

APPROVED

Town of Grantham Zoning Board of Adjustment Minutes June 26, 2018

Chair Conrad Frey called the meeting to order at 7:00p.m. Tuesday, June 26, 2018. The meeting was held in the Jerry Whitney Memorial Conference Room located at Town Hall, 300 Route 10 South in Grantham, NH

Present: Chair Conrad Frey, Peter Gardiner; Peter Guillette; Myron Cummings; Selectmen Representative Constance Jones.

Absent: Zoning Board member Tanya McIntire.

Members of the public: John Chaloux; Ken Ryder; Carol M. Etkind; Paul Etkind.

Approval of Minutes

Chair Frey asked the Board members if they had reviewed the minutes from October 23, 2017 were there any corrections. There being no corrections motion was made by Peter Guillette and second Myron Cummings to approve the minutes as written. ***Unanimously Approved***

New Business

Variance Application ZBA Case # 2018-06-01 - Badgley
Map 215 Lot 061.48 "West Cove A Condos"
48 Old Beach Circle
Proposed existing deck extension.

Chair Frey asked the person to step forward that was giving the presentation for the variance.

Carol Etkind explained that she was here this evening on behalf of condo owner Mr. Badgley. C. Etkind stated that they also live in the same area and do to the fact some of the condos have much smaller decks and have recently received approval from Eastman and Department of Environmental Services to have them enlarged/extended out. The only issue is a variance set back for a

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couple of the units is required before going forward with the building permit process.

Badgley's being one of them. C. Etkind continued that part of the property Mr. Badgley's unit sits on does not meet the required 10 foot set back requirements and abuts an empty lot owned by Eastman Community Association (ECA). She continued that there is no problem with abutter property owner ECA.

Guillette stated that he had been over to the area earlier in the day and noticed that the land that abuts Badgley's property line is more woods and a hill and does not look buildable. At this time Ken Ryder, General Manager of ECA stated that they did not have any objection to this variance.

Chair Frey next read from the zoning ordinance the criteria for the variance. After each member gave their vote on each article the board unanimously approved the variance. ***Unanimously Approved***

P. Etkind, Board of Directors President of the West Cove A Condo Association asked Frey if this variance approval would apply for another unit in the same area. Frey asked if there is another unit that would require a variance they would have to come to the zoning board as Badgley had to. Frey stated that this variance is for unit #48 only. C. Etkind said that this person had decided not to be part of the five (5) units that were required to get the DES permits and ECA approval to enlarge their decks.

C. Etkind thanked the board for their time.

At this time Clerk Norris let the board know that John Chaloux was here for a conceptual to allow "block party street dancing" out back in the area behind the Farmers Table restaurant. Chair Frey asked Chaloux to explain.

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Chaloux stated that what they are trying to do is to have block party street dances behind the area of Rum Brook Market up to the area behind the kitchen part of the restaurant, basically in back where the trucks come and unload deliveries at

Rum Brook on through. He continued that there would be parking only at the end of the market and parking and the other end of the restaurant is where they would block off the area. He said they would like to put a band on the back of the deck of the restaurant and have an old fashion street dance like places use to have. Chaloux said that he was here tonight to get some ideas of what he would need to do to have this move forward and that this was all new to him to have to go before a board and do something like this and felt the request was so simple.

Frey stated that anyone can come before the Zoning Board with an idea and asked Chaloux if this were to be a permanent thing or just this year. Chaloux explained that he was not the owner of the property and the property owner let him know that if he wanted to do the "leg work" she was okay with that.

Guillette stated questions he would have is does the Fire Chief and Police Chief have any issues with this and Chaloux said he was told to start first with questions for the Zoning Board. Chaloux said that he doesn't know why the Police Department would have anything to do with this and if a fire truck had to get through they would just have someone move the vehicle that was blocking so the fire trucks could get through. Guillette stated that he thought there would have to be a fire lane open so the fire trucks could get through.

Frey asked Chaloux if alcohol will be considered. Chaloux said that is one thing he cannot do and he would not want to jeopardize any alcohol permits the restaurant owner has. He stated that he believes the alcohol permit goes as far as the outdoor back deck of the restaurant and if there were drinking out back off the deck in the parking lot that the property owner would have to look into getting proper permits if this would be allowed.

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Gardiner asked if the town has anything to say about this. Frey asked if there were people that lived close by and Chaloux said just the horse farm also the businesses will be closed and the hours would probably be on a Friday/ Saturday night 7:30p.m. – 9:30p.m. Chaloux also asked why this is the town's business?

Jones stated that it is the town's business when there will be drinking off the back deck and maybe you would have to deal with the liquor commissioner for permits and to have the area confined also probably have a special license to have this organized and special help for these events. Jones continued that there has to be a through way for the fire lane and not blocked by vehicles. Chaloux said that they would just probably "rope off" the area. Jones said that they even might have to have an officer there to keep it contained to a certain area and Jones told Chaloux that is where the town is involved. Chaloux stated that is why he is here before they went ahead and already started to have these events is to find out what is allowed. Jones reiterated that he needs to check with the Police Department and the Fire Department. Jones stated that any area towns that would have these kinds of events has changed a lot over the years and many different agencies are involved now.

Gardiner asked if the back of the area is paved or just dirt and Chaloux said it was dirt. Chaloux said that the area would need to be cleaned up and pot holes filled in. Jones said that it is a feasible idea but there is a lot of leg work that will need to be done and Chaloux said that's why property owner Sara Hastings is not involved at this point and she has given him permission to look into this. Chaloux said they also need to make sure this is financially viable for Sara, they cannot expect her to go out and get an amended liquor license and pay for a police officer just so a few of them can have fun out back. He continued that there are a lot of folks interested in the idea and that it would be a lot of fun.

Frey asked about how many people he would anticipate, Chaloux stated around 50 to 60 people if they all showed up ranging in all ages from early 20's on up.

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Gardiner asked if a band would be outside on the deck and Chaloux said there currently are speakers out there but they probably could have a band out there.

*At 7:18 p.m. member Tanya McIntire entered the meeting.

Chaloux asked what the next steps were and Frey said that he needs to get all paper work and permits in order before coming back to the zoning board. Gardiner told Chaloux to keep it simple. Cummings thought it was a good idea. Gardiner wished Chaloux luck.

Other

Clerk Norris stated to the Board members she felt that in the future when there are no applications and minutes need to be approved, there should be a meeting the following month anyways just for that purpose. Guillette stated that the Planning Board meets once a month weather there is anything on the agenda or not, but the Zoning Board does not have to meet once a month if there is nothing on the agenda. Board members thought this was a good idea and Chair Frey stated that he can call a meeting at any time to approve minutes. Guillette stated the minutes for approval would be posted in two (2) places and not necessary to post in the newspapers.

Adjournment

Chair Frey stated there being no further business a motion was made by Peter Guillette and second Peter Gardiner to adjourn the meeting at 7:30 p.m.

Unanimously Approved

The next meeting will of the Zoning Board will take place on July 26, 2018 at 7:00p.m. in the Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham Town Hall. Application deadline is: July 6, 2018.

Respectfully Submitted,
Martha Norris, ZBA Clerk