ZBA

#### Town of Epsom

**Zoning Board of Adjustment**

**4/18/18**

**In Attendance:** Glenn Horner, Chairman; George Carlson, Vice Chairman; Mike Hoisington; Gary Kitson, Alternate; Andrew Ramsdell, Alternate, Leann Fuller, Recording Secretary

**Not In Attendance:** Ricky Belanger and Alan Quimby

**Also in Attendance:** Jay Hickey, Virginia Drew, Selectman; Vicky McAtee; Jeff Eaton, Aaron Amara

**7:00 PM** Glenn called the meeting to order and introduced the members of the board. The minutes of 04/04/18 were reviewed.

***Gary made a motion to approve the 04/04/18 meeting minutes as amended. Mike seconded the motion. All in favor.***

Glenn reviewed the procedure for the meeting.

**7:03 PM Case 2018-05 (Bohler Engineering – Var) - Jim Cranston, on behalf of Bohler Engineering, has applied for a variance to Article III, Section M (Sign), Sub-Section (1.c) which prohibits flashing or animated signs. The applicant is requesting to modify its previously approved internally lit signs to allow for the display of a McDonald’s Restaurant digital Pre-Browse Board and Menu Board. The property is located at 1881 Dover Road within the Residential/Commercial Zoning District and is identified by Epsom Tax Map as U-05, Lot 11-1.**

The members voting on this case will be Glenn, George, Andrew, Mike & Gary

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 with the exception of TDBank.

Jim Cranston from Bohler Engineering spoke about the Variance request for a new digital menu board at McDonald’s. McDonald’s will be remodeling there site and building per their Planning Board approval. Jim mentioned that the zoning does not specifically define menu boards. Jim went over the site plan as it is now and the proposed plan. The new menu board will be behind the building as it is now. It will be 22 square feet in size, about half the size of the existing one. It is not visible to motorists. The intent of the regulation was to prohibit these types of signs out by the street, this is not flashing and it is not offensive in any way.

Glenn stated that this is in the public interest. Jim went over the fact that this sign is more for convenience and they are not changing operations, not effecting traffic or circulation. Glenn spoke about a prior Variance for a free standing sign to be internally lit instead of externally at McDonald’s.

Andrew asked if Jim had a letter to speak on behalf of McDonalds. Aaron Amara is in attendance who is a representative from McDonald’s.

Glenn opened up to the public at 7:10pm. Public attendees have no opposition.

Jim briefly reviewed the site changes they will be making.

Gary made a motion to close the public hearing at 7:12pm. Seconded by Andrew. All in favor.

The checklist was reviewed:

Question 1. All members answered yes.

Question 2. All members answered yes.

Question 3. All members answered yes.

Question 4. All members answered yes.

Question 5. All members answered yes.

Glenn stated there would be no conditions if this is approved.

***Gary motioned to approve the Variance application, seconded by Mike. All in favor.***

**7:17 PM Case 2018-04 (McAtee – SE & Var) - Vicky McAtee has applied for a special exception, as required by Article III, Section G, Paragraph 1.e.viii, and a variance to Article III, Section G, Paragraph 1.e.iv to construct an 896 sq. ft. accessory dwelling unit (maximum 750 sq. ft. allowed) which will be attached to an existing single-family residence. The property is located on Leighton Brook Drive within the Residential/ Agricultural Zoning District and is identified on Epsom Tax Map U10 as Lot 67.**

Jeff Eaton stated that they are withdrawing the Variance for the size of the ADU. The size will be 27x27 and they are getting rid of the porch completely. Jeff reviewed the drawing with the board members. They want more of a “doghouse” than a bulk head. That will be for the basement access.

Glenn asked about putting internal stairs in the building but it would take up more space and the Variance would be required. The Board discussed if the “doghouse” entrance would need to be included in the square footage. Jeff stated that if he wanted to change it and include an internal set up stairs and go to 760 sq. ft. instead of having to go outside, it would still require a bump out in the foundation.

Glenn stated that if we consider the “doghouse” as part of the existing home, that would avoid the Variance since it will be attached to the current residence. Jeff wanted to note that there was plenty of public notification given and there is no one here to oppose it.

Jeff stated that he has downsized it enough to not require a variance and the basement access would be outside. Andrew stated he thinks the way it was submitted should be the way it is approved. It will be included in the decision that the “doghouse” is part of the existing residence not the ADU.

**7:43pm** Glenn opened it to the public.

Jay stated it would work as long as the “doghouse” entrance is not considered part of the ADU.

Glenn stated that the bedrooms in the existing residence would go from 3 to 2 and the ADU will be 1 bedroom. They may create more bedrooms if a new septic is designed and installed.

**7:50pm** Gary made a motion to close the public hearing. Mike seconded the motion. All in favor.

The checklist was reviewed:

Question 1. All members answered yes.

Question 2. All members answered yes.

Question 3. All members answered yes.

Question 4. All members answered yes.

Question 5. All members answered yes.

Question 6. All members answered yes.

Question 7. All members answered yes.

Question 8. All members answered yes.

Question 9. All members answered yes.

***Andrew made a motion to approve the Special Exception application with the following conditions:***

1. ***The interior space within the ADU shall be limited to a maximum of 750 square feet.***
2. ***The shelter providing access to the basement (aka “doghouse”) of the ADU is not considered part of the ADU interior space.***
3. ***The number of bedrooms in the existing dwelling shall be reduced from 3 to 2 and the ADU is limited to 1 bedroom so the existing 3 bedroom septic system may continue to service the property. The septic system may be redesigned and installed to allow for an increase in the number or bedrooms in both the existing dwelling and/or the ADU. The redesigned/installed septic system shall be verified by the ZCO to ensure the septic capacity is consistent with the increase in the number of bedrooms prior to the utilization of the additional bedrooms.***

***Mike seconded the motion. All in favor.***

It was stated that they may proceed at their own risk with the foundation knowing that any abutters have 30 days to rebut the decision.

**8:05 PM** Andrew made a motion to adjourn. Gary seconded the motion. All in favor.