

ZONING BOARD OF ADJUSTMENT
May 2, 2019

PRESENT: Wendy Juchnevics-Freeman, Chairman, Walker Farrey, Vice Chairman, David Lage, Stan Long, Lori Rautiola

The meeting was called to order at the Town Office at 7:00 p.m.

7:00 p.m. – Prime Roofing Corp., Map 11/96, Turnpike Road – public hearing for a special exception: Mr. Tyler Seppala, Vice President of Prime Roofing, and Mr. Kirk Stenerson, Higher Design, Civil Engineer were present. Mr. Stenerson stated the applicant is seeking a special exception from Article VI C. of the Zoning Ordinance to allow a commercial building with office and warehouse space for one main unit and three additional units for lease, four units total. The building would be 12,787 square feet with minimal parking spaces (16 spaces) in front of the building. The property would have landscaping out front and have a tree line as a buffer to the road.

Wendy recalled the site being filled with garbage. Mr. Seppala noted the previous owner cleaned up the debris. Mr. Stenerson stated he dug a test pit on site today and found it to be virgin ground.

Wendy stated she was concerned with the “warehouse style” building and asked if parking could be behind the building. She noted the site was down the road from the historic district. Mr. Seppala explained the need for the warehouse storage out back and the reasoning for a flat roof and stated he would address the cosmetics of the building with Planning Board. David responded stating the first step in the process is to get past the Zoning Board. Wendy stated the building needs to look like it “fits in a New England community”. She asked the applicant to change the cosmetics of the building; no flat roof, and make it so it does not look like a “big ugly metal building”. Mr. Seppala stated it would be very costly to have a pitched roof on the building. David stated an insulated metal building will not be allowed and gave some suggestions: put the parking in the back of building, add a step out front and have a lawn area out front.

Parking was discussed. David questioned how the applicant arrived at 16 spaces. Mr. Stenerson responded stating this is what the applicant suggested; adding he checked the numbers in the Ordinance and they complied. David questioned the number of spaces needed for four businesses. Mr. Seppala responded Prime Roofing would have 5 employees at the most and the other units would have less than that. David also questioned the need for such a generous portion of pavement out back. Mr. Stenerson responded so trailer trucks will have ample room to pull in and out and will need to access the garage doors. David suggested the applicant decrease the amount of pavement, and did not think that amount of pavement was needed. David stated the Board did not receive plans for landscaping. It was Mr. Stenerson’s understanding the landscaping plans are submitted through the Planning Board for a site plan review.

Wendy stated she had two concerns: the use as developed will adversely affect the adjacent area. (Criteria 2) She continued stating she does not want this proposal to decrease the value of historic homes located in the adjacent area. Her second concern was the proposal does not fit within the Master Plan; adding the building needs to look like it fits in a New England village. She liked David’s idea of having the parking out back. David stated there are several cost effective ways to design the building so it does not look like an industrial park.

Mr. Stenerson mentioned the State right away in front of the property; adding there was a good amount (roughly 70 feet) from the road to where the parking will be. David suggested the applicant add an area

of grass to the front of the building. Mr. Seppala noted they will need to leave enough room for trucks to drive around the building, but there would be plenty of space to add grass and trees. David stated any storage building on the property will need to be closed in with doors.

Wendy stated the applicant needs to meet all setback requirement and must show a better design of the building to make it fit within the community. David noted to be creative with a berm out front and make it look nice. Wendy requested a landscaping plan and suggested the applicant continue the hearing in order to make the adjustments mentioned.

Abutters were asked to speak:

Ben Krook, abutter, Tricnit Road, stated any building the applicant puts there will improve the site.

Tim Jones, abutter, Old Tenney Road, thanked the Board for their diligence in keeping the town looking nice. He also mentioned he was concerned about the lighting. He stated the new Tru Form building has lights that light up the night sky. Wendy noted for the applicant to pay attention to the light ordinance which will be addressed with the Planning Board.

David made a motion to continue the public hearing to June 6, 2019 at 7:00 p.m. Stan seconded the motion and it passed unanimously.

The minutes of the April 4, 2019 meeting were reviewed and the following changes were made: page 2, third paragraph, remove "will inform the planning board" and replace with "took and action to correct". David made a motion to approve the minutes as amended. Stan seconded the motion and it passed unanimously.

8:00 p.m. – Navian Development, 221 Poor Farm Road, Map 8/13 – Public hearing for a special exception:
Mr. Ed Rogers, Civil Engineer and Mr. Jim Callahan, Attorney, were present to represent the Navian Development Company. A special exception application has been submitted to Articles VI section C.1 and IV section C.6 of the Zoning Ordinance to permit construction of a six unit multifamily residential building. Mr. Rogers submitted a steep slopes map which the board requested when the application was submitted. Wendy requested Mr. Callahan submit a letter or authorization to speak on the applicants behalf.

There was discussion on the layout of the proposal. The steep slopes map showed the proposed building configuration in agreement with all requirements for steep slopes and structure setbacks. David recalled the Board had requested the parking be moved to the back of building. Mr. Rogers stated the applicant decided to keep the existing configuration. Wendy questioned why the applicant did not give consideration to the Boards concerns. Mr. Rogers stated this would significantly increase the cost for site work and the applicant is trying make the dwellings as affordable as possible. David stated the applicant could pivot the design and by doing so, this should not increase cost of site work. Mr. Rogers stated the applicant may consider doing so; adding the design, as well as the landscaping, lighting and parking would be discussed at the Planning Board level.

Wendy stated the applicant is in jeopardy of not meeting the five criteria, criteria two and five in particular. Mr. Rogers questioned if it was due to the orientation of the site lay out. Wendy stated it does not fit in the community, it is an eye sore which would have a negative impact on property values; adding a there is a lot of pavement, it looks like an apartment building, and it is unlike anything we have in New Ipswich. Mr. Rogers stated he strongly disagreed, adding there is a variety of houses and uses on Poor Farm Road and does not think the building will be an eye sore. He continued stating Wendy's remarks

were a subjective opinion and the Board should produce evidence of the proposal decreasing property values in the adjacent area. Wendy called a point of order. Wendy continued stating the proposal is not consistent with the Master Plan and it is not consistent with our neighborhoods.

Mr. Callahan agreed with Mr. Rogers that it was subjective and suggested to place a condition on the approval in order to move the application forward. David stated he will not approve something unless it is on the plan and would like to see it up front. Mr. Callahan questioned how many members could vote. Since Lori was not appointed the vote would be 2-2. It was decided to continue the public hearing.

David made a motion to continue the public hearing. Stan seconded the motion and it passed unanimously. The public hearing was scheduled for June 6, 2019 at 7:30 p.m.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Lori Rautiola