



City of Rochester, New Hampshire

Zoning Board of Adjustment

MINUTES OF THE ROCHESTER ZONING BOARD OF ADJUSTMENT MEETING HELD ON JUNE 10, 2020

The Vice Chair called the meeting to order at 7:00 PM.

Roll Call:

The Zoning Secretary conducted the roll call.

Members Present

Bob Gates – Vice Chair
Leo Brodeur
Paul Giuliano, Alternate
Taylor Poro, Alternate

Members Absent

Larry Spector – Chair
Susan DeLemus, Alternate

Members Absent (Unexcused)

Shon Stevens
Terry Garland, Alternate

Also present: Jim Grant, Director for Building, Zoning and Licensing
Dee Mondou, Secretary for Building, Zoning, and Licensing

These minutes serve as the legal record of the meeting and are in the format of an overview of the Zoning Board of Adjustment meeting. It is neither intended nor is it represented that this is a full transcription. A recording of the meeting is on file online at www.rochesternh.net for a limited time for reference purposes.

MEETING PREAMBLE DURING COVID-19 EMERGENCY

Good Evening, as Chairman of the ZBA, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name and ward, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

Approval of Minutes:

The minutes from May 13, 2020 were reviewed; Mr. Brodeur made a motion to accept the minutes, Mr. Poro seconds the motion. The motion carried unanimously by a voice vote.

Seating of Alternates:

Vice Chair Gates assigned all present to vote on the following cases.

New Cases:

Z-20-10 James and Marsha Smith applicants seek a *Special Exception* from Table 18-A of the Zoning Ordinance to permit an accessory apartment in the R1 Zone.

Location: 10 Roulx Dr, Rochester, NH 03867, MLB 0109-0036-0000 in the Residential 1 Zone.

James Smith presents their case and reviews the 5 criteria and why he feels a Special Exception should be granted.

Vice Chair Gates asks if there are any comments for or against the Special Exception. No public input received.

Vice Chair Gates asked for the City's opinion. Mr. Grant reviews how there are similar homes nearby and he doesn't feel this would change the characteristic of this neighborhood.

Mr. Giuliano makes a motion to approve the Special Exception based on the application submitted. Mr. Brodeur seconds the motion. Roll call vote carried unanimously to grant the Special Exception.

Mr. Grant advised that anyone affected directly by the decision has the right to appeal within 30 calendar days.

Z-20-11 Chris Strickler, applicant seeks an *Equitable Waiver* to the terms of RSA 674:33-a SubSection I and asked that said terms be waived to permit construction of a single family home, part of which is inside the 15 foot setback.

Location: 24 Eisenhower Dr, Rochester, NH 03867, MLB 0237-0003-0009 in a PUD Zone

Chris Strickler presents his case and reviews the history of this project and why his Equitable Waiver should be granted.

Vice Chair Gates asks if there is any comments for or against the Special Exception. No public input received.

Vice Chair Gates asked for the City's opinion. Mr. Grant reviews how this was nothing more than a technical error and does not feel it was intentionally done.

Mr. Brodeur makes a motion to approve the Equitable Waiver based on the information provided by the City. Mr. Poro seconds the motion. Roll call vote carried unanimously to grant the Equitable Waiver.

Mr. Grant advised that anyone affected directly by the decision has the right to appeal within 30 calendar days.

Other Business:

Adjournment:

Mr. Giuliano motioned to adjourn the meeting. Mr. Brodeur seconds the motion. Motion carried unanimously by voice vote. Meeting adjourned at 7:32 PM.

Respectfully Submitted,

Dee Mondou

Dee Mondou Secretary for
Building, Zoning, and Licensing Services