

Walpole Zoning Board of Adjustment Minutes
December 18, 2019
Town Hall
7 pm

Present: Board Members: Chair Jan Galloway Leclerc, Vice-Chair Myra Mansouri, Clerk Judy Trow, Tom Murray, Pauline Barnes. Alternates: Don Sellarole, Ernie Vose. Absent: Bob Anderson.

Recording: Marilou Blaine. These minutes are unapproved and will be reviewed at the regular January 2020 meeting for corrections, additions and/or omissions.

Roll Call: Ms. Leclerc called the meeting to order at 7 pm. A full Board was present so an alternate was not needed to fill in.

Minutes: Ms. Trow made two minor corrections to the minutes. On page 2 in the section titled "Developments of Region Impact" Ms. Trow added the word "is" before the word "more" on line 1 and on line three, add the word "having" before the words "a Public Hearing" in place of "have." On page 1, Ms Barnes asked that the words "Ms. Barnes said" be changed to "Ms. Barnes quoted" and on page 2 last paragraph, she changed "vote" to "voted" and added "bylaws" after the word "amended." Mr. Trow made a motion to accept the amended minutes. Ms. Barnes seconded the motion and the motion carried.

Board members received copies of the amended Bylaws. A couple of Board members also requested electronic copies so the secretary will email the Bylaws to them.

New Business:

Three-apartment property in Residential B district

Ms. Leclerc received an email from the Town's Manager of Administration, Sarah Downing, alerting Ms. Leclerc to the fact that a house at 47 North River Road, Lot # 018-012-001 is now a 3-family building. Ms. Downing wrote that no building permit was required since the ground footprint did not change. The owner went up a story on the back ell of the home. Since the property has a sewer line, the owners did not need to increase the septic system.

The Walpole Zoning Ordinances state in Section V that for property in Residential A and B districts permitted uses are "one single or one two-family dwelling per lot with private garages and accessory buildings." So this property is in violation of that zoning ordinance. After some discussion, the Board decided that the secretary should write a letter to the Select Board pointing out the violation and recommending that the violation could be remedied by having the owners come before the Zoning Board to determine a course of action. The Board is recommending a Special Exception because it involves both the Planning and Zoning Boards. That ordinance reads as follows:

Special Exceptions

Conversion of existing larger homes to multi-family dwellings may be allowed by Special Exceptions from the Board of Adjustment provided the Board determines that the following conditions are met.

- a. The property is suitable to accommodate multi-family use without adversely affecting the area.
- b. Adequate off-street parking is available.
- c. The exterior architectural appearance and/or size of the structure shall not be substantially altered.

d. The property has received Site Plan approval from the Planning Board.

If the Select Board thought a fine was needed, the amount was up to the discretion of the Board.

Hodgkins & Sons, Old Drewsville Road.

Mr. John Hodgkins inquired at the Town Offices why Hodgkins & Sons' vehicles were not allowed to drive their vehicles over the Class VI portion of Old Drewsville Road. According to an email from the Town Offices, Mr. Hodgkins commented that competitors are using Old Drewsville Road and it's not equitable that only his business is being blocked from using the road for large vehicle/trailer travel. Planning Board chairman, Jeff Miller, found the original minutes for a Special Exception on the Hodgkins & Sons property from both the Zoning Board of Adjustment and the Planning Board files. They date back to 1996.

In May of 1996, Hodgkins & Sons, Inc. the ZBA had a Public Hearing for a Special Exception regarding Article VIII, Section C-1 in the Rural/Agricultural District. The Special Exception was approved subject to the following three conditions:

- "1. Special Exception is granted for a building site on Tax Map 12, Lot 73 on Old Drewsville Road with the building site being defined as a 300 feet by 300 feet area using Old Drewsville Road and Blanchard Brook as bounds.
- "2. The building will be constructed as shown in the approved site plan.
- "3. Evergreen or fir screening will be placed on the brook side of the property back to the depth of the building."

There is no mention in the conditions of the decision that Hodgkins & Sons' vehicles would not be allowed to travel on any section of Old Drewsville Road. The Planning Board supported the Zoning Board's decision.

Conservation Commission Document

The document titled "Farms, Forests, Streams and Wetlands: Walpole's Conservation Plan," prepared by the Walpole Conservation Commission in 2006, was not distributed because the secretary could not get to Keene on Tuesday to have the colored maps copied because of the snow storm. The Board will receive copies of the document in January.

Ms. Trow made a motion to adjourn. Ms. Mansouri seconded the motion and the motion carried.

Respectfully submitted,
Marilou Blaine
ZBA Secretary

cc: ZBA, WPB, Town Offices, Walpolean.

Posted: Inside the Town Offices, bulletin board outside post office, www.walpolenh.us