



FINAL

TOWN OF GRANTHAM NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENTS MEETING MINUTES
DECEMBER 16, 2019
300 Route 10 South, Grantham, NH 03753

Chair Peter Guillette called the meeting to order at 7:00 p.m., December 16, 2019, in the Jerry Whitney Memorial Conference Room located at 300 Route 10 South, Grantham.

Roll Call

Present: Peter Guillette, Andy Gelston, Peter Gardiner, Alternate Tod Lloyd, and Board Clerk Emily Owens. Chair Guillette requested Tod Lloyd serve as a full member for this meeting.

Absent: Tanya McIntire

Public: Applicant Lisa C. Colgan, Town Counsel Sheridan Brown, Selectmen's Representative Constance Jones, Cynthia Collea, John Kemp, Pam Moore, Tom Moore, Stephen Handley, and Polly Richard.

Approval of Minutes

Chair Guillette asked the Board if there were any corrections or additions required of the minutes from November 21, 2019. There being none, Andy Gelston made a motion to approve the minutes, seconded by Peter Gardiner. **(Approved 4, 0, 0)**

New Business

Application #12-2019-01 for a Special Exception from Article V-A

Special Exception: ZBA Case #12-2019-01; Lisa C. Colgan, 31 Deer Run; Map 222 Lot 225.

Chair Guillette introduced the Applicant Lisa Colgan and her request for a Special Exception from Article V-A of the Grantham Zoning Ordinance. The application is a request to run a mobile veterinary clinic from 31 Deer Run in the Rural Residential District, RR1. The Applicant, Lisa Colgan, introduced herself as a veterinarian with nineteen years of experience currently working four days per week at Lyme Animal Hospital. Her interest is to offer a limited mobile service going to people's houses to treat animals and her house would serve as a home office. Chair Guillette asked if Ms. Colgan had any employees and she stated she did not.

Next, Chair Guillette asked the Board if there were any questions. Board Member Andy Gelston asked if she treated small and large animals, Ms. Colgan replied only small. Board Member Gelston asked how often Ms. Colgan anticipated customers coming to her house. Ms. Colgan stated that she would dispense urgently needed medications, such as diarrhea and anti-nausea, but routine medication would be handled through her website and delivered to customer's houses. Additionally, her plan was not to conduct surgeries at her house, instead do these at Lyme Animal Hospital, unless a customer brought an injured animal to her house. Board Member Gelston asked about signage and Ms. Colgan said there would be no signs. Board member Lloyd asked about how often she thought customers might come to her house and Ms. Colgan stated that the goal would be not to have them at her house, instead have her going to them but she estimated 3-5 times per week. If the business grew, Ms. Colgan stated that she would lease a commercial space.

Chair Guillette opened the meeting up for public comments. Abutters John Kemp, Polly Richard, Stephen Handley, Pam Moore, and Tom Moore spoke in support of approving the special exception. Polly Richard said her only concern was addressed when Lisa Colgan stated that if the business expanded, she would lease a commercial space. Chair Guillette also added that if the home business expanded it would no longer be a simple home office with occasional consultations and medication dispensed, requiring additional Board approval. At this time, Chair Guillette closed the public session. Chair Guillette asked if there were any additional questions, Board Member Gelston asked if customer's dogs would be boarded at the residence and Ms. Colgan stated no.

Chair Guillette closed discussions about the application and began reading the Special Exception application, page 55 of the Grantham Zoning Ordinance; the vote is recorded as follows (support, against, abstention), and in the event of a tie the question will fail to pass.

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. **(4, 0, 0) Approved**

b) The use will not be injurious, noxious, or offensive, thus, detrimental to the neighborhood. **(4, 0, 0) 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. **(4, 0, 0) 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, 0, 0) 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. **(4, 0, 0) Approved**

All criteria were approved by all members in favor; therefore, the application for a special exception is approved.

Other Business

Rules of Procedure

The Board of Selectmen reviewed the draft Rules of Procedure with the Zoning Board of Adjustment. After some discussion, Tod Lloyd made a motion; seconded by Peter Gardiner to adopt the rules of procedure with the following changes. **(Approved 4, 0, 0)**

Page 4: Application/Decision Item 1, at the end should read, "the date of receipt over his or her signature twenty (21) days prior to the meeting date."

Page 5: Public Hearing Item a, the sentence should read "and ask the clerk to introduce the first case."

Page 5: Public Hearing Item b, the sentence should read "The clerk shall report on how the public notice."

Page 5: Public Hearing Item g, the sentence should read "called to present their proposal or appeal."

Page 7: Joint Meetings and Hearings Item 2, the sentence should read "by the chairpersons of the two boards."

Adjournment

There being no further business, a motion was made by Andy Gelston and seconded by Peter Gardiner to adjourn the meeting at 7:52 p.m.

If an application is received, the next meeting of the Zoning Board is scheduled for January 23, 2019, at 7:00 p.m. in the Jerry Whitney Memorial Conference Room of the Grantham Town Hall.

Respectfully Submitted,

Emily Owens
ZBA Clerk