ZBA

#### Town of Epsom

**Zoning Board of Adjustment**

**03/06/2019**

**In Attendance:** Glenn Horner, Chairman; George Carlson, Vice Chairman; Mike Hoisington, Planning Board Rep; Alan Quimby, Member; Mike Bussiere, Alternate; Gary Kitson, Alternate (arrived at 7:27pm); Leann Fuller, Recording Secretary

**Not In Attendance:** Andrew Ramsdell, Member

**Also in Attendance:** Virginia Drew, Selectman; Cashlyn Powers, Stephen J. Neil, Gina Neily, Michael Shaw, Susan Ahern, Sharon Heinemann, Melina LaValley, Michelle Hurley, Heather Bowes, Cheryl Gilpatrick, Gary Pagano, Meadow Wysocki, Jon Rokeh, Bob Bair

**7:03 PM** Glenn called the meeting to order and introduced the members of the board.

**Case 2018-14** (Danbe Realty, LLC – Var) – [Continuance] Betty and Michael Mercier, on behalf of Danbe Realty, LLC, have applied for a Variance to Article II, [Zones and Districts], Section C [Table of Uses] to establish a wedding and event venue on their property and in an existing barn. The Table of Uses does not include wedding and event venues; therefore, they are not permitted. The property is located on Echo Valley Farm Road within the Residential/Agricultural Zoning District and is identified on Epsom Tax Map R-9 as Lot 54-1.

Glenn read a withdrawal letter into record.

Bob Bair, 25 Echo Valley Farm Road, spoke to the audience. He stated that thanks to the Neily’s and the Keyes, they now have a petition. Bob is hoping that the Mercier’s decide to do something more in line with the neighborhood.

Glenn reviewed the case and meeting procedures.

Glenn advised that this public hearing was published in the Concord Monitor, posted at the Town Office & the Post Office and all abutters were not re-notified as this was a continuance.

***Mike H. made a motion to accept the withdrawal of Case 2018-14 (Danbe Realty, LLC-Var) Betty and Michael Mercier, on behalf of Danbe Realty, LLC, have applied for a Variance to Article II, [Zones and Districts], Section C [Table of Uses] to establish a wedding and event venue on their property and in an existing barn. The Table of Uses does not include wedding and event venues; therefore, they are not permitted. The property is located on Echo Valley Farm Road within the Residential/Agricultural Zoning District and is identified on Epsom Tax Map R-9 as Lot 54-1, seconded by Alan. All in favor.***

The minutes of 02/20/19 were reviewed.

***Alan made a motion to approve the 02/20/19 meeting minutes as presented. Mike H. seconded the motion. All in favor.***

**Case 2019-01** (Cobblestone Properties of Epsom, LLC - SE) - Alan Johnson, on behalf of Cobblestone Properties of Epsom, LLC, has applied for a Special Exception, required by Article II, Section C, Table of Uses as approved by the Planning Board and expected to be approved by Amendment #3 of the Town’s 2019 Warrant on March 12, 2019, to establish a self-storage facility of approximately 330 individual units along with additional outside storage and an apartment for a facilities manager. The property is located on Gauthier Drive within the Residential/ Commercial Zoning District and is identified on Epsom Tax Map U8, Lot 82-3.

Glenn advised that this public hearing was published in the Concord Monitor, posted at the Town Office & the Post Office and all abutters were notified by Certified Mail. All certified receipts were received back except GSD Properties and Jon Rokeh.

Glenn mentioned that this case is unique because there was a discussion regarding getting self-storage facilities into the table of uses. The Planning Board did approve it but it will be going to Town vote. Jon Rokeh is confident it will pass on March 12th. If it does not pass, then the Special Exception is not valid and it would be a Variance.

Jon Rokeh reviewed the plan. The site has had a lot of different things proposed on it. Over the course of 2018, the self-storage is a concept that got put together. Everything fits. It is the last developed lot on Gauthier Drive and the road is paved to there already. There will be a driveway in and there will be an office for the facility and an apartment above the office for a facility manager to live there and run the facility. The two long buildings are typical self-storage buildings with garage doors on both sides. There will be one 50x100 building that is climate controlled. The Phase 2 buildings are not planned right away. The units are listed in the application so they are covered. The buildings for Phase 2 will be outdoor storage to start with. A year from now, they plan to complete Phase 2 and build the 70x70 RV building. This site will require an Alteration of Terrain permit through the state. The drainage design was completed previously. This site will be serviced by septic and well for the office and apartment. There is low demand for water and sewer. The traffic demand is minimal. There will be a gated entrance and fencing around the project. Gauthier Drive was set up for a commercial development. There is a Warrant Article on the ballot and if that passes, a storage facility will require a Special Exception. If it does not pass, it would be a Variance. Jon ran through the Special Exception checklist:

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1. Jon did present a complete plan of the proposed development. The Planning Board will get the same plan as well. .

2. The requested use is desirable to the people in the community. The only other self-storage facility is Circle self-storage and they are full and have been for a long time. They are going through the process of building another Circle Self-Storage on Route 4 so they may end up competing for business but there will be enough for both facilities.

3. The request will not impair the integrity or character of the immediate or adjoining areas because as all of the uses along Gauthier Drive are commercial.

4. The specific site is appropriate because all lots are commercial use and this is one of the least intensive uses for this property.

5. No factual evidence that the storage facility use will adversely affect the property values. It will only enhance the values. This could also spur development on the larger lot next to it.

6. No undue traffic, nuisance or unreasonable hazard will result because of the requested use because self-storage facilities are low intensity use with no recurring traffic. It will be located on a town road (to be accepted by the town this spring) connecting to Route 28 which gives it great access.

7. Adequate and appropriate facilities will be provided because they are putting in everything the site needs, including drainage, grading, erosion control, septic and well.

8. All valid objections presented at the public hearing are given full consideration. However, there are no objections at the public hearing. If any arise, Jon will address those.

9. The proposed use has an adequate water supply and sewage system as a septic and well will be installed. Jon did state that in order to get a Certificate of Occupancy for the apartment, septic and well will have to be installed.

Around the outside of the buildable area there are wetlands. Glenn mentioned that the 70x70 RV storage building seems to be tight. Glenn stated that the building must meet setbacks and then asked if this facility would be a 24 hour operation. Jon said that the security gate will be accessible 24 hours via a key card. That is part of the reason for having an onsite manager. There will be fencing around the facility and lighting pointed in the downward direction. The utilities include electricity through poles going up the road but will be underground at the lot.

Mike Hoisington asked if the 70x70 RV building would be enclosed, Jon said it would be. Mike asked the height and Jon said about 35 feet. Mike had an issue with access for the Fire Department. It is a high hazard. There is only one access point from the front to get to that building. Jon stated he would be sitting down with the Fire Department prior to the Planning Board meeting to go over that. Mike would also like to see the snow storage put on the plan.

***Glenn opened the public hearing for public comment at 7:35pm.***

Cheryl Gilpatrick asked how long the project will be in progress for; Jon stated that by the fall, it should be complete. The owner stated that they will eliminate the 70x70 RV Building to resolve any issues with the site plan. It will remain outdoor storage in that area.

***Mike H. motioned to close the public hearing at 7:40pm, seconded by Alan. Motion passed.***

The Special Exception Checklist was reviewed:

Question 1: All answered yes.

Question 2: All answered yes.

Question 3: All answered yes.

Question 4: All answered yes.

Question 5: All answered yes.

Question 6: All answered yes.

Question 7: All answered yes.

Question 8: All answered yes.

Question 9: All answered yes.

***Alan made a motion to conditionally approve Case 2019-01 (Cobblestone Properties of Epsom, LLC - SE) - Alan Johnson, on behalf of Cobblestone Properties of Epsom, LLC, has applied for a Special Exception, required by Article II, Section C, Table of Uses as approved by the Planning Board and expected to be approved by Amendment #3 of the Town’s 2019 Warrant on March 12, 2019, to establish a self-storage facility of approximately 330 individual units along with additional outside storage and an apartment for a facilities manager. The property is located on Gauthier Drive within the Residential/ Commercial Zoning District and is identified on Epsom Tax Map U8, Lot 82-3, seconded by Mike H. Motion passed.***

The Special Exception was approved with the following conditions:

1. All buildings shall be constructed and maintained a minimum of 50 ft. from existing wetlands as defined by the New Hampshire Department of Environmental Services.
2. The septic system for the new business office and apartment shall be approved through the New Hampshire Department of Environmental Services. The septic system shall be installed as approved and verified by the Zoning Compliance Officer prior to issuing an occupancy permit for the business office with apartment.
3. Natural vegetation shall be retained, to the maximum extent practical, during and following development of the property.
4. The 70’x70’ RV building identified on the submitted plan shall be eliminated from the project and not constructed as proposed.
5. The applicant shall complete the non-residential site plan review with the Planning Board prior to commencing business operations.
6. Should Amendment #3 of the Town’s 2019 Warrant which adds self-storage buildings to the Article II, Section C, Table of Uses not be approved by the voters on March 12, 2019, this Special Exception approval shall be revoked. The applicant may then seek variance approval in order to proceed with this project.

***Other business:***

Reminder: The Spring 2019 Planning and Zoning Conference will be held on Saturday, June 1st, 2019 at the Grappone Conference Center in Concord, NH.

***Gary made a motion to adjourn at 7:56pm, seconded by Mike H. Motion passed.***