

**FINAL**  
**TOWN OF GRANTHAM**  
**Zoning Board of Adjustment Minutes**  
**July 9, 2019**

Chair Conrad Frey called the meeting to order at 7:00p.m., July 9, 2019 in the Jerry Whitney Memorial Conference Room located at 300 Route 10 South, Grantham.

**Roll Call**

Present: Zoning Chair Conrad Frey, Peter Gardiner, Peter Guillette, Tanya McIntire, Alternate Quinn Colgan, Selectmen's Representative Constance Jones, and Clerk Emily Owens.

Absent: Myron Cummings.

Public: C. Peter James, Peter Garland and Joel Stoddard.

**Approval of Minutes**

Chair Frey asked the board if there were any corrections or additions required of the minutes from February 28, 2019. There being none, Chair Frey entertained a motion to approve the minutes as written. Peter Gardiner made a motion and seconded by Tanya McIntire. ***Unanimously Approved***

**Application for a Special Exception Form**

Tanya McIntire made a request that the form be changed to reflect the wording "provided by" instead of "requested from", the Board agreed.

**New Business**

Special Exception: ZBA Case #07-2019-01; J.S. Quality Automotive and Repair LLC, 84 Route 10 South, M/L 233-027-001; Owner Spirit Spe Im Portfolio 2013-9, LLC.

Joel Stoddard, owner of J.S. Quality Automotive and Repair gave a brief personal history to the Board including being a long-time resident of New Hampshire, his desire to move to Grantham, and open a third garage here in Grantham. Mr. Stoddard discussed his current operations at the other garages; used tires are removed and recycled, waste oil is collected and burned, scrap metal is collected and recycled, and cars are rinsed prior to returning to the owners. Mr. Stoddard estimated that there would be roughly 25 cars on the property per day at full capacity, including employee cars.

The Board raised concerns about cars sitting on the property for months at a time and Mr. Stoddard responded that his plan was to service the cars then return them. The Board discussed the pond behind the property and ground water being potentially contaminated by the previous owner and Mr. Stoddard commented about the gas station located adjacent to the property. The Board mentioned the fire lane must be kept open at all times. Mr. Stoddard stated that he did not know the previous parking situation because the area is very faded but he did plan to maintain the fire lane. The Board asked the hours of operation and Mr. Stoddard replied 8-5 Monday through Friday. The Board asked for specifics on tire disposal and storage and Mr. Stoddard replied that BDS Disposal will be removing and recycling the tire. The Board asked where on the property will the tires be stored and Mr. Stoddard responded most likely behind the building. The Board raised questions about wastewater and what will happen to the water after cars are rinsed. Mr. Stoddard does not currently know how the wastewater is collected.

Discussion was opened to the public for comment. C. Peter James discussed the potential fire hazard from accumulated tires and unpleasant sight of vehicles being parked at the garage for years. Mr. James had concern about the well water and what baseline testing would show for results. He suggested that Mr.

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Stoddard should think about getting some testing done. Constance A. Jones took pictures of the Walpole J.S. Quality Automotive and Repair station showing how clean and manicured the building and grounds are. She shared them with the Board and public.

Chair Frey at this time read the articles from the zoning ordinance for approval of this Special Exception application page 55 of the Zoning Ordinance; For the purpose of this Ordinance, the following are established as general conditions upon the granting of all Special Exceptions (subject to further conditions as may be defined elsewhere herein as to the uses concerned):

- a) The use will not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation or undue violation of the character and kind of the neighborhood. (5, 0) ***Unanimously Approved***
- b) The use will not be injurious, noxious, or offensive, thus, detrimental to the neighborhood. (5, 0) ***Unanimously Approved***
- c) The use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards, undue risk to life or property, unsanitary or unhealthy emissions or waste disposal, or similar adverse causes or conditions. (5, 0) ***Unanimously Approved***
- d) The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to the proposed use, and the location of the site with respect to the existing or future street giving access to it, shall be such that it will be in harmony with the neighborhood. The location, nature, and height of building, walls, and fences will not discourage the appropriate development and use of the adjacent land and buildings and impair the value thereof. (4, 1) ***Approved***
- e) Operations in connection with such a use shall not be more objectionable to nearby properties by reason of noise, fumes, odor, or vibration, than would be the operation of any permitted uses in this District, which are not subject to Special Exception procedures. (5, 0) ***Unanimously Approved***

All criteria approved by members in favor. The Zoning Board members voted to approve the application.

There were Conditions added to this application.

- 1. Storage of used tires to be the rear of the building and contained/screened or fenced.
- 2. No junk cars stored at the facility.
- 3. No storage or displayed vehicles for sale longer than 30 days.

**Other Business**

Tonya McIntire stated that a Grantham resident received a cease and desist letter from the Town. She inquired if the resident could apply for a variance and Chair Frey stated that they could.

**Adjournment**

Chair Frey stated there being no further business a motion was made by Peter Gardiner and seconded by Peter Guillette to adjourn the meeting at 8:12 p.m.

The next meeting of the Zoning Board is scheduled for July 25, 2019, at 7:00 p.m. in the Jerry Whitney Memorial Conference Room of the Grantham Town Hall.

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Respectfully Submitted,

Emily Owens, ZBA Clerk