

**CITY OF CONCORD, NH
ZONING BOARD OF ADJUSTMENT
MARCH 3, 2021 MEETING
DRAFT MINUTES**

Attendees: Chair Christopher Carley (conflict with Case#7-21), Nicholas Wallner, Andrew Winters, James Monahan, Laura Scott and Scott Sakowski (for Case #7-21).

Absent: Robert Harrison Jr.

Staff: Craig Walker, Zoning Administrator, Rose Fife, Clerk of the Board, and David Hall Code Administrator.

Meeting commenced at 7:00 pm.

Chair Carley explained that 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 Board was authorized to meet electronically. The City of Concord utilized the Zoom platform for this electronic meeting.

Chairman Carley took a roll call of members. Laura Scott, Nick Wallner, James Monahan, Andrew Winters, Scott Sakowski, and Chris Carley all alone.

07-21 Christopher and Deborah Carley: Applicants wish to construct an accessory "garden" shed and requests variances to:

- 1) Article 28-4-1(h), Table of Dimensional Regulations, to allow a structure to be located not less than six and one half (6.5) feet from a front property line where a front setback of 25 feet is required and,
- 2) Article 28-5-32, Accessory Buildings and Facilities, to allow an accessory structure to be located in the front yard area when accessory shed are to be located to the side or rear of the principal structure on the property.

for property located at 4 Vernon Street in an RS residential Single-family District.

Board members for this case included: Wallner as Acting Chair, Winters, Monahan, Scott, and Sakowski.

Testified: Deborah Carley. They want a garden shed located within front setback. The special conditions of the property are that they have a wedge shaped lot. A large piece fronts on Liberty Street, which is really their back yard and their front yard is on Vernon Street. They have 300 feet of frontage there. The lot grade is steep between the two streets. It's not practical to have the shed in the back as they need access to it. They also have a sycamore tree in the side yard that they do not want to remove. They have lawn frontage on Vernon Street. The house was built in the 1860's and it is closer to the street than the proposed shed. The neighbors all have a shed. The location of the shed will not alter the character of the neighborhood. The shed will be hidden by mature landscaping. It is not contrary to the public interest because the loss of the use if denied the variance is greater than any negligible benefit to their neighbors due to them not building this shed. She contacted all of the immediate abutters and neighbors within 300 feet and asked if they had any concerns. She understands that 4 neighbors emailed the City.

Winters asked the proposed size of shed? Mrs. Carley thought it to be 12 x 18. Walker explained that the plans she submitted it shows it to be 14 x 22. Mrs. Carley explained that the shed will be tucked to the left of the garden shed set behind the mature vegetation. The shed will barely be visible from the street.

In favor: none.

In opposition: none.

Letters: Rick Acquilano of 89 Liberty Street emailed that they have no objection. Susan Bean of 9 Vernon Street mailed that she has no objections. Katherine Dolan of 10 Saint Johns Street emailed that she has no objections. Deborah Roussos of 14 Auburn Street emailed and has no objections.

Code: none.

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Rebuttal: Mrs. Carley explained that this is a small neighborhood of 5 driveways. Everyone has a shed. The neighbors get along well.

DECISION:

Sakowski: It is a reasonable use. Others locations on the site that would meet zoning requirements have topographical challenges. There is existing landscaping there and it will be tucked behind that and not visible to the neighbors.

A motion to approve the request as submitted was made by Laura Scott and seconded by Monahan. Winters agrees. Sakowski agrees. Wallner noted that it is not often that you see a lot that is wider than deeper.

Roll Call Vote: Scott - AYE, Monahan - AYE, Winters - AYE, Sakowski - AYE, and Wallner – AYE. Motion passes by a unanimous vote.

- 59-20 Pastori Krans, PLLC. For Bangor Savings Bank:** Applicant wishes to allow a second-floor tenant, without building frontage on the first-floor street level, to have an 11 square foot hanging sign and requests variances to:
- 1) Article 28-6-9(b), Permitted Building signs, Section (4), to allow an 11 square foot hanging building sign for a principal use on an upper floor with no building frontage at street level where the Ordinance does not allow such a building sign,
 - 2) Article 28-6-7, Signs Prohibited Under This Ordinance, Section (j), to allow a projecting sign that protrudes above the sills of the windows above the first story where such protrusion is prohibited, both for property located at 82 North Main Street in a CBP Central Business Performance District.

The Board from this point forward included: Carley, Wallner, Winters, Monahan, and Scott.

Testified: Attorney Laura Hartz of Orr & Reno. Also, Terry Pastori and Heather Krans were available to testify.

Attorney Hartz shared her screen for a power point presentation. They would like to have a sign on the second floor of a building. This section of North Main Street has a significant amount of both vehicular traffic and pedestrian traffic. There is parking on both sides of this section of street and a bus stop. This is the Bangor Savings Bank building, but this tenant will be on the second floor. This was the former location of Crazy Goat Restaurant and Nina's Pantry. It is 2.5 stories high. It was built in the 1900's. Around 1930/1940, the third and fourth floor burnt and they restored only 2.5 stories. They are asking for a variance for the location of the sign. It would be above the sill of the 2nd floor windows. The size of the sign also needs a variance. There is only a 4 s.f. sign or 4 s.f. window sign and a portion of a directory sign allowed. This is a unique location. She showed the location of the hanging sign. She discussed the building constraints. One being the glass awning and the second one being a significant amount of glazing on the first floor. The glass awning would block any window sign on the second floor and the sign would not be visible. The glass awning makes it difficult to have a projecting sign that is not above the bottom of the sill of the 2nd floor windows. The high amount of glazing creates a non-solid wall for an attached sign. Projecting signs are a part of Main Street. Gems First sign is above the sills of a second floor window. Winters asked if she knew which of those was there by variance. Attorney Hartz stated that they are first floor tenants for the hanging signs. They have a larger amount of frontage and are allowed a larger amount of signage. She showed a very old historic picture showing signage above the second story sills. Signs matching the physical location basically show where their offices are. Endicott Furniture has a sign above 2nd story sills. That sign looks like 20 s.f. and they are only asking for 11 s.f. She showed a before and after photo of the location. She showed photos of the interior before and after renovations.

Attorney Hartz displayed a letter submitted by Timothy Sink of the Chamber of Commerce supporting this application. Robin Wells of Carew & Wells also submitted a letter of support.

Wallner asked if any other second story signs were similarly 20 feet above grade. Attorney Hartz thought that Gems First, and Endicott Furniture were similar. She found when doing research that the height is variable depending on the level of that sill.

Winters asked if the awning was part of the recent renovation. Atty Hartz said it was. It is consistent with the historic nature of the building. There are other glass awnings i.e. the Hotel Concord, Hinckley Allen Law Firm, etc. Laura Scott asked if there was a reason why the projecting hanging sign cannot be placed between the door and the glass awning.

Attorney Hartz stated explained that what is before the board is a second redesign of the sign. The location she is suggesting was dismissed because there wasn't a lot of surface area left other than the window. Regardless, the size of the sign requested would need a variance as they are a second floor tenant. Laura Scott explained that in the paperwork submitted there are conflicting statements regarding illumination. One says externally luminated and the other says no illumination. She would like confirmation of which is it. She assumes none. Attorney Krans answered that they have no plans for illumination. Monahan asked why they are foregoing the opportunity for window signage. Attorney Hartz explained that as a second floor tenant could have 4 s.f. of window signage that they are foregoing. The directory level sign, they will have a portion of that sign.

Code: none.

In favor: none.

In opposition: none.

DECISION: Carley reviewed the testimony that was presented for this case.

Scott: The applicant went to great lengths to find a tasteful location and signage. They are also foregoing the window signage. She is in favor.

Winters: The awning seems to be the catalyst. If it wasn't for the awning perhaps the size would still need a variance, but the hanging element wouldn't be an issue.

Attorney Hartz wanted the Board to know that the signage and layout is subject to a layer of federal review to meet the FDA requirement. There were 2 redesigns for the signage.

Monahan: This building had a very large protruding hanging signage, which is now gone. The presentation was good. The awning is creating a hardship. He's not willing to object to the sign over that.

Wallner asked Walker asked about the Gems First sign. Walker stated he believes that that sign complies, just barely. The sign is below the sill of the 2nd floor window and the hanging bracket was a pre-existing nonconforming frame. Wallner is somewhat persuaded of the hardship of the awning.

Carley: The awning, for a good chunk of the year would help shade a large expansive glass. It's practical as well as aesthetic. It may have been a self-created hardship but with considerable justification. He is in favor.

A motion to approve both variance requests was made by Laura Scott based on the fact that they are reducing some of the signage that was there, the pre-existing nonconforming sign and they are not putting signage in the windows and it is tastefully done as well as keeping with the intent of the ordinance. Motion was seconded by Monahan. Winters: the awning suits the building well. Roll Call Vote: Scott - AYE, Wallner - AYE, Monahan - AYE, Winters - AYE, Carley - AYE. Motion passes by a 5-0 vote.

08-21 Robert and Deborah Holman: Applicants wish to remove an existing single-family residence and replace with a relocated, new single-family residential dwelling on the same lot and requests variances to:

- 1) Article 28-4-1(h), Table of Dimensional Regulations to allow a front setback of 19 feet and 5 inches where a 25 foot setback is required,
- 2) Article 28-9-2, Administrative Decisions, to permit the temporary use of a Recreational Vehicle (RV) to be used on the subject property during construction as a temporary residence in conjunction with the construction of a new structure when such use is neither listed or permitted under the Zoning Ordinance and in conformance with the use limitations under Section (d)(3), Temporary Use of a Manufactured Home, for property located at 8 Hope Avenue in an RM Residential Medium Density District.

Testified: Nick Colarusso, VP of Cedar Mill Group. Robert & Deborah Holman were also available to testify along with Jeffrey Martin, who is the owner of Cedar Mill Group and Mr. Demanchi. The Holman's wanted to do a large renovation to their home on Hope Avenue but due to the extensive structural concerns they felt they should rebuild the entire building. The existing home right now sits 4 feet from the back property line. The redesign will make the house more conforming than it is. Several homes in the neighborhood do not meet the front setback. Mr. Colarusso explained that the second variance request is for temporary residence in an RV. The Holman's have a dog and 2 cats and are having difficulty looking for temporary housing. This RV will be on site during construction so they wanted to utilize while their new home is being built. Mr. Colarusso believes it is a good idea to have someone on site when the construction company is not there. Also,

there has been such a shortage of temporary housing in the Concord area and when you bring a dog and 2 cats into the mix it's much more difficult. If they are granted, they want to tie the RV temporarily into the City sewer and water system.

Wallner asked what the time frame was to complete the project. Mr. Colarusso said approximately 8 months. They would like to start the middle to the end of March and end by winter.

Scott: You plan to be done by the end of this calendar year? Mr. Colarusso said that was correct. She has no concerns or questions regarding the setback encroachments as it will be more nonconforming. Her concern is about using the RV. They have alleviated some of her concern by saying they will be tying into City Water and Sewer lines. She has concerns about timeline of construction completion. Mr. Colarusso explained that there can be no guarantees for a hard completion date. He is willing to accept a timeline.

Winters asked about the aesthetic effect of seeing an RV there would be to the neighborhood. There are approximately 4 RVs parked on site by his own property. It's not out of the ordinary. This RV is brand new and water tight.

In favor: none.

In opposition: Martha Mitchell. The duration of the RV use is 8 months. What time will they start construction in the morning. What time will construction end in the evening. Colarusso stated that they typically work Monday through Friday. They start at 7:30 am and end 4:30 pm. They do not work weekends and are off on Holidays. Mrs. Mitchell said the RV is not a concern.

An email was received from Nathan Shaw of 6 Hope Avenue. If this encroaches on the neighboring lot lines he will not be in favor. A date for removal of the RV after the completion of construction should be considered.

Code: none.

Rebuttal: Mr. Colarusso explained that the time frame hinges on weather conditions or unforeseen things. Their company would like to get the owners into their new home expediently.

DECISION: Carley reviewed testimony as given.

Winters: The setback requirements seems reasonable. The lot is not large. They are not asking for that significant of a variance regarding setbacks. The RV: the ordinary ordinance allows for storage in the rear area, not to live in. He didn't hear where it would be parked. He'd be okay if it were going to be in a location where they would normally park it and put a cap on a reasonable time limit. Perhaps end of the calendar year. Carley asked if it were the side yard? Mr. Colarusso said yes.

Monahan: Setbacks: he feels this would be a general improvement to the lot. RV: They need a definition of temporary and if that were done, he would be inclined to approve it. He thinks they should come up with a number of months vs. the calendar year end. Walker read from the ordinance an excerpt on this Article number - a temporary use of a manufactured home, it shall be removed from the premises upon completion of repairs or an issuance of CO or 12 months, whichever occurs first. That is a requirement for a manufactured home vs. an RV. Carley asked if they were before the Board because it is an RV? Walker explained.

Wallner: Anytime we reduce the amount of nonconformity he's in favor. RV being a temporary residency is okay with him for 12 months. The applicant said it would be done by winter time.

Scott: She has no concerns about the first variance request. The RV she has concerns. The provision is there for natural disasters or accidents to the structure. It is not there because of voluntary construction. If they are going to do this have it be 12 months from the date the demolition permit is issued. If a motion were crafted it should include the completion of the RV use at 12 months from the date the City issues a demolition permit. He likes that they are tying into water and sewer. There is no hardship that she can see.

Carley: He is inclined to agree with other board members regarding the first request. RV: He's inclined to agree with those who are in favor of granting it. You can park an RV on the property with no one in it and the impact on the neighborhood would be nil. He's inclined to approve both variances.

Variance #1: A motion to approve the request was made by Wallner and seconded by Scott. Roll Call Vote: Scott – AYE, Wallner - AYE, Monahan - AYE, Winters - AYE, Carley - AYE. Motion carries by a 5-0 vote.

Variance #2: A motion to approve the request was made by Monahan and seconded by Winters. Monahan placed a condition on the motion that the deadline for no longer living in the RV would be 12 months after the issuance date of the

City Demolition Permit. Scott asked if they need to place a condition that they tie into the City Water and Sewer system? Walker explained that this will be part of the testimony and is a condition. Roll Call Vote: Scott - NAY, Wallner - AYE, Monahan - AYE, Winters - AYE, Carley – AYE. Motion passes by a 4-1 vote.

09-21 Peter and Sarah Miner: Applicants wish to operate a small engine repair business from their residence and requests Variances to Article 28-2-4(k), Table of Accessory Uses, Major Home Occupation (Accessory Use A-3) and Article 28-5-30(c), Major Home Occupation, Section (10)(c), to allow a small engine repair business to operate as an accessory, Major Home Occupation, when such use is not permitted as a Major Home Operation, for property located at 87 Shaker Road in an RM Residential Medium Density District.

Testified: Peter Miner. He had a specialized job with an engine and equipment manufacturer and due to the pandemic, he lost his job. To find a similar job that was available was difficult. It made sense to him to perform those services from his residence. They had started the business. They use their garage space as a shop. It's for things like lawn mowers, weed whackers and chain saws. He works primarily at a customers site from his service vehicle. Sarah Miner testified. Her husband is also a Purple Heart recipient and due to his injuries, it has been difficult to find a job. He goes to the site for many of the repairs and works better around his bodies needs. The majority of the things here do fit in their garage. Part of the variance is to park their service truck, which has signage on it. There is a sign attached to their garage also. Their abutter, Mr. Hicks, owns the abutting land on 3 sides of their property. They do have a letter of support from the neighbor across the street, Gina Allen Gray. They spoke with Patricia Hicks who told them that they do not write letters in support for this type of thing. Murray Farms Kennels, a commercial kennel, is located to the south of their location.

Winters asked if there was a zoning district boundary in vicinity of the property. Walker displayed it on the screen. The zone changes from RS to RM southerly of the property. (Mr. Murray has been before the Board and it was determined that he had a vested grandfathered right to have his business there.) Winters asked if Shaker Road school was allowed by right? Walker stated that as far as he is aware it complies. Mrs. Miner explained that the Shaker Road school goes from Pre-K to middle school.

Scott asked Mr. Miner to define for her what they consider a small engine repair shop. Mr. Miner explained that when he opened the business he worked on small engine items such as riding mowers, snow blowers, weed whackers, chain saws. Home owner power equipment.

Winters asked if most of the work was done inside his garage or outside. Mr. Miner answered that the vast majority of work is done inside. He has one piece right now outside due to size. Winters asked how much noise the repair work generates. And how many customers on an average basis are coming to and from. Mr. Miner explained that an average of 5 customers a week maximum would be coming and going. As far as noise, he operates between 8 am and 5 pm. He tries not to make a lot of noise. He's not using any commercial tools. During nice weather they do move things outside to do the work. But the majority is in the garage.

Scott felt that a tractor, in her opinion, would not be a small engine. Mr. Miner explained that the roll cage is an add on the customer put on the tractor and he didn't know about it. If the roll cage were not attached, the tractor would go into his garage. Scott reiterated that a tractor is not the same as a weed whacker. Mrs. Miner explained that the majority of the equipment coming to the house would be something that would fit in a car. They rarely have customers that have larger equipment such as a tractor.

Wallner asked if he were to drive to Mr. Miner's house on a Saturday would he see something that would make him think he was a (repair) garage? Mr. Miner said no.

Scott asked if he has to file anything with the State of NH or DES or with the City to get a permit. How is he making sure that there are environmental hazard precautions in place? Mr. Miner explained that he uses drip pans and oil catchers. He puts the waste oil in 5 gallon buckets and he has a company that uses waste oil to heat their shop and they come and get it.

Monahan asked how he manages storage when people arrive and leave farm equipment and logging equipment. How much storage is available. Mr. Miner explained that he tries not to work on large equipment at his property. He doesn't have a big enough shop. Mrs. Miner explained that he goes to the job sites or to the customers home. It minimizes the

traffic to their property. Monahan explained that if the Board approves this, it is an approval that goes with the property, not the use.

In favor: none.

In opposition: Attorney Friedrich Moeckel. He represents Douglas Hicks, Trustee of the Douglas W Hicks 2000 Trust. They would like to know how much of his garage and storage shed he uses for the business. He submitted a letter to the Board earlier today. The Board concurred that they all received it. Attorney Moeckel explained that from a legal perspective this is a major home occupation. In the medium density residential district, this would only be allowed by special exception. It's listed on the agenda as a major home occupation so in addition to allow by variance a small home engine repair, the applicant needs to come back to the Board for a special exception unless Code has interpreted it differently. Walker explained that is the premise so they went forward. Cannot grant variances from required conditions for a special exception. Winters asked if it requires a variance by definition, and if a variance is approved, it trumps the necessity for a special exception. (essentially correct) Walker explained. Carley asked if the variance were granted the conditions considered under a special exception also comes forth. Walker answered that was not correct because a special exception no longer applies.

Attorney Moeckel agrees in part with Mr. Walker. The Board is still required to determine whether granting the variance is within the spirit of the ordinance. Article 28-5-30c was referenced. Does this request violate any of those provisions? Does it create excessive noise? They testified earlier that the applicants are collecting used motor oil and Attorney Moeckel supplied more pictures that the Hicks have observed and have actually smelled burning motor oil at the site. It's not verified that the oil is being shipped off site to be burned elsewhere there's photographic evidence that is being burned on site in the RM district that directly contradicts one of the 10 criteria. He requests the board to determine how much of the garage and how much of the external storage unit (a 10x20 storage building) is used for the business. The applicant established the business in the summer of 2020 and here we are in March of 2021 requesting permission to commence what is already commenced. There's no evidence with respect to how this property is unique, and how this variance will not affect surrounding property values. He has heard no evidence to how it will affect the surrounding property values.

Letters in file: Letter from Attorney Moeckel of Tarbell & Brodich PA (not in support). A letter from Alan & Jean Gray of 88 Shaker Road (supportive). They have no issues or concerns. They have no objections. They have a letter from Douglas Hicks of 95 Shaker Road in opposition. They have a letter from Debbye Tardif of 92 Shaker Road in opposition. This will negatively impact the value of her homes. Feels they clearly intend to repair large equipment. Believes they are burning oil in the back yard. Creates unpleasant smells and is bad for the environment. Attorney Moeckel's letter notes they serve tractors of all sizes. There are two full size tractors in repair in the front yard and an industrial lift truck. There is no hardship. The property is not big enough to handle the business. There are environmental issue concerns and noise and aesthetic concerns. They are opposed to allowing the Miner's to operate in a limited manner.

Code: Comment - These types of uses are difficult to monitor. If this is granted, he would request a strict condition that nothing be stored outside of any of the buildings.

Chair Carley asked the Miner's the percentage of the buildings being used. They are utilizing their entire 24x25 garage and half of their 10x20 shed is set up for the business. It will soon be all of that 10x20 shed. They personally own a large John Deere tractor that they use on their property. They spoke to both of their neighbors. Ms. Tardif and Mr. Hicks are related. They have a pellet stove inside the garage that died this year which emitted black smoke. They have burned brush in the back yard, not oil.

Rebuttal: see above.

DECISION: Carley reviewed the testimony as given.

Winters: He'd like to congratulate the Miner's for their entrepreneurship. He also thank Mr. Miner for his service to our country. The problem is that it is hard to grant this and put any kind of meaningful restrictions on it. The nature of this kind of business is that they have to do a certain amount of volume to make it work. It's hard to conceive that all these things will be stored inside. If the business grows it would be difficult to contain. He would be opposed.

Monahan: What's being proposed is too intense for a residential neighborhood. He's concerned with preventive measures for environmental hazards. He's trying to get a better handle on the nature of the business. The off-site business piece would not require the same kind of approval here he believes. This is a lot of on site things. He is not inclined to approve.

Wallner: He agrees with what Monahan said. There is an argument for someone who visits other homes to do that. Having off-site to the extent concerns him also.

Scott: There was no hardship represented. This is what Mr. Miner has done in his previous jobs. There is no hardship as to why the rules shouldn't apply to this property. He will need to do volume to be successful. She feels this isn't the intent of the Ordinance. It doesn't seem to fit. She is not in support of this.

Carley: Agrees with Board.

A motion to deny the request for the reasons stated was made by Winters and seconded by Monahan. Roll Call Vote: AYE: Winters, Monahan, Wallner, Scott, Carley. Motion to deny passes by a 5-0 vote.

10-21 Concord School District: Applicant wishes to subdivide the former City Stables building, along with adjacent property for access and parking, from the Concord School District parking lot (former City maintenance sheds) for use as a museum which will house and display, among other items, historic horse drawn carriages and requests variances to:

- 1) Article 28-4-1(h), The Table of Dimensional Regulations, to permit a 10 foot +/- setback from the westerly property line where a setback of 25 feet is required.
- 2) Article 28-4-1(h), The Table of Dimensional Regulations, to allow the subdivision of a lot with 49.5 feet +/- of frontage where 150 feet is required,
- 3) Article 28-4-1(h), The Table of Dimensional Regulations, to permit the creation of a lot with 22,654 square feet of land where 25,000 square feet is required,

All for the portion of the property to be subdivided from the current Concord School District property as shown on the proposed subdivision plans prepared by Richard D. Bartlett Associates, Dated January, 2021, at 111.5 Warren Street in an IS Institutional District.

Testified: Mark Sargent. This parcel is 3.52 acres with 49.5 feet of frontage on Warren Street and 409.3 feet of frontage on Pleasant Street. It is currently a parking lot for the high school. The old City Stables is located on this property. The lot being created would be 22,654 s.f. where 25,000 s.f. is required. The school district will transfer the parcel to the city and the city building will be used as a museum.

They have a westerly setback of 10 feet. A new lot with 49.05 feet of frontage will be created. The lot will be 22,654 s.f. vs. 25,000 s.f. lot size. The historic nature of building on the property is a special condition of the property. He believes the variance will not be contrary to the public. It will have sufficient area and parking for the use. The building will be used as a museum. This use will result in substantial justice. The use will enhance the neighborhood.

Monahan asked what type of museum it will be and is it open to the public? Sargent answered that it will house the Abbott Downing collection the City has along with other artifacts. The time of the use is different than the high school's time of use. Scott doesn't believe it will be an every day open museum but will have limited hours. That's gleaming from what she's read and heard. Monahan asked if it were a private nonprofit museum? Walker doesn't have the details to fully answer those questions. Walker understands the city will purchase the property and then it will be leased to a nonprofit entity who will operate the museum.

Carley asked if the new lot will be 'L' shaped? Sargent said that is correct. It will front on Warren Street and come down the access road that runs all the way from Warren to Pleasant and just past the building then goes to the left and around to the westerly side of the building. It's an "L" and a "U". There will be an easement provided to allow the school district to use the access road.

In favor: Elizabeth Corell of 9 Liberty Street. She thinks it is wonderful. It's her back yard. She's delighted to see the building renovated and utilized.

In opposition: none.

Code: none.

DECISION: Carley reviewed the testimony as given.

Scott: A great use. It's Abbott Downing Historical Society, which is an existing non-profit.

Wallner: He is in favor of it. The hardship is the uniqueness of the location of the property.

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Monahan: He wishes the school department gave more information on the intensity the museum would create. (Walker clarified for the record, that this is a request by the City of Concord to obtain the property from the school district, the CSD is only the seller.)

Winters: He agrees with Wallner and Scott. He feels it is unique.

Carley: He agrees with other board members regarding the various points.

Scott: She's not sure how big of a draw the coaches will be as far as traffic increasing. It's usually on a weekend when they bring the coaches out.

A motion to approve the variances was made by Scott and seconded by Winters. Roll Call Vote: AYE: Scott, Wallner, Monahan, Winters, Carley. Motion passes by a 5-0 vote.

Minutes of February 3, 2021: A motion to approve the Minutes as written was made by Wallner and seconded by Winters. Motion passed by a 4-0 vote. Scott abstained.

Carley had a suggestion for the IT department to place the link to the meetings on the web page where the ZBA is located. Recording secretary explained that we have placed it on the Zoning Page, we want it on the Zoning Page and we will follow up to make sure it is on the Zoning Page.

Adjourned at 9:17 pm.

A TRUE RECORD ATTEST,

Rose M. Fife, CLERK
ZONING BOARD OF ADJUSTMENT