

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
May 11, 2020**

Pending May 12, 2020

MEMBERS PRESENT: Bruce Kudrick, Chair; Tom Hebert, Vice Chair; Dana Carlucci, Natalie Glisson, Paul Paradis

ALTERNATES PRESENT: Robert Bourque

EXCUSED: Blakely Minor III

STAFF PRESENT: Dana Pendergast, Code Enforcement Officer; Susan Gifford, Recording Secretary
The clerk took the roll call and seven members were present.

Chairman Kudrick called the meeting to order at 7:05 p.m. Chairman Kudrick stated that the meeting is being held electronically per the Governor's NH State of Emergency authorization due to COVID-19. The meeting is held on Go to Meeting platform.

Case #20-05-Z

Applicant:	Kristin & Stacey Nolin 605 North Pembroke Road Pembroke, NH 03275
Property Owner(s):	Kristin & Stacey Nolin 605 North Pembroke Road Pembroke, NH 03275
Property Address:	605 North Pembroke Road Pembroke, NH 03275 Tax Map 258, Lot 1 in the R-3 Rural/Agricultural-Residential Zoning District.

Present: Stacey Nolin

Case 20-05-Z A request has been made for a **Special Exception under Article IV Use Regulations, § 143-18-1** The applicant, Kristin and Stacey Nolin 605 North Pembroke Rd. Pembroke NH 03275 is requesting a **Special Exception** to construct an ADU on Lot 258-1. ADUs are permitted in any zone that allows single-family detached dwelling units by Special Exception. The property is located at 605 North Pembroke Rd. in the R-3 Zoning District and is owned by, Kristin and Stacey Nolin 605 North Pembroke Rd.

Assessment card and Lot Plan were provided in the agenda packet.

Chairman Kudrick stated the rules of the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak. All people wishing to speak must give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider the approval.

Chairman Kudrick opened the public hearing at 7:10 p.m.

Description of Proposal: Stacey Nolin, 605 North Pembroke Street, explained that she and her mother already live in the 200-year-old house on the property. They are applying for a Special Exception to add an Accessory Dwelling Unit (ADU) to a new construction (modular home) being built at 605 North Pembroke Road. It will

be a modular ranch with an attached ADU. The home will be on the same site, with the same people who live there now. Septic and water to be supplied on site by homeowners. This project will include the tear down of the current home located at this address and the construction of a new home. They are upgrading to a more efficient property. The size of the ADU is 624 square feet. It will be a positive move.

Stacey Nolin read the Special Exception application criteria into the minutes:

1. **Please describe how the requested use is essential or desirable to the public convenience or general welfare.** We are replacing the existing structure with a new house to include an ADU. This will not affect public convenience or the general welfare of the residents of Pembroke NH.
2. **Please state how the requested use will not impair the integrity or character of the district or adjoining zones, nor be detrimental to the health, morals or general welfare.** Currently a structure is located at this address. This home will be torn down to allow for the new residence with ADU to be constructed.
3. **Please describe how the specific site is an appropriate location for the proposed use and that the character of adjoining uses will not be affected adversely.** The proposed structure is replacing an existing structure and will house the same two residents who currently reside at this address.
4. **Please show that no factual evidence is found that the property value in the district would be adversely affected by such use.** The factual evidence is that this new construction will actually bring in additional revenue for the town with increased property tax being collected.
5. **Will undue traffic, nuisance or unreasonable hazard result from your proposed use? Yes or no and please explain your answer.** None of the above will occur, as there is currently a home on this piece of property. Current home will be removed and replaced with the new structure.
6. **Please explain how adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.** The current residence at this site has its own septic and well, and no town utilities will be impacted negatively or otherwise with the proposed construction.
7. **Please show that there are no valid objections from abutting property owners based on demonstrable facts.** Certified letters were generated and sent to abutters. Verbal conversations with said abutters have provided excitement and encouragement for this project.
8. **Please show that the proposed use has an adequate water supply and sewerage system and meets applicable requirements of the State.** Current structure at this address has on site well and septic. A new septic system will be installed and has received approval from the state.
9. **If the proposed use is for multi-family dwellings, will it be served by the Town water system and by the Town sewerage system?** N/A. This is not for multi-family use and no town system necessary.

Dana Carlucci asked if there was sufficient parking off the road. Stacey Nolin stated that the property is 17 acres with a well-sized driveway. There is ample off road parking.

Dana Pendergast explained that State law just requires that an applicant for an ADU has a State approved septic plan on file in case the existing system fails. Dana Pendergast explained that Pembroke sets 750 square feet maximum size of Accessory Dwelling Unit. This proposal is a 624 square feet ADU with a door between the facilities.

Natalie Glisson summarized the case. This is **Case 20-05-Z**, a request for a **Special Exception under Article IV Use Regulations, § 143-18-1** The applicant, Kristin and Stacey Nolin 605 North Pembroke Rd. Pembroke NH 03275 is requesting a **Special Exception** to construct an ADU on Lot 258-1. ADUs are permitted in any zone that allows single-family detached dwelling units by Special Exception. Mother and daughter live on property in a 200-year old house. They are replacing the house with a modular ranch and 624 square foot ADU.

Stacey stressed that the move is positive and it will truly be replacing the existing structure. There is ample parking on 17 acres and well-sized driveway.

Chairman Kudrick announced that the Board will decide all cases within 30 days. Notice of decision will be posted for public inspection within five business days of the decision and will be sent to the applicant. The Board will approve, deny or continue the deliberation. No comments will be taken from the audience.

This hearing is officially closed at 7:26 p.m.

To streamline the on line meeting Chairman Kudrick asked if any member of the Board had a question or comment on any of the Special Exception criteria. There were no questions.

MOTION: Tom Hebert moved to approve **Case #20-05-Z**, a request for a **Special Exception under Article IV Use Regulations, § 143-18-1** having been presented to the Board. The applicant, Kristin and Stacey Nolin 605 North Pembroke Rd. Pembroke NH 03275 is requesting a **Special Exception** to construct an ADU on Lot 258-1. ADUs are permitted in any zone that allows single-family detached dwelling units by Special Exception.

Approval is subject to the following conditions:

1. Applicant will follow all state and local regulations.
2. Construction will adhere to site plan as submitted.
3. One unit will be owner occupied.

Dana Carlucci seconded.

VOTE: PAUL - YES TOM – YES BRUCE – YES
 DANA- YES NATALIE - YES

MOTION TO APPROVE SPECIAL EXCEPTION WITH CONDITIONS PASSED ON A 5-0 VOTE

Chairman Kudrick thanked all those present on the Go to Meeting platform for their extra effort to participate in this on line meeting.

Case #20-06-Z

Applicant: Thomas and Linda Snow
 498 Woodlawn Ridge Road
 Pembroke, NH 03275

Property Owner(s): Thomas and Linda Snow
 498 Woodlawn Ridge Road
 Pembroke, NH 03275

Property Address: 498 Woodlawn Ridge Road
 Pembroke, NH 03275
 Tax Map 634 Lot 14 in the LO Zoning District.

Present: Thomas Snow, Linda Snow

Case 20-06-Z A request has been made for a **Variance under Article IV Section § 143-18-1**. The applicant, Thomas & Linda Snow 498 Woodlawn Ridge Rd. Pembroke NH 03275 is requesting a **Variance** to construct a 36' X 25' (900 sq. ft.) attached ADU over the garage on lot 634-14 in the LO district where 750 square feet is allowed. The property is located at 498 Woodlawn Ridge Rd. in the LO Zoning District and is owned by Thomas & Linda Snow 498 Woodlawn Ridge Rd.

Chairman Kudrick opened the public hearing at 7:35 p.m.

Chairman Kudrick stated the rules of the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak. All people wishing to speak must give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider the approval.

Assessing cards and plans by draftsman/designer Brandon Reed were provided in the agenda packet.

Thomas Snow gave a detailed description of the proposal:

The property has a single-family home with attached garage and a 30 x 30 foot detached barn. We wish to construct an Accessory Dwelling Unit (ADU) over existing three-car garage, of approximately 900 square feet and add a 5' x 23 stairwell to ADU on the northern side of existing garage. This added footprint of 115 square feet meets the property setbacks as required. Total square footage of project is 1,015 square feet. The lot is at the end of a cul de sac behind the golf course. This plan will conform to all building setbacks. We have a new septic system plan sized for four bedrooms plus a single bedroom ADU approved by the State. The ADU will alleviate hardship for a family member who lost her spouse very unexpectedly. There are numerous very large homes with garages in the neighborhood. One additional car will be housed in the garage.

Thomas Snow addressed the Variance criteria:

1. **The variance will not be contrary to the public interest.** The purpose of the ADU is to house a single-family member. The proposed unit is a single bedroom, which limits occupancy total. Traffic will not be significantly increased and all parking requirements are met as the property is currently configured.
2. **The spirit of the ordinance is observed.** ADU will be constructed on existing garage footprint except for the 115 square foot stairwell. New structure conforms to building setbacks, and will be equal in height to existing house structure. ADU will have pass-through access to existing house. New septic system allows for expanded bedroom. The septic design has been State approved.
3. **Substantial justice is done.** ADU will alleviate a hardship for a family member.
4. **The values of surrounding properties are not diminished.** Property values will increase because of the ADU construction. Home will continue to be aesthetically pleasing for abutters.
5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**
 1. **For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area:**
No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property; and: ii.
The proposed uses is a reasonable one.

Existing property size, building setbacks and value are maintained. Existing footprint of house and garage is maintained except for 115 square feet stairwell to ADU. ADU will not substantially affect traffic volume. ADU will alleviate a hardship for a family member.

2. **If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to make a reasonable use of it.**

No one spoke in favor or against the application. Thomas Snow stated he spoke with abutters and none was opposed. Chairman Kudrick asked if there would be an interior door going to the Accessory Dwelling Unit. There will be an interior door to the existing house. Alternate Member Bourque asked if water, sewer and electric would be shared. Water is adequate from a community well The electric will be from the same panel box. The intent is to upgrade the septic at the time of construction even though the State of NH requires an approved septic plan to be on file in case the existing system fails within 4 years.

Natalie Glisson summarized the case. This is **Case 20-06-Z**, a request for a **Variance under Article IV Section § 143-18-1**. The applicant, Thomas & Linda Snow 498 Woodlawn Ridge Rd. Pembroke NH 03275 is requesting a **Variance** to construct a 36' X 25' (900 sq. ft.) attached ADU and 5' x 23' stairwell (115 sq. ft.) over the garage on lot 634-14 in the LO district where 750 square feet is allowed. No one spoke in favor or opposed. Thomas Snow spoke with abutters and none was opposed. Linda Snow shared that the impact will be minimal. They are keeping the existing footprint except for the stairwell. Chairman Kudrick asked about an interior door, which there is. Alternate Member Bourque asked about septic, well and electric. They will be using existing community well, existing electric and plan to upgrade the septic system with a plan approved by the State.

There being no further comment, Vice Chairman Hebert closed the public hearing at 7:43 p.m. The Board will decide all cases within 30 days.

To streamline the on line meeting Chairman Kudrick asked if any member of the Board had a question or comment on any of the Variance criteria. There were no questions.

MOTION: Tom Hebert moved to approve **Case 20-06-Z**, a request for a **Variance under Article IV Section § 143-18-1** having been presented to the Board. The applicant, Thomas & Linda Snow 498 Woodlawn Ridge Rd. Pembroke NH 03275 is requesting a **Variance** to construct a 36' X 25' (900 sq. ft.) attached ADU and 5' x 23' stairwell (115 sq. ft.) over the garage on lot 634-14 in the LO district where 750 square feet is allowed.

Approval is subject to the following conditions:

1. Applicant will follow all state and local regulations.
2. Construction will adhere to site plan as submitted.

Dana Carlucci seconded.

VOTE: PAUL - YES TOM – YES BRUCE – YES
 DANA- YES NATALIE - YES

MOTION TO APPROVE VARIANCE WITH CONDITIONS PASSED ON A 5-0 VOTE

Case #20-07-Z

Applicant:	Thomas and Linda Snow 498 Woodlawn Ridge Road Pembroke, NH 03275
Property Owner(s):	Thomas and Linda Snow 498 Woodlawn Ridge Road Pembroke, NH 03275
Property Address:	498 Woodlawn Ridge Road Pembroke, NH 03275 Tax Map 634 Lot 14 in the LO Zoning District.

Present: Thomas Snow, Linda Snow

Case 20-07-Z A request has been made for a **Special Exception under Article IV Use Regulations, § 143-18.1**. The applicant, Thomas & Linda Snow 498 Woodlawn Ridge Rd. Pembroke NH 03275 is requesting a **Special Exception** to construct an ADU on Lot 634-14. ADUs are permitted in any zone that allows single-family detached dwelling units by Special Exception. The property is located at 498 Woodlawn Ridge Rd. in the LO Zoning District and is owned by Thomas & Linda Snow 498 Woodlawn Ridge Rd.

Assessing cards and plans by Brandon Reed were provided in the agenda packet.

Chairman Kudrick stated the rules of the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak. All people wishing to speak must give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different from what was presented, the Board reserves the right to reconsider the approval.

Chairman Kudrick opened the public hearing at 7:50 p.m.

Description of Proposal: Thomas Snow stated that our proposal is to construct an Accessory Dwelling Unit (ADU) over existing three-car garage footprint, along with a 5' x 23' addition on the north side of the garage for stairwell access. The 1,015 square foot size of the ASU requires a Variance that was approved on May 11, 2020. The ADU will be aesthetically pleasing in accordance with the plan submitted on a 1.4-acre lot. The existing garage will house all three vehicles on site. I do plan to install the new septic system at the time of construction and not wait until the existing system fails. I am an excavation contractor and will do the installation. The manager of the community well stated that the ADU would not affect water pressure for anyone else.

Thomas Snow read the Special Exception application criteria into the minutes:

1. **Please describe how the requested use is essential or desirable to the public convenience or general welfare.** Area is primarily residential and special exception is needed to add an ADU to an existing single-family dwelling. This one-bedroom ADU will have minimal impact on the neighborhood occupancy.
2. **Please state how the requested use will not impair the integrity or character of the district or adjoining zones, nor be detrimental to the health, morals or general welfare.** Expanding existing residence with ADU for single family member. ADU is permitted in LO zoning with Special Exception. One bedroom ADU will not substantially increase traffic.
3. **Please describe how the specific site is an appropriate location for the proposed use and that the character of adjoining uses will not be affected adversely.** Lot is suitable size to accommodate the ADU over the existing three-car garage footprint with a 115 square foot addition for stairwell. Required property setbacks and parking requirements are met.
4. **Please show that no factual evidence is found that the property value in the district would be adversely affected by such use.** ADU will be aesthetically pleasing for abutters. Increased square footage and use will increase property value for the neighborhood.
5. **Will undue traffic, nuisance or unreasonable hazard result from your proposed use? Yes or no and please explain your answer.** No. ADU is a one-bedroom unit and will house one family member. Existing garage will house all vehicles on site.
6. **Will adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.** New septic system will include additional bedroom. New septic design has been designed and approved by State of NH. Existing water and electrical services are able to accommodate additional use. Ample parking on site.

7. **Please show that there are no valid objections from abutting property owners based on demonstrable facts.** I contacted residential abutters and no objections were expressed to the ADU plans.
8. **Please show that the proposed use has an adequate water supply and sewerage system and meets applicable requirements of the State.** New state approved septic system is on file. Meetinghouse Water Company supplies water to the neighborhood.
9. **If the proposed use is for multi-family dwellings, will it be served by the Town water system and by the Town sewerage system.** N/A. This is not for multi-family use. Community well and private septic system are at the residence.

Dana Pendergast explained that State law just requires that an applicant for an ADU has a State approved septic plan on file in case the existing system fails.

Natalie Glisson summarized the case. This is **Case 20-07-Z**, a request for a **Special Exception under Article IV Use Regulations, § 143-18.1**. The applicant, Thomas & Linda Snow 498 Woodlawn Ridge Rd. Pembroke NH 03275 is requesting a **Special Exception** to construct an ADU over the existing garage on Lot 634-14. ADUs are permitted in any zone that allows single-family detached dwelling units by Special Exception. No one spoke in favor or against. Thomas Snow spoke with abutters and none was opposed. Linda Snow shared that the impact will be minimal. They are keeping the existing footprint except for the stairwell. Chairman Kudrick asked about an interior door, which there is. Alternate Member Bourque asked about septic, well and electric. They will be using existing community well, existing electric and plan to upgrade the septic system with a plan approved by the State.

Chairman Kudrick announced that the Board would decide all cases within 30 days. Notice of decision will be posted for public inspection within five business days of the decision and will be sent to the applicant. The Board will approve, deny or continue the deliberation. No comments will be taken from the audience.

This hearing is officially closed at 7:58 p.m.

To streamline the on line meeting Chairman Kudrick asked if any member of the Board had a question or comment on any of the Special Exception criteria. There were no questions.

MOTION: Tom Hebert moved to approve **Case 20-07-Z**, a request for a **Special Exception under Article IV Use Regulations, § 143-18.1** having been presented the Board. The applicant, Thomas & Linda Snow 498 Woodlawn Ridge Rd. Pembroke NH 03275 is requesting a **Special Exception** to construct an ADU on Lot 634-14. ADUs are permitted in any zone that allows single-family detached dwelling units by Special Exception. Approval is subject to the following conditions:

1. Applicant will follow all state and local regulations.
2. Construction will adhere to site plan as submitted.
3. One unit will be owner occupied.

Dana Carlucci seconded.

VOTE: PAUL - YES TOM - YES BRUCE - YES
DANA- YES NATALIE - YES

MOTION TO APPROVE SPECIAL EXCEPTION WITH CONDITIONS PASSED ON A 5-0 VOTE

Chairman Kudrick thanked the Snow family for putting up with the format of this on line meeting.

Case #20-08-Z

Applicant: Michael and Maranda Donnelly
617B Buck Street
Pembroke, NH 03275

Property Owner(s): Michael and Maranda Donnelly
617B Buck Street
Pembroke, NH 03275

Property Address: 617B Buck Street
Pembroke, NH 03275
Tax Map 870 Lot 8 in the R3 Zoning District.

Present: Michael Donnelly, Maranda Donnelly

Case 20-08-Z a request has been made for a **Variance under Article IV Section § 143-17**. The applicant, Michael Donnelly 617 B Buck St. Pembroke NH 03275 is requesting a Variance to have multi uses (residential and business) on lot 870-8 in the R3 zone. This use is not a permitted use in this zone. The property is located at 617 B Buck St. in the R3 Zoning District and is owned by Michael & Maranda Donnelly 617 B Buck St.

Chairman Kudrick opened the public hearing at 8:02 p.m.

Chairman Kudrick stated the rules of the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak. All people wishing to speak must give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different from what was presented, the Board reserves the right to reconsider the approval.

Assessing cards and plans were provided in the agenda packet.

Tom Hebert requested clarification on section 143-17, which deals with B1, B2, C1 and LO districts. This application is for the R3 zoning district. In the R3 zoning district, a day care is a permitted use. Dana Pendergast clarified that the applicant is here for multiple uses, residential and day care with each use taking up one unit. Under Section 143-38 F(4) day care requires a Special Exception. Dana Pendergast explained in this instance two equal uses are requested, not an accessory use.

Michael Donnelly gave a detailed description of the proposal:

Our property is a 2-family home in the R3 district. The second unit will be used solely for the childcare use. The total capacity of child care in Pembroke has dropped. We are currently serving children under preliminary approval.

Michael Donnelly addressed the Variance criteria:

1. **The variance will not be contrary to the public interest.** The new use of the second unit will be for a childcare facility. Multiple uses of our property as a home and a childcare facility is similar to other childcare or home business withing residential zones of Pembroke.
2. **The spirit of the ordinance is observed.** Allowing multiple uses on our property will provide a service for the community and does not negatively impact the surrounding neighborhood.
3. **Substantial justice is done.** Pembroke is in need of child care facilities. The total childcare capacity in Pembroke has dropped significantly within just a few years.
4. **The values of surrounding properties are not diminished.** There is strong positive correlation between a community's economic development and childcare being present within a neighborhood. Abutters.
5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**

For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area:

No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property; and: ii. The proposed uses is a reasonable one.

A child care facility is a reasonable use within this property. Without this approval, we will not be able to operate our childcare. We are currently serving several families in the community based on preliminary approvals and will be forced to close if denied.

If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to make a reasonable use of it.

John Greene, 7 Old Bear Brook Road, stated he is not against a day care. He asked if the variance is approved to change the use of the property, what other uses could be put in that unit used for child care if the property were sold in the future. Dana Pendergast explained that any allowable use in the R3 District could be used. Unallowable uses like auto shop or auto services could not be used. This application asks for two specific uses, residential and day care. The variance runs with the property. If the use were abandoned, for instance if someone purchased the property and turned it back into two residences, the day care use would not carry forward. Mr. Greene is particularly interested if someone could develop the back land. The use must be contained in the building. If future owners wanted a different use not allowed in R3 district, they would need to obtain a variance and go through Planning Board process.

Dana Pendergast clarified that this application could not be a Special Exception limited to current owners because it is not an accessory use to the dwelling. A full unit is being used as a day care. In the future, only an allowable use in the R3 district could replace day care. These uses include a Bed and Breakfast could exist in the renovated bard, and minor home business. Many uses are not permitted in the R3 District.

Michael Donnelly noted that in the past, before we bought the property, it was an auto body use. Mr. Greene has a valid concern if future developers could adversely use the variance.

Natalie Glisson summarized the case. This is **Case 20-08-Z**, a request for a **Variance under Article IV Section § 143-17**. The applicant, Michael Donnelly 617 B Buck St. Pembroke NH 03275 is requesting a Variance to have multiple uses (residential and business) on lot 870-8 in the R3 zone. This use is not a permitted use in this zone. Tom Hebert asked for clarification of multi-use in the R3 zoning district. Applicant stated that they have two units and want to use a full unit for childcare. John Greene, abutter, stated he is not opposed to a day care but had a question about future use. What uses would be allowed later, as a variance runs with the property. Dana Pendergast clarified and explained that the future owners could have any allowable use in the R3 district. Applicant stated understanding of John Greene’s concerns.

There being no further comment, Chairman Kudrick closed the public hearing at 8:19 p.m. The Board will decide all cases within 30 days.

To streamline the on line meeting Chairman Kudrick asked if any member of the Board had a question or comment on any of the Variance criteria. There were no questions.

MOTION: Tom Hebert moved to approve **Case 20-08-Z**, a request for a **Variance under Article IV Section § 143-17**. The applicant, Michael Donnelly 617 B Buck St. Pembroke NH 03275 is requesting a Variance to have multi uses (residential and business) on lot 870-8 in the R3 zone. This use is not a permitted use in this zone. Approval is subject to the following conditions:

1. Applicant will follow all state and local regulations.

Dana Carlucci seconded.

VOTE: PAUL - YES TOM – YES BRUCE – YES
DANA- YES NATALIE - YES

MOTION TO APPROVE VARIANCE WITH CONDITIONS PASSED ON A 5-0 VOTE

Chairman Kudrick thanked everyone for his or her participation in this new meeting format. Their courtesy is appreciated.

MINUTES OF PREVIOUS MEETINGS

MOTION: Tom Hebert moved to approve the minutes of February 24, 2020 as amended. Dana Carlucci seconded.

VOTE: PAUL - YES TOM – YES BRUCE – YES
DANA- YES NATALIE - YES

MINUTES OF FEBRUARY 24, 2020 APPROVED AS AMENDED ON A 5-0 VOTE.

OTHER BUSINESS /CORRESPONDENCE –

Rules Update - Dana Pendergast will prepare a draft of ZBA rule changes for continuances and time limits on conditions as discussed for a future meeting. Board consensus is that after three meeting continuances are approved, applicant must appear at fourth meeting to provide a status so the Zoning Board of Adjustment can take appropriate action.

NEXT MEETING

Date of next ZBA meeting – Chairman Kudrick noted the next ZBA meeting would be on **Monday, June 29, 2020 at 7:00 p.m.** **Thank everyone for their time and effort making this meeting platform work.**

Natalie Glisson explained how a wearable microphone attached to the computer's speakers could assist with being heard clearly in an online meeting.

ADJOURN **Motion:** Tom Hebert moved to adjourn. Dana Carlucci seconded.

VOTE: PAUL - YES TOM – YES BRUCE – YES
DANA- YES NATALIE - YES

Vote was 5-0 in favor of motion. Meeting adjourned at 8:25 p.m.

Respectfully submitted,
Susan P. Gifford
Recording Secretary