

**Zoning Board of Adjustment**  
**27 School Street**  
**HILLSBOROUGH, NH**  
April 10, 2017

**DATE APPROVED:** May 15, 2017

**TIME:** 7:00 p.m. – 8:06 p.m.

**CHAIRMAN:** Roger Racette

**VICE CHAIRMAN:** David Rogers

**MEMBERS:** Russell Galpin, Dana Brien and Nancy Torres

**PLANNING DIRECTOR:** Robyn Payson

**ALTERNATES:** Larry Baker

**ABSENT:** Larry Baker

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**PRESENT:** John Segedy, Peter Mellen, Richard Hadley and Bonita Hadley

**CALL to ORDER:**

Chairman Racette called the meeting to order at 7:00 p.m.

**PUBLIC HEARING:**

**Variance:**

**Map 12, Lot 95**

**Old Railroad Drive**

**Bonita R. Hadley**

Mr. Galpin said he had some issues to address before they began the public hearing. Mr. Galpin said in order to have the hearing notice published in the paper on Friday, March 31 the application had to have been received by Tuesday, March 28. However, the Board was not notified until Thursday, April 6 and he didn't receive any information until Friday. He feels the Board should receive the information not less than seven business days prior to the hearing date.

Mrs. Payson apologized for her error and will see that it doesn't happen again.

Mr. Galpin said the letter requesting waivers from Mr. Mellen contains some items that should never be waived. He also questioned where exactly the 50 feet of frontage is located. He had gone to the site and saw no markers indicating where the entrance is to be located. He believes this Board should not even act on this case until all the information that is necessary to make an intelligent decision.

Chairman Racette said this is a public hearing on an application received from Mr. Mellen for Mrs. Hadley to subdivide Map 12, Lot 95 into two lots – Lot 95 with two acres more or less and 200 feet of frontage on Old Railroad Drive and Lot 95-1 with 9.1 acres more or less with 50 feet of frontage on Old Railroad Drive and 962.83 feet of frontage on Henniker Street which is a limited access right-of-way.

Mr. Mellen presented the conceptual plan for a two lot subdivision of Map 12, Lot 95. He said the two lots will consist of a two acre lot around her home with 200 feet of frontage on Old Railroad Drive and a nine acre commercial lot with 50 feet of frontage on Old Railroad Drive and 962 feet of limited access onto Route 9.

Mr. Mellen explained that having limited access means you have no access. He said Mrs. Hadley is requesting a variance to permit the creation of a commercial lot for one commercial building with 50 feet of frontage on Old Railroad Drive.

Mr. Galpin feels that the correct way to do this is to create a class five road to the proposed Lot 95-1 then calculate the required 200 feet of frontage.

Chairman Racette asked what the reason is for not using the 50 feet of frontage as an entrance for a class five road that is about 200 feet long.

Mr. Mellen said this would create a financial hardship on the owner.

Mr. Galpin said the cost of something like that can't be considered a hardship.

Mr. Segedy said the 50 feet section can't be within 75 feet of a brook or running water if the entrance is to be made of any kind of impervious material.

Mr. Mellen said the 50 feet was not marked as it is not required but it can be marked for a site walk if the Board requests it.

Chairman Racette said because of all the comments and questions being heard tonight he is beginning to lean towards scheduling a site visit.

Mr. Mellen said it is not indicated in your regulations that the property has to be marked or flagged.

Mrs. Payson said the waivers Mr. Mellen submitted and Mr. Galpin has referring to are waivers from the subdivision regulations which will be brought before the Planning Board.

Chairman Racette made a motion to schedule a site walk on Saturday, May 13 at 10:00 am. Mr. Rogers seconded the motion. The Board voted all in favor.

Mr. Mellen asked what the parameters of the site walk would be.

Mr. Rogers would like to see where the 50 foot frontage is in relationship to the rest of the lot and to any running water.

Chairman Racette made a motion to continue the hearing to Monday, May 15 at 7:00 pm. Mr. Galpin seconded the motion. Board voted all in favor.

Chairman Racette canceled the regularly scheduled meeting of Monday, May 8.

Chairman Racette adjourned the public hearing.

**MEETING MINUTES:**

Chairman Racette entertained a motion to accept the minutes of January 9, 2017.

Mrs. Brien made a motion to approve the minutes of January 9, 2017 as presented. Mrs. Torres seconded the motion. The Board voted all in favor.

**ELECTION OF OFFICERS:**

Mrs. Torres nominated Mr. Racette for chairman. Mrs. Brien seconded the nomination. The Board voted all in favor.

Chairman Racette nominated Mr. Rogers for vice chairman. Mrs. Torres seconded the nomination. The Board voted all in favor.

**OTHER BUSINESS:**

Mr. Segedy expressed his interest in serving as an alternate.

Chairman Racette will bring his name before the Board of Selectmen.

**ADJOURNMENT:**

Chairman Racette entertained a motion to adjourn.

Mrs. Torres made a motion to adjourn. Mrs. Brien seconded the motion. The Board voted all in favor.

Meeting adjourned at 8:06 p.m.

Respectfully Submitted:

Iris Campbell  
Recording Secretary