foot side setback is required, for property located at 88 Birchdale Road in an RO Open Space Residential District.
- 39-20 [Philip Bates for Timothy D. Deacon](#):** Applicant wishes to construct an Accessory Dwelling Unit (ADU) and requests a Special Exception, as provided in 28-2-4(k), Table of Accessory Uses, (Accessory Use A-13), to convert an existing single-family detached dwelling to a single-family detached dwelling with one (1) accessory dwelling unit, for property located at 6 Carter Hill Road in an RO Open Space Residential District.

Rose M. Fife \_\_\_\_\_, Clerk  
Zoning Board of Adjustment



*Craig Walker*  
Zoning Administrator

**CITY OF CONCORD**  
*New Hampshire's Main Street™*  
**Community Development Department**

Due to the Covid-19/Corona Virus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the **Zoning Board of Adjustment** is authorized to meet electronically. The City of Concord will be utilizing the Zoom platform for this electronic meeting.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04.

All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by following this link: <https://us02web.zoom.us/j/610919318> or dialing the following number and entering the following ID number at the prompt:

Telephone Dial: US: +1 929 205 6099 – Webinar ID#: 610 919 318

**Please enter full name when logging in so attendance and minutes can be properly recorded.**

Note that telephone participation will be enabled at the end of each public hearing. All participants please keep your phones and computers on **mute** unless speaking.

Members of the public can also email questions or other public testimony to [code@concordnh.gov](mailto:code@concordnh.gov), and staff will read the testimony or question into the record during the meeting. Any member of the public can also call the Code (Zoning) Administrative office during the meeting at 603-856-3913 if they are unable to access the meeting and if assistance with connecting is needed.

Materials can be requested from the Code (Zoning) Administration Division via email, or by calling and leaving a message at (603) 225-8580 or,

**Meeting Agendas and links to the cases can be accessed at:**

<https://www.concordnh.gov/280/Zoning-Board-of-Adjustment>

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