

ZBA
Town of Epsom
Zoning Board of Adjustment
2/15/17

In Attendance: Glenn Horner, Chairman; George Carlson, Vice Chairman; Alan Quimby; Ricky Belanger; Gary Kitson, Alternate; Mike Hoisington, Alternate Darlene Phelps, Recording Secretary

Not in Attendance: Andrew Ramsdell, Alternate

Also in Attendance: Jay Hickey; Thomas & Wendy Cifelli; David Stewart,

7:00 PM Glenn called the meeting to order and introduced the members of the board.

The minutes of 1/18/17 were reviewed. Gary made a motion to approve the minutes as amended. Alan seconded the motion. All in favor.

Glenn introduced the members of the board and reviewed the procedure for the meeting.

7:00 PM Case 2014-11-1 (Eames – Var. Reinstate) [Continuance Hearing] - Jeffery and Rachel Eames have applied for the reinstatement of a previously approved variance to Article III, Section G [Residential Single and Multi-Family Residences Requirements], Subsection 2 [Two-Family Residences] to permit the conversion of a single family residence to a duplex. The variance approval was suspended when it was learned that a portion of the residence was located on property which was not owned by the Eames. The property is located on Meadow Lark Lane within the Residential/Agricultural and Residential/Commercial Zoning Districts and is identified on Epsom Tax Map U-01 as Lot 112, Sub-lot 6.

Glenn advised that we have received a request from Attorney Simon Leeming on behalf of the Eames requesting a continuance to March 29. Mike made a motion to continue to March 29, 2017. George seconded the motion. All in favor.

7:04 PM Case 2016-07 (Stewart – Var.) - David M. Stewart, has applied for a variance to Article II [Zones and Districts], Section C [Table of Uses], Numbers 1 [Retail establishment], 3 [Eating and Drinking places] and 25 [Manufacturing]. The applicant plans to open a nano-brewery which will include a place for eating and drinking within the facility. These uses are not permitted in a Residential/Agricultural Zone. The property is located on Griffin Road within the Residential/Agricultural Zoning District and is identified on Epsom Tax Map R-9 as Lot 49.

Glenn briefly reviewed this case and the items that were requested of him at the previous meeting. David Stewart was sworn in.

The members voting on this case tonight will be Glenn, George, Ricky, Alan & Gary.

David said he spoke to Chief Preve and he said the Chief does not foresee any problems with the proposal. David also spoke to Joel French at the Fire Department and the only items of concern were a second egress, which is there already and a handicapped entrance, which David will address when the ground thaws.

David provided a drawing to scale showing the layout of the property including the well, septic and all buildings. He also provided a report of his existing septic plan from Schauer Environmental Consultants. This report shows that his current system will allow for 1800 gallons per day and his facility has the potential to create 1773 gallons per day.

David also explained that he's considering using a closed loop system for his water cooling, which will save his water use considerably.

The board is concerned that a larger septic system will be required, when considering potential patrons & the additional use required when the kitchen is installed.

It was discussed that by limiting operating hours to one full day and 3 afternoons per week, plus limiting the seating to 20 people at any particular time, the current septic system will likely support the usage.

Gary asked David if he is looking to get just the nano-brewery going, or the whole operation... David responded that he'll do whatever works best. Gary suggested perhaps we consider the nano-brewery at this time and then when he is ready to move forward with the full operation, including the kitchen, etc., he would come back to the ZBA for that expansion. David agreed this is the best way to proceed.

The board would like David to upgrade his plot plan. In addition, the board requested that David ask Schauer Environmental what improvements might need to be done to the existing septic system in order for it to appropriately serve the home and the nano-brewery. The general thought is that it might be more suitable to install a new septic system to serve the nano-brewery and leave the existing septic in place to serve the home.

They'd also like to see the plan show the septic system and leach field. The board doesn't feel that he needs to invest money on a professional plan, but would like to see more detail on the plan he prepared.

Gary made a motion to continue to March 15. George seconded the motion. All in favor.

8:00 Case 2017-01 (Cifelli - SE) - Thomas and Wendy Cifelli have applied for a special exception to Article II [Zones and Districts], Section C [Table of Uses], Number 11 [Miscellaneous business repair service] to establish an electronics and small appliance sales and repair shop. The property is located on Dover Road within the Residential/Light Commercial Zoning District and is identified on Epsom Tax Map U04 as Lot 13.

The members voting on this case will be Glenn, George, Ricky, Alan & Mike.

Glenn advised that this public hearing was properly published in the Concord Monitor and was posted in two public places. All abutters were notified by certified mail and all return receipts were received back except Charles & Angelos Constantine.

Glenn said that when the Cifellis initially prepared their application, they included all property owners in Morgan Farms Estates on their abutters list. However, the law states that only the Board of Directors in the development needs to be notified so the abutters list was modified.

Thomas Cifelli provided a letter from James & Wendy Spain granting him permission to make this application. He was sworn in and stated that he is planning to purchase this property (contingent upon approval of this application) and begin a small appliance & electronics repair & sales facility. The building contains an apartment that is currently rented on one side of the building and this proposed business will be on the opposite side, where the old antique shop was. The current septic system has failed and a new septic system is going to be installed as soon as the sale goes through closing.

There was some conversation about where the water line is for the Village District and the board recommends that the Village District water line be shown on the septic plan.

George asked Thomas what he plans to repair and Thomas responded he can fix anything and expects the big money makers will be washers and dryers, maybe snow blowers. His plan is to be in the office Mon, Wed & Fri and on the road Tues & Thurs or vice versa. Gary asked where he plans to store the items that he accumulates to sell. Thomas said his future plan is to build a garage on the left side of the building if he can. There is already a shed out there.

The board feels strongly that this will be a successful business. There are not currently any local places that repair appliances, chain saws, generators, etc. He will need to have a plan in place to store his fluids (gas, oil, etc.) and Ricky urged him to "Actively Manage" all of his acquisitions.

He plans to put a couple of lawnmowers and/or snow blowers out front and they will be moved inside at the end of the work day.

Glenn noted that there are no abutters in attendance. The board discussed conditions.

George made a motion to close the public hearing. Alan 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.

Mike made a motion to approve the request with the following conditions:

1. Repairs shall be limited to machines with small engines (2 cylinder maximum), appliances and electronics.
2. All repairs shall be performed inside of a building.
3. All hazardous materials shall be stored, disposed or recycled using best management practices.
4. Items which are beyond repair shall be disposed of promptly and not stored on site.
5. Items displayed for sale outside will be limited to an area measuring 200 sq. ft. on the existing concrete pad in front of the building.
6. All items displayed for sale shall be brought in at night.
7. Hours of operation during which the shop may be open to the public shall be limited to Monday to Saturday from 7 am to 6 pm.
8. The number of employees shall be limited to 3.
9. The new septic system for the apartment/business shall be verified installed by the Zoning Compliance Officer prior to issuance of the occupancy permit.
10. The applicant shall complete the residential site plan review process through the Epsom Planning Board prior to commencing operation.

George seconded the motion. All in favor.

8:58 PM

The board briefly discussed a new application.

9:04 PM

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

FINAL