

Town of Epsom
Zoning Board of Adjustment
2/18/09

In attendance: Glenn Horner, Chairman; George Carlson, Vice Chairman; Rick Belanger; Alan Quimby; Mark Riedel; Keith Cota, Selectman's Representative; Darlene Phelps, Recording Secretary;

Not In attendance: Pam Hoyt-Denison (Alternate)

Also in attendance: Anna Zimmerman, Jim Bianco, Paul Zarnowski, Stedman Holden, John Hickey, Ron Lavoie, Charles Moody, Bruce Reynolds, Gordon Ellis

7:00 PM Glenn opened the meeting. The minutes of 1/21/09 were reviewed. Rick made a motion to approve these minutes as amended. Alan seconded the motion. All in favor.

KingsTowne Mobile Home Park

Glenn stated that this Public Hearing was posted in two public places and all abutters have been notified by certified mail. All certified return receipts have been received with the exception of Anna Weisse Dewick.

Glenn stated that all evidence will be received tonight and the Public Hearing will be closed without a decision. After tonight, the ZBA will meet with the BOS and KingsTowne attorneys and our attorney and a decision will be made as to whether to modify the existing agreement.

Attorney Bianco explained KingsTowne's desire to increase the number of lots located in KingsTowne Mobile Home Park.

Anna Zimmerman explained that there were 11 lots that were severely flooded. 4 homes will be replaced on the existing lots. They would like to relocate the 7 homes/lots that need to be in a new location, plus add 7 new lots.

Atty Zimmerman provided a detailed cost analysis of rental losses, development costs, and summary of losses/costs.

Atty. Bianco noted that 7 of these lots are a given – they are asking for 7 additional lots. This community is for adults only – so there are no children going to school. The biggest draw on town services will be emergency services. The town will gain approximately \$5,500 per year in new tax revenue on the homes.

There was a brief discussion about whether they can generate revenue by marking up the cost of a mobile home. Mr. Stedman Holden stated that even if they have to sell the home at cost – or a loss – at least the monthly rental amount will generate some income.

Mark asked if Mr. Hines (the owner) is an American citizen. Atty. Bianco said he is a Canadian citizen. Mark asked if there was any insurance money for the flooding. Atty. Bianco said there was no insurance money, and when asked stated that there is no FEMA (or other government) assistance available.

Ron Lavoie, President of the Tenants Association, stated that on behalf of the Tenants Association, he is in favor of the increase of lots. The tenants are looking forward to getting the park back in order – getting the new clubhouse built, etc. He also wanted to note that the costs for the new road & water system is not going to change whether only 7 lots are replaced, or all 14 built. Glenn asked if the tenants are in favor of losing the open space around the clubhouse, since there will be buildings around it. Ron stated that the open area will now be located down by the river, and the tenants are really looking forward to a nice new clubhouse, which will also

be handicapped accessible. The new clubhouse will be built only as part of the package of having the new lots built.

Glenn asked about lots 5 & 6 – that the plan shows an abutters stockade fence right beside them. Atty. Bianco said he met with Bob Griggs & he had no objections to the placement of these lots. Stedman said there is a thick tree line between properties.

Jay Hickey stated his appreciation of the ease of working with Stedman. Jay feels the cost of replacing the homes will be more than the applicant is anticipating. Jay also said the cost of insuring the homes in the flood plain will increase dramatically. Jay stated that the clubhouse is a requirement – they must maintain a clubhouse. Mr. Lavoie stated that a new clubhouse was planned before the flood. Jay said he met with FEMA today and a much larger area is now considered part of the flood plain. Jay also asked the board to consider the aesthetics along Route 28 – that if all 7 homes are granted – they would be placed in sight of Route 28, and he feels it will take away from the positive appearance from Route 28. Jay feels that a total of 10 new lots, with one empty spot for a future relocation, would be his preference. He said the Shoreline Protection Act has affected the relocation of these lots also.

Keith questioned why the rents that would be received on the original 7 lots, is not being considered as part of the revenue to pay for the new lots as well. It appears that the figures that were provided show the new lots as the primary revenue to pay for the replacement of all of them. Keith also agrees with Jay that there is likely a reasonable number in between 7-14 that may be acceptable. He stated that the road is going to serve the entire park – not just the new lots (or replacement lots) – and the entire cost should not be considered a cost entirely for the new lots. Keith expressed his concern about Lot #13 because it is still considered unsafe. Atty. Bianco said the person who owns the home on that lot refuse to leave – and they can't be forced to leave.

Gordon Ellis stopped in to voice his opinion that he doesn't feel they should be allowed to add an additional 7 lots.

Atty. Bianco thanked the board for it's time & consideration & simply asked for an explanation of whatever decision is made.

Rick made a motion to close the Public Hearing. George seconded the motion. All in favor.

8:40 PM - 8:50 PM Break

Discussion: Mark feels the extension of Queens Lane down to Kings Row provides needed access for emergency access. This entire process is to eliminate the lots along the river. The lots along Route 28 are not aesthetically pleasing. Site #'s 8-12 – as shown on the concept map (and potentially site #13) along the Suncook River shall be converted to greenspace. This area is not to be used for any type of vehicle or building, and is for recreational use by the tenants only.

Rick made a motion to recommend to the BOS the following change to the agreement with KingsTowne MHP by granting the use of lot numbers 6-15 and reserving lot #5 as a replacement lot for site #13 should that be necessary. This would eliminate lot #'s 1,3,4. Site #'s 8-12 – as shown on the concept map (and potentially site #13) along the Suncook River shall be converted to greenspace. This area is not to be used for any type of vehicle or building, and is for recreational use by the tenants only.

Alan seconded the motion.

All in favor.

Rick & Glenn will be meeting with BOS and Town Counsel to discuss this further.

Glenn made a motion to continue the deliberations to March 18 at 7PM. Alan seconded the motion. All in favor.

2008-19 James Butler of JB's Mini Trucks LLC has applied for a Variance to Article II, Section E (Motorized vehicle sale facilities) and a Special Exception to Article II, Section C [Table of Uses], Part 5 [Motor Vehicle Sales] to permit vehicle sales within 1000 feet of another motorized vehicle sales facility. The property is located on the south side of Route 4 (Dover Road) within the Residential/Commercial Zoning District and is identified on Epsom Tax Map U-1 as Lot 78.

Glenn noted that Mr. Butler has not made contact with him to withdraw his application, and he is not in attendance tonight.

Alan made a motion to deny the application due to failure to provide sufficient evidence in support of his case. Rick seconded the motion. All in favor.

9:15 PM

George made a motion to adjourn. Alan seconded the motion. All in favor.