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City Planner

**CITY OF CONCORD**  
*New Hampshire's Main Street™*  
**Zoning Board of Adjustment**

**June 4, 2025**  
**MEETING MINUTES**

Attendees: Chair Christopher Carley, Member James Monahan, and Alternate Member Brenda Perkins

Absent: Alternate Mark Davie, Member James Monahan, Member Laura Spector-Morgan, Member Nicholas Wallner, and Member Andrew Winters

Staff: AnneMarie Skinner, AICP, City Planner  
Kearsten O'Brien, Senior Planner  
Krista Tremblay, Administrative Technician III

**1. Call to order**

Chair Carley called the meeting to order at 6:02 p.m.

**2. Chairperson's comments**

Chair Carley noted for the record that tonight is a three-member Board where there is usually a five-member Board. Chair Carley offered for any applicant that wishes to be heard before a full Board to continue to a subsequent meeting. For those wanting to continue with a three-member Board, that does not create grounds for a rehearing. It does mean the vote, in favor or against, from the Board has to be unanimous. No applicants chose to continue, and Chair Carley noted for the record that every applicant is content to be heard by a three-member Board.

**3. Public meetings**

**4. Public hearings**

- 4.1 Northpoint Engineering, LLC, on behalf of Skuffy's, LLC and Enterprise Mobility, requests approval for a variance from Section 28-4-1(d) *Minimum Yard Requirements*/(h) *Table of Dimensional Regulations*, to permit a minimum 18-foot side setback where 25 feet is the minimum side setback required, for the expansion of the existing garage, at Tax Map Lot 781Z 31, addressed as 28 Manchester St, in the Gateway Performance (GWP) District. Not a development of regional impact. (ZBA 0273-2025)

Chair Carley read agenda items 4.1, 4.2, and 4.3, noting that all will be discussed at the same time and voted on separately.

Jeff Lewis (119 Storrs St Unit 210, Concord) and Becky Marcinkavich (10 Navigator Rd, Londonderry)

are present to represent this application. Mr. Lewis stated they are here for a small expansion at Enterprise on Manchester St. They want to expand the garage bay where they clean vehicles. Since the pandemic, they need additional equipment for cleaning. Since 2003, the floodway map has been revised, and the site is no longer in the floodway which allows them to expand the building. However, they are a nonconforming use. They are looking for a variance for an expansion of the nonconforming use. This will not cause any increase in intensity and there will not be more vehicles or customers. They are asking for the same permission they received 22 years ago to continue the use on the site. There is also a variance for encroachments in the setback. They are required to have 25 feet and they are proposing to come within 18 feet of the property line. Mr. Lewis stated there is no other place to expand. Mr. Lewis stated from the street there is no noticeable change to the site. Mr. Lewis noted the lot frontage required is 300 feet, and they do not have 300 feet of frontage. They are not proposing any new driveway cuts. Mr. Lewis noted the old site plan shows where the old floodway line is located.

Ms. Marcinkavich stated the expansion of the wash bay is not for an increase in business; rather, the cleaning process takes longer today than it used to 22 years ago. Ms. Marcinkavich stated the employees are exposed to elements during inclement weather.

Chair Carley asked about the setback issue and why not put the wash basin somewhere else on the site.

Ms. Marcinkavich said separating it from the current building would cost money and take away from parking. The front section of the building is where the customers access. The back half is where they store vehicles going out to rent or moving to a new location. To have separate facility would cause an operational challenge.

Alternate Member Perkins asked if behind the building was approved for office buildings.

Ms. Marcinkavich answered yes.

Chair Carley asked about tax lot 30.

Ms. Skinner stated 16 Manchester St is St. Mary's Bank, and they have their certificate of occupancy. Ms. Skinner noted 30 Manchester St will be the new Common Man convenience store, but it is not under construction.

Chair Carley noted they are talking about a variance to expand the nonconforming use and the reason is that the use was not permitted in 2003. Chair Carley stated the second variance has to do with frontage.

Ms. Skinner stated there is one for setback, frontage, and expansion of the nonconforming use.

Chair Carley asked the applicant to address the issue of hardship.

Mr. Lewis said the primary hardship is that it was developed along a floodway, which defined the layout of the lot forcing the lot to be developed in the corner. If they could do it all over again maybe they would build somewhere else. That is the hardship that created the lot. The variance for the use was granted before, and they are making an insignificant increase from an operational standpoint.

Member Monahan asked about the current water and sewer hookup for new construction.

Mr. Lewis stated there is water, and they wash with a hose. If you were to build in a different location on the site, they would have to add utilities.

Ms. Marcinkavich stated they do have an oil and water separator in the current wash bay. Ms.

Marcinkavich noted because the volume is not increasing they can use the same oil and water separator. Chair Carley asked if the frontage matter would be eligible for an equitable waiver.

Ms. Skinner stated that did not come up.

Chair Carley closed the public testimony after confirming no one from the audience wished to testify.

Alternate Member Perkins stated in regards to the 25-foot setback and reducing to 18 feet she does not see that as an issue that is contrary to public interest. The spirit of the ordinance is still being observed. The value of the property will not be diminished. She noted the hardship is trying to move this to a different portion of the property.

Member Monahan stated all three of the hardships make sense because of legacy. Member Monahan can see the hardship to relocate on a different part of the property with infrastructure, water, and sewer.

Chair Carley stated he agrees with his colleagues.

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-4-1(d) Minimum Yard Requirements/(h) Table of Dimensional Regulations** to permit a minimum 18-foot side setback where 25 feet is the minimum side setback required at the address of 28 Manchester St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* "This project allows the existing vehicle rental facility on the subject site to continue to offer their vital services in a convenient and walkable location, while making the task of washing and vacuuming their rental fleet safer, easier, and faster for their employees. In addition, this project is not expected to increase the amount of traffic generated by the subject property."
2. *The spirit of the ordinance is observed by granting the variance.* "The expansion of the non-conforming use is contained to the side-yard area of the parcel and is not significantly visible from Manchester Street. This maintains the existing approved appearance of the property from the public R.O.W., ensuring the spirit of the ordinance is observed."
3. *Substantial justice will be done by granting the variance.* "The purpose of the expanded garage area allows employees of the rental car business to clean and wash their inventory of vehicles in a more ergonomic and efficient way. This project will reduce the injuries and/or stresses to the employees related to the cleaning of vehicles and improve the work environment for employees of the business."
4. *The values of surrounding properties will not be diminished.* "This project does not significantly alter the physical appearance of the property when viewed from the public street. The existing structure and landscaping will screen the majority of the garage expansion. In addition, this project is not expected to impact the amount of traffic generated by the subject property. This project focuses on providing faster service and improved working conditions for the employees of the car rental business while maintaining the existing appearance of the subject property when viewed from the public R.O.W."

5. *Denial of the variance would result in unnecessary hardship because:* “Prior to 2003, the majority of the property had been located within the floodway, thus, any buildings or structures built on the property were confined to approximately 8,500-sf of the northeast corner of the parcel located outside of the floodway. Therefore, the property developer used the parcel’s available buildable land to design and construct the site, to the best of their ability, as it currently exists. Today, the FEMA Flood Maps indicate the subject property is no longer located within the floodway. The redrawing of the floodway boundary allows for greater flexibility in building size and location on the property. If the floodway boundary, as it currently exists, had existed in 2003, when the last site improvements occurred, larger buildings would have been constructed in more suitable locations within the parcel, at that time. This garage expansion makes reasonable use of this greater flexibility in order to provide better working conditions for employees and faster service for any customers who are waiting for a car to be prepared prior to renting the vehicle.”

4.2 Northpoint Engineering, LLC, on behalf of Skuffy’s, LLC and Enterprise Mobility, requests approval for a variance from Section 28-8-4(a)(1) *Continuation of a Nonconforming Use or Nonconforming Characteristics of a Use*/Section 28-8-4(c)(1) *Expansion of a Nonconforming Use* to allow for the expansion of a nonconforming use and continuation of said nonconforming use in said expansion, where such expansion and continuation are not otherwise permitted, at Tax Map Lot 781Z 31, addressed as 28 Manchester St, in the Gateway Performance (GWP) District. Not a development of regional impact. (ZBA 0274-2025, ZBA 0281-2025)

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-8-4(a)(1) *Continuation of a Nonconforming Use or Nonconforming Characteristics of a Use*/Section 28-8-4(c)(1) *Expansion of a Nonconforming Use*** to allow for the expansion of a nonconforming use and continuation of said nonconforming use in said expansion at the address of 28 Manchester St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant’s findings as the Board’s findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* “This project allows the existing vehicle rental facility on the subject site to continue to offer their vital services in a convenient and walkable location, while making the task of washing and vacuuming their rental fleet safer, easier, and faster for their employees. In addition, this project is not expected to increase the amount of traffic generated by the subject property.”
2. *The spirit of the ordinance is observed by granting the variance.* “The expansion of the non-conforming use is contained to the side-yard area of the parcel and is not significantly visible from Manchester Street. This maintains the existing approved appearance of the property from the public R.O.W., ensuring the spirit of the ordinance is observed..”
3. *Substantial justice will be done by granting the variance.* “The purpose of the expanded garage area allows employees of the rental car business to clean and wash their inventory of vehicles in a more ergonomic and efficient way. This project will reduce the injuries and/or stresses to the employees related to the maintenance of vehicles and improve the work environment for employees of the business..”
4. *The values of surrounding properties will not be diminished.* “This project does not significantly alter the physical appearance of the property when viewed from the public street. The existing structure and landscaping will screen the majority of the garage

expansion. In addition, this project is not expected to impact the amount of traffic generated by the subject property. This project focuses on providing faster service and improved working conditions for the employees of the car rental business while maintaining the existing appearance of the subject property when viewed from the public R.O.W.”

5. *Denial of the variance would result in unnecessary hardship because:* “Prior to 2003, the majority of the property had been located within the floodway, thus, any buildings or structures built on the property were confined to approximately 8,500-sf of the northeast corner of the parcel located outside of the floodway. Therefore, the property developer used the parcel’s available buildable land to design and construct the site, to the best of their ability, as it currently exists. Today, the FEMA Flood Maps indicate the subject property is no longer located within the floodway. The redrawing of the floodway boundary allows for greater flexibility in building size and location on the property. If the floodway boundary, as it currently exists, had existed in 2003, when the last site improvements occurred, larger buildings would have been constructed in more suitable locations within the parcel, at that time. This garage expansion makes reasonable use of this greater flexibility in order to provide better working conditions for employees and faster service for any customers who are waiting for a car to be prepared prior to renting the vehicle.”

- 4.3 Northpoint Engineering, LLC, on behalf of Skuffy’s, LLC, and Enterprise Mobility, requests approval for a variance from Section 28-4-1(c) *Minimum Lot Frontage*/(h) *Table of Dimensional Regulations*, to permit 171.98 feet of frontage where 300 feet is required, at Tax Map Lot 781Z 31, addressed as 28 Manchester St, in the Gateway Performance (GWP) District. Not a development of regional impact. (ZBA 0275-2025)

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-4-1(c) Minimum Lot Frontage/(h) Table of Dimensional Regulations** to permit 171.98 feet of frontage where 300 feet is required at the address of 28 Manchester St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant’s findings as the Board’s findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* “The lot is an existing non-conforming lot of record and is not currently contrary to the public interest. No change in lot frontage is proposed thus the lot frontage will remain as not currently contrary to the public interest.”
2. *The spirit of the ordinance is observed by granting the variance.* “The lot is an existing non-conforming lot of record and is currently observing the spirit of the ordinance. No change in lot frontage is proposed thus the lot frontage will remain observance of the spirit of the ordinance.
3. *Substantial justice will be done by granting the variance.* “The lot is an existing non-conforming lot of record and requiring an additional 120.02 feet of frontage to be acquired from the abutting properties, neither of which currently meet the frontage standards, is an undue burden that would render this property non-buildable. Justice would be done by allowing this lot to continue to provide valuable commercial space for business owners operating within Concord.”

4. *The values of surrounding properties will not be diminished.* “None of the abutting properties along Manchester Street meet the minimum lot frontage requirement. The subject lot with current dimensions fits cohesively among surrounding properties within the commercial neighborhood without diminishing their property values.”
5. *Denial of the variance would result in unnecessary hardship because:* “This existing non-conforming lot abuts properties on all sides that do not comply with this ordinance. Requiring this lot to conform would require either the acquisition of frontage from abutting properties, bringing those lots further from compliance with this ordinance or merging of lots that reduce the number of commercial lots available for development within the City of Concord. This project is focused on providing a larger working area to improve working conditions for employees at the rental car business, which is a reasonable use for the property.”

- 4.4 Ann Dippold, on behalf of Gary M. Shirk Revocable Trust, requests approval for a special exception, per Section 28-2-4(k)(A)(3) *Table of Accessory Uses – Accessory to a Principal Residential Use – Major home occupation*, to allow a real estate office as a major home occupation, at Tax Map Lot 8844Z 1, addressed as 324 South St, in the Single-Family Residential (RS) District. (ZBA 0276-2025)

Ann Dippold (49 Evangelyn Dr, Bow) and Gary Shirk (49 Evangelyn Dr, Bow) are present to represent this application.

Ms. Dippold stated she is seeking a special exception for a major home occupation to allow a real estate office on the first floor. Ms. Dippold noted they will use less than 25% of the square footage. Ms. Dippold noted this property is directly over the Concord line next to an insurance office and across the street is a bank.

Chair Carley asked for the criteria for the special exception and asked Ms. Dippold to read the criteria submitted in the application.

Ms. Dippold read the criteria submitted with the application and the submitted email.

Member Monahan asked if they own and live in the house.

Ms. Dippold stated they purchased the house 30 days ago, and it is being renovated before they move in.

Chair Carley asked for audience testimony, and with no one choosing to testify, closed the public hearing.

Member Monahan stated it seems like a reasonable use of the space in the house and there are other businesses in the neighborhood.

Alternate Member Perkins does not have an issue.

Member Monahan pointed out the applicant stated in the application that this is for a real estate office and if someone else in the future wanted to have another type of business they would need to return to the Board.

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to approve the special exception request for a major home occupation for a real estate office, per Section 28-2-4(k)(A)(3) *Table of***

***Accessory Uses – Accessory to a Principal Residential Use – Major home occupation***, on Tax Map Lot 8844Z 1, at 324 South St, because all of the criteria under Section 28-9-3(b)(2) *Requisite Findings* of the Zoning Ordinance have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The requested use is specifically authorized in this ordinance.* “The property is located in the “RS” zone. A major home occupation is permitted by special exception according to the table of uses, pg.31. The intent is to use a small portion of the first floor for a small real estate business. The business – Hometown Property Group (HPG) is five years old and currently occupies space in the back of the “Bovie” building located at 4 Northeast Ave in Bow .5 miles from 324 South St. We have four desks and a conference table and 1-2 vehicles on average access the space daily.”
2. *The requested use will not create undue traffic congestion or unduly impair pedestrian safety.* “We anticipate no more than 3 or possibly 4 vehicles turning and entering per day. This is not disproportionate given the location or if the 4 BR property had occupants working outside the home.”
3. *The requested use will not overload any public or private water, drainage, or sewer system or any other municipal system, nor will there be any significant increase in storm water runoff onto adjacent property or streets.* “There will be no more than 3-4 people in the home at one time. Sometimes just one, and often just two. Two of those working in the business are also occupants. The business has no employees (all are independent contractors) and work mostly from their homes. Three full time at other professions m the others and myself are in the office when not on the road. The only exception to this is when we have a meeting once every two months with a max of seven present for a two hour period between 9 am – 11 am.”
4. *The requested use will not create excessive demand for municipal police, fire protection, schools, or solid waste disposal services.* “Use of the intended business space will be minimal and not a burden on City Services. There will be no school age children living here. Most of the time there will be 2-3 present.”
5. *Any requirements and standards for the use as set forth in Article 28-5, Supplemental Standards, of this ordinance are fulfilled.* “Supplemental Standard 28-5-30 Home Occupations Section C. Major Home Occupations (1) We are not a retail business and the business is subordinate to a single-family detached dwelling. (2) No more than 25 % of the habitable floor area will be devoted to business.(3) The proprietor is the owner-occupant of the property. (4) We have no employees and (5) the lot conforms to the minimum dimensional standards established in Section 28-4-1 (6) There is ample parking on site and the use will not create excess noise, fumes, etc.”
6. *Where the special exception is related to a nonconforming use or structure, the requirements and standards as set forth in Section 28-8-4(b), Change from One Nonconforming Use to Another by Special Exception, or Section 28-8-5(c), Replacement of Nonconforming Structures That Have Been Destroyed, or Section 28-8-5(d), Removal and Replacement of Certain Nonconforming Residential Structures, of this ordinance, are fulfilled.* (No response noted on the applicant's findings)
7. *The required use will not create hazards to the health, safety, or general welfare of the public, nor be detrimental to the use of or out of character with the adjacent neighborhood.*

“Activity and use will be similar to a normal household with work from home occupants. This property is just over the Concord town line. Operating a small professional office in this property will be in keeping with the surroundings. Neighbors to oneside (located in Bow) are an insurance office and across the street a bank and professional office building.”

8. *The proposed location is appropriate for the requested use.* “Neighboring businesses are complimentary to a real estate office, and hold similar hours of operation. It is right next door to a small insurance agency and across the street from a bank & office building. Business activities will not generate any more and likely less noise than a household of its size. Phone, computer work, and occasional meetings are the intended purposes.”
9. *The requested use is consistent with the spirit and intent of this ordinance and the Master Plan.* “The use requested meets the purposes of the ordinance-enabling a property owner to combine residential use with an appropriate business application. A residential realty is an appropriate home-based business involving little or no impact on neighboring residences and similar businesses. It meets all the standards and conditions as specified by the ordinance for major home occupations.”

- 4.5 Seth Hipple requests approval for a variance from Section 28-4-1(b) *Minimum Lot Size/(h) Table of Dimensional Regulations*, to allow two proposed lots of less than the required 7,500-square-foot area minimum, at Tax Map 7414Z 127, addressed as 45 Concord St, in the Downtown Residential (RD) District. (ZBA 0277-2025)

Chair Carley stated agenda items 4.5, 4.6, 4.7, and 4.8 are to be all discussed at the same time and will be voted on separately.

Seth Hipple (PO Box 1295 Concord) is present to represent this application. Mr. Hipple stated the intention is to divide this single lot into two lots. There are two houses on the site with one addressed as 45 Concord St and other as 1 Beaver St that are deeded on the same deed. Dividing the lot will not change the lot frontage, lot size, or setbacks. The frontage size and setbacks are consistent with the neighborhood in general. Mr. Hipple has not have any issues with use or frontage. Mr. Hipple noted after the division is completed both properties will have ample parking off the street. Mr. Hipple stated granting the variance will not change how the properties will be used. They will roughly have the same amount of occupants as before and after being divided. Mr. Hipple noted it is difficult to get insurance for the property. It reduced the value of the property together and separate. The lending related to property is difficult to find comparable properties. It also reduces the value of the property. The property deeded together is worth less than if they were separate. Buyers are not interested in becoming landlords. Mr. Hipple stated it is difficult to get lending related to the property.

Member Monahan asked for Mr. Hipple to describe the current house on the property.

Mr. Hipple stated the front entrance is shown on the top left of the red square and there is a shared driveway. The Beaver St tenants use the right side of the driveway. Mr. Hipple noted the reason why the line is that way is for them to have easy access to the back entrance.

Alternate Member Perkins asked about the line that goes against Beaver St and asked how many feet between the line and the building.

Mr. Hipple stated he is in the process of having this professionally surveyed. Mr. Hipple estimated there is six feet between the properties.



Alternate Member Perkins noted that her concern is that they do not have enough of a buffer to put a ladder on their own property without trespassing on the other property. Alternate Member Perkins noted there should be three feet on each side to be able to do repairs.

Mr. Hipple stated when he submits an updated deed for these properties he can put an easement for both properties for reasonable repairs.

Alternate Member Perkins asked Ms. Skinner if the Board can include in their vote to require a deed easement.

Ms. Skinner could see no reason why that couldn't be a condition of approval for the setback variance.

Member Monahan asked Mr. Hipple if he lives in either of the buildings and what is his intention after the subdivision.

Mr. Hipple does not live there and 45 Concord St is having renovations. Mr. Hipple had intended to sell one of the properties. However, it is more likely that he will keep both and rent them.

Alternate Member Perkins asked if he will do anything to the shared driveway to divide the property lines.

Mr. Hipple stated not in the immediate future. Mr. Hipple noted there might be an easement for snow removal.

Member Monahan asked how this property ended up with two homes.

Mr. Hipple does not know.

Ms. O'Brien stated it is in the staff report. There was a variance granted back in 1986.

Alternate Member Perkins asked if they were separated at one time.

Ms. Skinner stated they were attached at one point and then they were separated.

Chair Carley asked if the buildings were from the turn of the century.

Mr. Hipple stated the building date on the deed is 1900.

Member Monahan asked if this has operated as two homes.

Mr. Hipple does not have direct knowledge of the property. Mr. Hipple noted he bought the property from the Keller family trust and it was owned by the Keeler family. It was rented as two separate homes.

With no one from the audience wishing to testify, Chair Carley closed the public hearing.

Alternate Member Perkins stated it does not change the use of the property. It will increase the value of each property. Alternate Member Perkins does not see it being contrary to the public interest or affecting the value of the surrounding properties. There is an example of the same thing happening at the adjacent property. Alternate Member Perkins understands the financial and

insurance issues because it is limiting to get a multi-family building never mind two buildings on one property.

Member Monahan stated there is a lot going on with the property.

Alternate Member Perkins stated there is a need for an easement.

Member Monahan noted there is an economic hardship with the insurance. Member Monahan noted the uniqueness was created by the Zoning Board in the 1980s.

Chair Carley stated there is nothing in the intent of the ordinance that requires this to remain one lot. It is reasonable to divide into two lots. All the circumstances that provoke the need for a hardship of a physical situation predates the ordinance.

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-4-1(b) Minimum Lot Size/(h) Table of Dimensional Regulations** to allow two proposed lots of less than the required 7,500-square-foot area minimum at the address of 45 Concord St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* "The lot and frontage sizes are consistent with the character of the surrounding lots and with the neighborhood in general. I have owned this property for over 14 years, and residents/tenants have not had issues sharing or using the yard and parking available. Unlike some properties in my neighborhood, both houses will have ample off-street parking after the lot is divided into two lots. Dividing the lot into two lots will not change the frontage or yard sizes; they will be the same regardless. Dividing the lot into two lots will not substantially change the number of people living at the two houses, or the way the houses are used. Granting the variance would merely allow these houses to be separately deeded, as all or nearly all other houses in the neighborhood are. Further, my intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the properties for sale."
2. *The spirit of the ordinance is observed by granting the variance.* "See proposed findings for # 1 above."
3. *Substantial justice will be done by granting the variance.* "Granting the variance would permit me sell one or both of the properties individually. As many prospective homeowners are not interested in becoming landlords, or simply do not need or want to own two separate houses, the property is much less marketable and worth substantially less as one parcel than it would be if divided into two parcels. The increased property values would strengthen the local tax base. Further, most large banks will not lend with this property as collateral because they do not want to try to sell something so unique if they were required to seize the collateral. I also have trouble getting insurance for this property because it is nearly impossible to find comparable properties, as no modern city or town would have allowed this deeding structure to happen for any structures built semi-recently. On the other hand, granting the variance will not harm abutters or others in the neighborhood. See # 1 above."

4. *The values of surrounding properties will not be diminished.* “The granting of the variance would have no impact on surrounding properties, as there would be roughly the same number of occupants, and the properties would have the same characteristics before and after the variance were granted. See # 1 above.”
  5. *Denial of the variance would result in unnecessary hardship because:* “ The very unique deeding structure of having two structures on a single deed is a special condition and is not how any or nearly any of the surrounding properties are deeded. This special condition creates an unnecessary hardship, because it significantly decreases the resale value as compared to the values the two houses would have if deeded separately. It also makes it unnecessarily difficult to obtain financing and insurance for the property. The ordinance was not enacted to change the fundamental character of structures built around 1900, when these two structures are estimated to have been built. My intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the houses for sale.”
- 4.6 Seth Hipple requests approval for a variance from Section 28-4-1(c) *Minimum Lot Frontage/(h) Table of Dimensional Regulations*, to allow two proposed lots with less than the required 75 feet of lot frontage, at Tax Map 7414Z 127, addressed as 45 Concord St, in the Downtown Residential (RD) District. (ZBA 0278-2025)

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-4-1(c) Minimum Lot Frontage/(h) Table of Dimensional Regulations** to allow two proposed lots with less than the required 75 feet of lot frontage at the address of 45 Concord St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant’s findings as the Board’s findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* “The lot and frontage sizes are consistent with the character of the surrounding lots and with the neighborhood in general. I have owned this property for over 14 years, and residents/tenants have not had issues sharing or using the yard and parking available. Unlike some properties in my neighborhood, both houses will have ample off-street parking after the lot is divided into two lots. Dividing the lot into two lots will not change the frontage or yard sizes; they will be the same regardless. Dividing the lot into two lots will not substantially change the number of people living at the two houses, or the way the houses are used. Granting the variance would merely allow these houses to be separately deeded, as all or nearly all other houses in the neighborhood are. Further, my intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the properties for sale.”
2. *The spirit of the ordinance is observed by granting the variance.* “See proposed findings for # 1 above.”
3. *Substantial justice will be done by granting the variance.* “Granting the variance would permit me sell one or both of the properties individually. As many prospective homeowners are not interested in becoming landlords, or simply do not need or want to own two separate houses, the property is much less marketable and worth substantially less as one parcel than it would be if divided into two parcels. The increased property values would strengthen the local tax base. Further, most large banks will not lend with this property as collateral

because they do not want to try to sell something so unique if they were required to seize the collateral. I also have trouble getting insurance for this property because it is nearly impossible to find comparable properties, as no modern city or town would have allowed this deeding structure to happen for any structures built semi-recently. On the other hand, granting the variance will not harm abutters or others in the neighborhood. See # 1 above.”

4. *The values of surrounding properties will not be diminished.* “The granting of the variance would have no impact on surrounding properties, as there would be roughly the same number of occupants, and the properties would have the same characteristics before and after the variance were granted. See # 1 above.”
  5. *Denial of the variance would result in unnecessary hardship because:* “ The very unique deeding structure of having two structures on a single deed is a special condition and is not how any or nearly any of the surrounding properties are deeded. This special condition creates an unnecessary hardship, because it significantly decreases the resale value as compared to the values the two houses would have if deeded separately. It also makes it unnecessarily difficult to obtain financing and insurance for the property. The ordinance was not enacted to change the fundamental character of structures built around 1900, when these two structures are estimated to have been built. My intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the houses for sale.”
- 4.7 Seth Hipple requests approval for a variance from Section 28-4-1(d) *Minimum Yard Requirement*/(h) *Table of Dimensional Regulations*, to allow structures on two proposed lots that do not meet the minimum setback requirements of 10 feet front, 20 feet rear, and 10 feet sides, at Tax Map 7414Z 127, addressed as 45 Concord St, in the Downtown Residential (RD) District. (ZBA 0279-2025)

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-4-1(d) Minimum Yard Requirement/(h) Table of Dimensional Regulations** to permit structures on two proposed lots that do not meet the minimum setback requirements of 10 feet front, 20 feet rear, and 10 feet sides at the address of 45 Concord St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant’s findings as the Board’s findings of fact, and with the condition of approval that a repair and maintenance easement for both lots be added to both lot deeds.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* “The lot and frontage sizes are consistent with the character of the surrounding lots and with the neighborhood in general. I have owned this property for over 14 years, and residents/tenants have not had issues sharing or using the yard and parking available. Unlike some properties in my neighborhood, both houses will have ample off-street parking after the lot is divided into two lots. Dividing the lot into two lots will not change the frontage or yard sizes; they will be the same regardless. Dividing the lot into two lots will not substantially change the number of people living at the two houses, or the way the houses are used. Granting the variance would merely allow these houses to be separately deeded, as all or nearly all other houses in the neighborhood are. Further, my intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the properties for sale.”

2. *The spirit of the ordinance is observed by granting the variance.* “See proposed findings for # 1 above.”
  3. *Substantial justice will be done by granting the variance.* “Granting the variance would permit me sell one or both of the properties individually. As many prospective homeowners are not interested in becoming landlords, or simply do not need or want to own two separate houses, the property is much less marketable and worth substantially less as one parcel than it would be if divided into two parcels. The increased property values would strengthen the local tax base. Further, most large banks will not lend with this property as collateral because they do not want to try to sell something so unique if they were required to seize the collateral. I also have trouble getting insurance for this property because it is nearly impossible to find comparable properties, as no modern city or town would have allowed this deeding structure to happen for any structures built semi-recently. On the other hand, granting the variance will not harm abutters or others in the neighborhood. See # 1 above.”
  4. *The values of surrounding properties will not be diminished.* “The granting of the variance would have no impact on surrounding properties, as there would be roughly the same number of occupants, and the properties would have the same characteristics before and after the variance were granted. See # 1 above.”
  5. *Denial of the variance would result in unnecessary hardship because:* “ The very unique deeding structure of having two structures on a single deed is a special condition and is not how any or nearly any of the surrounding properties are deeded. This special condition creates an unnecessary hardship, because it significantly decreases the resale value as compared to the values the two houses would have if deeded separately. It also makes it unnecessarily difficult to obtain financing and insurance for the property. The ordinance was not enacted to change the fundamental character of structures built around 1900, when these two structures are estimated to have been built. My intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the houses for sale.”
- 4.8 Seth Hipple requests approval for a variance from Section 28-4-1(e) *Maximum Lot Coverage/(h) Table of Dimensional Regulations*, to allow two proposed lots with more lot coverage than the 60% allowed maximum, at Tax Map 7414Z 127, addressed as 45 Concord St, in the Downtown Residential (RD) District. (ZBA 0280-2025)

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-4-1(e) Maximum Lot Coverage/(h) Table of Dimensional Regulations** permit to to allow two proposed lots with more lot coverage than the 60% allowed maximum, at the address of 45 Concord St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant’s findings as the Board’s findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* “The lot and frontage sizes are consistent with the character of the surrounding lots and with the neighborhood in general. I have owned this property for over 14 years, and residents/tenants have not had issues sharing or using the yard and parking available. Unlike some properties in my neighborhood, both houses will have ample off-street parking after the lot is divided into two lots. Dividing the lot into two lots will not change the frontage or yard sizes; they will be the same regardless. Dividing the lot into two lots will not substantially change the

number of people living at the two houses, or the way the houses are used. Granting the variance would merely allow these houses to be separately deeded, as all or nearly all other houses in the neighborhood are. Further, my intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the properties for sale.”

2. *The spirit of the ordinance is observed by granting the variance.* “See proposed findings for # 1 above.”
  3. *Substantial justice will be done by granting the variance.* “Granting the variance would permit me sell one or both of the properties individually. As many prospective homeowners are not interested in becoming landlords, or simply do not need or want to own two separate houses, the property is much less marketable and worth substantially less as one parcel than it would be if divided into two parcels. The increased property values would strengthen the local tax base. Further, most large banks will not lend with this property as collateral because they do not want to try to sell something so unique if they were required to seize the collateral. I also have trouble getting insurance for this property because it is nearly impossible to find comparable properties, as no modern city or town would have allowed this deeding structure to happen for any structures built semi-recently. On the other hand, granting the variance will not harm abutters or others in the neighborhood. See # 1 above.”
  4. *The values of surrounding properties will not be diminished.* “The granting of the variance would have no impact on surrounding properties, as there would be roughly the same number of occupants, and the properties would have the same characteristics before and after the variance were granted. See # 1 above.”
  5. *Denial of the variance would result in unnecessary hardship because:* “ The very unique deeding structure of having two structures on a single deed is a special condition and is not how any or nearly any of the surrounding properties are deeded. This special condition creates an unnecessary hardship, because it significantly decreases the resale value as compared to the values the two houses would have if deeded separately. It also makes it unnecessarily difficult to obtain financing and insurance for the property. The ordinance was not enacted to change the fundamental character of structures built around 1900, when these two structures are estimated to have been built. My intention, if granted a variance, is to make substantial updates and improvements to the structures and the lot in general in order to prepare at least one of the houses for sale.”
- 4.9 MMA Architects, on behalf of Wal-Mart Real Estate Business Trust, requests approval for a variance from Section 28-6-9(b)(1) *Permitted Building Signs*, to allow 10 building signs where only three building signs are allowed, at Tax Map Lot 46Z 56, addressed as 344 Loudon Rd, in the Gateway Performance (GWP) District. (ZBA 0283-2025)

Dylan Beato (24 Demnger Dr) is present to represent this application. Mr. Beato stated they are putting additional signs on the Wal-Mart as part of the remodel. They will have two existing signs remain for the tenants in Wal-Mart. There will be an additional 10 signs at the two vestibules and main center.

Ms. Skinner clarified that the topic of the variance is the building signage. There are different requirements for all the different types of signage. The building signage is limited to three signs on the building, and they want an additional seven.

Member Monahan asked about a previous granted variance that allowed five signs.

Ms. Skinner stated that variance is still valid and will expire in January.

Alternate Member Perkins asked if the goal is to put more definition on the building.

Mr. Beato answered yes.

Alternate Member Perkins asked Ms. Skinner about the three that were permitted or the five granted with the variance and if the size of the building matters.

Ms. Skinner stated the number of allowed building signs is not based on the size of the building.

Chair Carley asked if the size of the building affects the size of the sign.

Ms. Skinner stated the size of the building determines the overall square footage of the signs but not the number of signs.

Alternate Member Perkins asked if the issue of size will come up later.

Ms. Skinner stated the ten signs they are proposing are within the allowed square footage.

Chair Carley asked Mr. Beato to speak to the hardship.

Mr. Beato said right now when at Wal-Mart the customer does not know which vestibule to use. The additional signs will show where the pharmacy or vision, etc. is located in the building.

Alternate Member Perkins asked for Mr. Beato to show the wording for the signs.

Mr. Beato showed the signs for pick-up, home fashion, grocery, outdoor, pharmacy, and existing tenant signs.

Member Monahan asked about illumination.

Mr. Beato stated that the Wal-Mart branding will be the main focal point to see from the road.

Chair Carley asked if there is any member of the audience that would like to testify in favor of this application, if there is any member of the audience that would like to testify in opposition, or any comments from Planning.

Ms. Skinner stated the sign permits themselves, because it is in the performance district, will have to go to the Architectural Design Review Committee and the Planning Board for the design of the sign, illumination, and color.

Chair Carley closed the public testimony.

Member Monahan stated at first glance going from three to ten seemed like a lot but given that it is all allowed within the square footage, the size of the building and parking lot does create a safety benefit.

Alternate Member Perkins stated ditto.

Chair Carley agreed with his colleagues.

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-6-9(b)(1) Permitted Building Signs**, to allow 10 building signs where only three building signs are allowed at the address of 344 Loudon Rd, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* "Walmart is set back quite a distance from the main road. Approving the variance would allow customers to see the additional signs allowing them to know what departments exist in the store. The new Walmart sign which is part of the new rebranding would also provide a fresh look to the exterior of the building without compromising the surrounding area."
  2. *The spirit of the ordinance is observed by granting the variance.* "If the variance is granted the spirit of the ordinance would still be observed. Adding additional signage would not be taking away the overall look of the area."
  3. *Substantial justice will be done by granting the variance.* "Granting the variance would allow customers to have better knowledge of where to be directed to at the store. The additional updated signage would."
  4. *The values of surrounding properties will not be diminished.* "There will be no undesirable changes produced or detriment to nearby properties by granting this variance for walmart."
  5. *Denial of the variance would result in unnecessary hardship because:* " Walmart is in process of updating their current branding. Denial of the variance would not allow Walmart to update the new branding which will be the consistent with all Stores. The new branding and additional signafe will bring a new transdormation to the exterior."
- 4.10 Gallagher, Callahan & Gartrell, PC, on behalf of Cafua Realty Trust CXXXIX, LLC, requests approval for a variance from Section 28-7-7(g)(3) *Parking to be located to the side or rear of a building*, to allow a portion of off-street parking to be located in front of the building where off-street parking is not otherwise allowed, at Tax Map Lot 583Z 30, addressed as 161 N State St, in the Urban Commercial (CU) District. (ZBA 0284-2025)

Robert Dittle (214 N Main St, Concord) is present to represent this application. Mr. Dittle stated the property is at 161 North State St, and it is the old Santander Bank. Mr. Dittle noted it is in the urban commercial district and is 1.78 acres. The building sits within the setback. The proposed redevelopment would remove the building to create an urgent care facility. Mr. Dittle stated they are here tonight for the portion of the parking towards the front of the building. It is in the southeast corner of the property and roughly 16 parking spots. Mr. Dittle stated for the reasons set forth in the proposed findings, they believe all of the criteria are satisfied. Mr. Dittle noted in terms of hardship this property is unique because it has frontage on two sides - Penacook St and North State St. They both have existing access points coming off the respective roads. Mr. Dittle stated they are able to fit most of the parking spots 50 in total with the exception of the 16 spaces. Mr. Dittle noted the relief facilitates a redevelopment that addresses a nonconformity and brings the property more in compliance with the zoning ordinance. Mr. Dittle stated the re-use is reasonable. The variance will allow for a permitted use to be constructed on the site. Mr. Dittle read the criteria submitted with the application.



Alternate Member Perkins can see on map and asked if the only access into the property is from Penacook St.

Mr. Dittle stated there are two access points: one on Penacook St and one on North State St. Both will remain.

Alternate Member Perkins asked if the one on North State St is one way.

Mr. Dittle stated you can only turn right.

Alternate Member Perkins asked if that will remain.

Mr. Dittle answered yes.

Chair Carley does not think it was a bank to start with it was something else. Chair Carley looking at the plan if there is a drive around circle to drop people off.

Mr. Dittle stated he would be looking at the access off North State St. Mr. Dittle noted to the rear of the property will be the main entry.

Alternate Member Perkins asked if there will be access from North State St.

Mr. Dittle stated his understanding is there will be access if coming down North State St to take a right turn.

Chair Carley asked if there is any member of the audience that would like to testify in favor of this application, if there is any member of the audience that would like to testify in opposition, or any comments from Planning. With none, Chair Carley closed the public testimony.

Chair Carley asked if the Penacook St and North State St are considered front yards.

Ms. Skinner stated they are under the current ordinance.

Alternate Member Perkins does not have any issues with this and does not see it being against the public interest. The spirit of the ordinance is being observed. It will not diminish the surrounding property value. They are not opening any new access to the property. There are properties down the street that have parking in front of the building.

Member Monahan stated it is an improvement to the property.

Chair Carley stated he agrees with his colleagues.

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-7-7(g)(3) Parking to be located to the side or rear of a building to allow a portion of off-street parking to be located in front of the building where off-street parking is not otherwise allowed** at the address of 161 N State St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* “Public interest supports flexibility in development standards, especially where the existing condition offers parking in similar proximity to public streets and where several nearby properties have similar parking areas between buildings and public streets (i.e., 165-167 N. State Street; 4 Church Street).”
  2. *The spirit of the ordinance is observed by granting the variance.* “The requested variance would be consistent with the spirit and intent of the ordinance as the CU district is intended to promote “a mixture of office, retail, restaurant, service, lodging, and high-density housing. See Ordinance at Article 28-2-2(b)(9).”
  3. *Substantial justice will be done by granting the variance.* “The variance would allow a permitted use to “fit” all required parking and special considerations (i.e., ambulance canopy, generator) on the premises. The entirety of the site will be subject to site plan review, and potentially the mitigation of any off-site impacts.”
  4. *The values of surrounding properties will not be diminished.* “There is no evidence to suggest that the immediately surrounding properties will suffer devaluation as a result of a portion of the proposed parking area being located “between the building and the street”. To the contrary, a properly planned, constructed and operated medical facility would only increase the services available to the surrounding properties and rejuvenate a property that has been underperforming for several years.”
  5. *Denial of the variance would result in unnecessary hardship because:* “The site is an existing corner lot with frontage upon two public streets, resulting in a building having two fronts on two streets. The Concept Plan offers multiple conformities over the existing conditions, including front and side setbacks which presently are nonconforming. The configuration of the corner lot, however, creates a hardship in terms of placing all proposed parking to the “side or rear of a building”. Article 28-7-7(g)(3). Instead, a variance is sought to allow a portion of the required parking (16 of 50 total spaces) to be located in front of the proposed building and adjacent to North State Street. “
- 4.11 Northpoint Engineering, LLC, on behalf of Kevin F. Seigel and George J. Seigel Jr., requests approval for a variance from Section 28-7-7(g)(3) *Parking to be located to the side or rear of a building*, to allow off-street parking to be located in front of the building where off-street parking is not otherwise allowed, at Tax Map Lot 303Z 68, addressed as 43 Fisherville Rd, in the General Commercial (CG) District. (ZBA 0285-2025)

Carley stated agenda items 4.11, 4.12, and 4.13 are to be all discussed at the same time and will be voted on separately.

Jeff Lewis (119 Storrs St Unit 210, Concord), George Seigle (43 Fisherville Rd, Concord) and Craig Jones (no address provided) are present to represent this application. Mr. Lewis stated Mr. Seigel’s family owns Concord Carpet building on Fisherville Rd. The primary building is still there from 1945. This site is not best utilized with the business. Mr. Lewis stated there is an old single-family residence next to the commercial building. Mr. Lewis stated adjacent to the Concord Carpet building is a Cumberland Farms and Tire Warehouse. Across the street are single-family and multi-family residential lots. Mr. Lewis stated behind the property is the Concord-Sunapee rail trail. Mr. Lewis noted there is one long stretch of driveway. Some of the parking is right in front of the building. The property is 1.85 acres with 150 feet of frontage on Fisherville Rd. Mr. Lewis noted one constraint is the parking in the front and the buffers. Mr. Lewis noted if they are proposing a multi-family development they are required to have buffers for the adjacent properties on the entire perimeter buffer independent of what the adjacent land use is. Mr. Lewis noted the buffers are not

allowed to have anything within them in terms of parking or building. They can have recreational spaces but the building and parking needs to remain out of the buffers. Mr. Lewis stated the width of the buffer is tied to the size of the building. If there was a one-story building they would only need a 30-foot buffer. With a two-story building they need a 50-foot buffer. They are proposing a three-story building which requires a 75-foot buffer. A reason why they are doing that is to keep the footprint as small as possible and keep away from adjacent properties. They are required to have 44 parking spaces. They are proposing 22 units on 1.85 acres. The terrain is flat with no wetlands or steep slopes. It is well drained. They are required to have at least 44 parking spaces for the size of the building. They are trying to keep the parking lot with a 30-foot buffer for both properties. They are meeting the buffer requirement if the building was a one-story building. They are trying to keep the building 75 feet away from the property line. They will encroach to the southwest which is the rail trail. The proposed plan has 47 parking spaces which is three more than the minimum required. They are trying to keep within the spirit of the master plan with walkability, screening for parking, and making the best use of the site out there. There is an opportunity to remove the existing building and pavement to add a more attractive building by the rail trail.

Mr. Jones stated they were trying to approach this as more of a park-like building site. The adjacent neighbors are the Cumberland Farms and Tire Warehouse. The Tire Warehouse has a parking lot right up to the front of the street. They wanted to push the building back and create a screening. Mr. Jones stated the idea behind the ordinance as he understands it is that you create the scale of a street and pushing back buildings to a set line. They will soften the site with trees and the parking lot will become more park like. They carried that them at the back of the property by the rail trail. There is a location for the tenants to have a garden space.

Mr. Lewis stated there is a request for three variances and mentioned two of the variances. Mr. Lewis stated they are required to have one loading space. Mr. Lewis is looking at if they can live without it. Mr. Lewis said they can use three parking spaces and remove them if required to have a loading zone instead of guest parking. Mr. Lewis stated they feel like there is suitable area for people pulling off to the side that is not designated. Mr. Lewis feels adding the few parking spaces enhances the project without encroaching into the buffer.

Alternate Member Perkins asked for the zoning for the lot.

Mr. Lewis stated general commercial. Mr. Lewis noted for a multi-family the requirement is 12 units per acre.

Alternate Member Perkins asked if they are 75 feet from each residential area.

Mr. Lewis answered yes.

Member Monahan asked where is the dumpster.

Mr. Lewis stated there is no dumpster on the plan and will update the configuration to keep it out of the 30 feet.

Member Monahan noted there are other apartments on Fisherville Rd with parking in the front.

Mr. Lewis noted there are older ones.

Ms. Skinner stated the requirement is limited by zone. The general commercial zone requires parking in the rear or side of the building and that is not a requirement in a residential zone.

Chair Carley thinks the idea is create a street scape. Chair Carley asked what is to the south of the property.

Mr. Lewis stated it is Tire Warehouse.

Chair Carley asked if there is parking in front.

Mr. Lewis said yes.

Chair Carley closed the public hearing after determining that no one wished to testify.

Member Monahan thinks this is an improvement to the property. The public safety for backing into Fisherville Rd is a nightmare. Member Monahan thinks they have done a good job of working with tight piece of property to make attractive and workable. Member Monahan noted the attractiveness of the parking lot needs to be maintained. Member Monahan there is uniqueness to the property in order to respect the neighbors and the buffers moving the building to the back of the property does a good job.

Alternate Member Perkins stated she agrees with everything Member Monahan said. They are meeting the 75 feet to the building when it comes to the residential. Alternate Member Perkins does not see how they can put it close to the road. Alternate Member Perkins pointed out Oak Bridge has a three-story building right on the road.

Chair Carley stated he is inclined to agree with his colleagues. If they were to move the building to the street and rotate they would be doing more damage to the buffer. The relationship of the building to the rail trail does mitigate the impact to the buffer. Chair Carley stated no one will build in that location. Chair Carley noted they could reduce the building to two stories and increase the footprint but the reduction in the buffer would not make it work. Chair Carley noted they are stuck without the variances, and this is a reasonable use. The intent to create a streetscape along the road is already frustrated by what is there now, and they can do nothing about. Chair Carley mentioned the loading space but this is not a business. It is for move in and move outs and they will be at the front of the building. Chair Carley does not see a reason to reduce the parking by three spaces to install a loading space.

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-7-7(g)(3) Parking to be located to the side or rear of a building**, to allow parking in front of the building at 43 Fisherville Rd, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* "Residential housing continues to be in high demand within the City of Concord and across the State of New Hampshire and with the demand for housing comes the increased need for off street parking. This development allows for the construction of 22 additional housing units in an appropriate location serving the housing needs for the City of Concord while providing sufficient parking stalls. Careful thought and effort has been given to sufficiently screen the parking area between Fisherville Road and the parking area. This screening will provide visual barriers, shade, and block wind, providing similar benefits to the public area adjacent to the subject site if a building were located along the Fisherville Road."

2. *The spirit of the ordinance is observed by granting the variance.* “Careful thought and effort has been given to sufficient screening of the parking area between Fisherville Road and the parking area. This screening will provide visual barriers, shade, and block wind, providing similar benefits to the public area adjacent to the subject site if a building were located along the Fisherville Road”
  3. *Substantial justice will be done by granting the variance.* “This project alleviates some of the substantial need for housing within the City of Concord by providing 22 units of housing along the mixed use corridor that is Fisherville Road while sufficiently meeting the needs for off street parking within the limits of the subject site.”
  4. *The values of surrounding properties will not be diminished.* “The surrounding properties consist of various commercial and residential uses. Allowing this project will remove an underutilized property and replace it with architecturally attractive multifamily building that incorporates screening of the parking area between Fisherville Road and the parking area. Because of this screening the project will not diminish any surrounding property values.”
  5. *Denial of the variance would result in unnecessary hardship because:* “ The purpose of excluding parking from the front of the buildings is to create a more walkable human-scaled street design. Due to the site constraints of having large buildable area and minimal frontage, the rear of the property is the most feasible location to construct a 22-unit multifamily structure requiring that the required parking be located in the front of the building. To comply with the spirit and intent of the ordinance careful thought and effort has been given to sufficiently screen the parking area between Fisherville Road and the parking area. For this reason allowing sufficiently screened parking to be located in the front of the building is a reasonable use for the property.”
- 4.12 Northpoint Engineering, LLC, on behalf of Kevin F. Seigel and George J. Seigel Jr., requests approval for a variance from Section 28-4-5(d)(5) *Perimeter Buffer Required*, to allow a reduction in the required 75-foot-wide buffer to allow a building within 37 feet of the property line and a parking lot within 30 feet of the property line, at Tax Map Lot 303Z 68, addressed as 43 Fisherville Rd, in the General Commercial (CG) District. (ZBA 0286-2025)

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-4-5(d)(5) Perimeter Buffer Required**, to allow a reduction in the required 75-foot-wide buffer to allow a building within 37 feet of the property line and a parking lot within 30 feet of the property line at 43 Fisherville Rd, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant’s findings as the Board’s findings of fact.

**Adopted Findings of Fact:**

1. *The variance will not be contrary to the public interest.* “The proposed project maintains a 30-foot buffer around the parking lot which is the necessary buffer requirement if the multifamily structure was only one story tall. Since any parking lot is independent of the height of the associated building, it stands to reason that a 30-foot buffer should suffice in any situation. The proposed building is located in the rear of the property where it is adjacent to the rail-trail corridor.”

2. *The spirit of the ordinance is observed by granting the variance.* “A well-planned residential development in this location that is done in a manner that is harmonious with the surrounding land uses and maintains the 30-foot buffer is observant of the spirit of the ordinance because if a single-story building were to be constructed parking would be allowed by right up to the 30-foot buffer setback. This proposed project maintains that 30-foot buffer.”
  3. *Substantial justice will be done by granting the variance.* This project would be no different to a single-story development that requires a 30-foot buffer while providing the maximum number of permissible units for the size of the subject site. Providing the most housing while having similar buffer impacts to a development that provides less housing.”
  4. *The values of surrounding properties will not be diminished.* “The surrounding properties consist of various commercial and residential uses. Allowing this variance will allow for greater utilization of the property for housing and parking of personal vehicles while remaining in compliance with the single-story buffer requirements. Thus, not diminish any of the surrounding property values.”
  5. *Denial of the variance would result in unnecessary hardship because:* “The purpose of increasing the buffer proportionality with building height is to maintain greater visual screening from neighbors. However, the proposed site design has buffer impacts from parking that are still within the minimum buffer associated with a single-story structure. Additionally, the multifamily structure impacts the buffer area to the rear of the property where the abutting lot to the rear is not a developable property. Due to the abovementioned conditions no substantial relationship exists between the purpose of the ordinance and the application of that ordinance and developing the allowable 22-units of housing is a reasonable use.”
- 4.13 Northpoint Engineering, LLC, on behalf of Kevin F. Seigel and George J. Seigel Jr., requests approval for a variance from Section 28-7-13(a) *Table of Off-Street Loading Requirements*, to allow no off-street loading spaces where one space is otherwise required, at Tax Map Lot 303Z 68, addressed as 43 Fisherville Rd, in the General Commercial (CG) District. (ZBA 0287-2025)

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-7-13(a) Table of Off-Street Loading Requirements**, to allow no off-street loading spaces where one space is otherwise required at 43 Fisherville Rd, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant’s findings as the Board’s findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* “This design maintains two routes to access the driveway within the looped parking area. This way if a moving/delivery vehicle were to block one of the driveway access routes there is an alternative access to the driveway. Providing minimal impacts to residents of the proposed project as well as the public at large.”
2. *The spirit of the ordinance is observed by granting the variance.* “A spacious looped parking area allows vehicles to maintain their ability to circulate around the parking area if a loading truck were to be positioned in a manner that narrows drive aisles. This observes the spirit of the ordinance by ensuring that loading will not have to occur within the Fisherville Road right of way.”

3. *Substantial justice will be done by granting the variance.* “This project attempts to abide by the Ordinance as much as practicable - adding a loading zone in the parking area would encroach into the already impacted 30-foot buffer that is to be maintained by an associated variance application. In order to preserve the 30-foot buffer and maintain screening for residents this variance would serve substantial justice.”
  4. *The values of surrounding properties will not be diminished.* “This design maintains two routes to access the driveway within the looped parking area. This allows for a moving vehicle to block one of the driveway access routes by providing alternative access to the driveway. This ensures that loading will not have to occur within the Fisherville Road right-of-way preserving the values of surrounding properties.”
  5. *Denial of the variance would result in unnecessary hardship because:* “ This property contains the necessary buildable area to allow for 22-units of residential development and associated parking while maintaining a 30-foot buffer from all property lines. This design with the associated geometric constraints of the property does not allow for the additional 1,000-sf of space required for off street loading without sacrificing the number of units, parking spaces, or the 30-foot buffer. This demonstrates that the variance is necessary and allowing residential property to forgo a loading zone is a reasonable use of the property.”
- 4.14 New Hampshire Troopers Association and Jade Garrett request approval for a variance from Section 28-2-4(j)(D) *Table of Principal Uses – Services – Personal and Business*, to allow a skincare salon where one is not otherwise allowed, at Tax Map Lot 6414Z 3, addressed as 109 N State St, Suite 9, in the Civic Performance (CVP) District. (ZBA 0288-2025)

Carley stated they will discuss agenda items 4.14 and 4.15 at the same time. Chair Carley asked what is the difference between the two.

Mr. Skinner stated the difference is two separate addresses, two different businesses, and two different locations in the building - suite nine and suite six. It is the same property owner. However, they are two different cases.

Jade Garrett (175 Pleasant St, Concord), Stefan Czyzowski (107 N State St, Concord), and Tara Mercado (61 Perley St, Concord) are present to represent the applications. Mr. Czyzowski stated the testimony will be the same for both as they have suites in same building. Mr. Czyzowski is the president of the New Hampshire Troopers Association and they own the building at 107 and 109 North State Street. It is one big building with two addresses. Mr. Czyzowski noted they rented spaces in the building to Ms. Garrett and Ms. Mercado. Mr. Czyzowski stated they have been there for a period of time and are established business owners. Ms. Garrett has a skin care salon. Ms. Mercado has a nail salon. Mr. Czyzowski stated they have not received any complaints from any of the neighbors. They only have one client at a time. They are not there at all hours of the day. The use of the building is not like a bank or hospital. Mr. Czyzowski noted they are both established small business owners and the hardship would be to move to a more expensive location.

Chair Carley asked how long they have been there.

Mr. Czyzowski stated Ms. Garrett has been renting for two years and Ms. Mercado has been there for six months.

Chair Carley asked how did they discover they had a zoning problem.

Mr. Czyzowski stated Ms. Mercado applied for a small sign for the front of the building.

Alternate Member Perkins asked if the type of services are not allowed in the zone.

Ms. Skinner stated they are not allowed at all. Ms. Skinner noted there is a lengthy list of what is allowed in that district and personal and service businesses are not allowed. Ms. Skinner stated in the staff memo it lists all of the allowed uses for that district.

Member Monahan asked how many suites are there.

Mr. Czyzowski stated there are eight or nine suites.

Alternate Member Perkins asked if there are any other personal services businesses in that area.

Ms. Skinner stated there are not as she walked the whole street and everything in that district that is there now is an allowed use.

Member Monahan asked how far the district extends.

Ms. Skinner stated it ends at Washington St and everything to the north is residential.

Chair Carley asked if there is a hair salon at the traffic circle.

Ms. Skinner stated the districts change and ranged from RD to RN to IS. The traffic circle has all sorts of districts including commercial and UT. The building on the corner is the end of that district and everything north, west, and east is not that in that district. Everything that is south is in the CVP.

Alternate Member Perkins stated it is on the edge of the district and asked if other districts would allow the use for nail or skin care.

Ms. Skinner answered no, that personal service businesses are not allowed in any of the residential districts.

Chair Carley asked if medical is allowed in the CVP.

Ms. Skinner answered yes.

Ms. Garrett stated in order for them to be legally open they both obtained a certificate of occupancy. This was a surprise that they are not zoned to be there.

Chair Carley asked if the certificate of occupancy came from the city.

Ms. Garrett answered yes, for the state of New Hampshire they needed the certificate of occupancy.

Chair Carley asked for the state of New Hampshire.

Ms. Garrett answered yes, OPLC are the ones for the state board of cosmetology.

Chair Carley noted it is the state licensing board.

Member Monahan asked if they needed to show the city the certificate of occupancy.

Ms. Garrett answered yes.



Member Monahan asked if it is specific to what will take place with it.

Ms. Garrett stated hers says esthetician.

Ms. Mercuso stated her says manicurist.

Ms. Skinner stated the certificate of occupancy all has to do with building. In the international building code every type of use is broken down by an occupancy classification. The state adopts the IBC and the city then adopts it. For a building or a space in a building to be legally occupied per the IBC it has to meet the requirements for the occupancy classification and the international building code. Ms. Skinner stated it has nothing to do with zoning.

Member Monahan asked if there would have been an opportunity for the city to catch it.

Ms. Skinner stated it would have been, but the certificate of occupancy comes from a different department and zoning was not asked to check at the time of issuance.

Chair Carley asked if there is any member of the public that would like to be heard in favor of this appeal.

Roy Schweiker (12 Chapel St, Concord) stated he thinks this is a reasonable request to allow and has no issue.

Chair Carley asked if there is any one else in the audience that would like to speak in favor or in opposition.

Ms. Skinner stated she has concerns, specifically what is the hardship of the property that is specific to that specific property that other properties in the district do not experience.

Chair Carley closed the public hearing.

Alternate Member Perkins is struggling that some of these services, while they are not medical, they do require certain licensing. Alternate Member Perkins stated there is a gray area that she wants to say yes but she is struggling because the whole area could come back to the Board. If they approve this one then, why would they not approve others.

Member Monahan noted it is an interesting situation. Member Monahan stated he does not think the Board has the license to get to yes right now. Member Monahan was going to make a motion that the Board table it to give the applicant time to think it through and come back with a unique view of what they are doing relative to the ordinance.

Chair Carley noted there is no harm being done as a result of the non-permitted use. Chair Carley does not doubt that the appellant did not understand what the rules were when they moved in. Chair Carley noted that the request does not comply with the variance criteria. Although he would like to vote to approve the request, his support would be based on his personal preference, not the law. Such an action by the Board, if taken for that reason, would forfeit its legitimacy. Chair Carley does not think that the Board can do that. Chair Carley noted giving the appellant more time does not seem to be helpful.

Alternate Member Perkins noted you are allowed to have entertainment and recreation services. Alternate Member Perkins stated tabling it buys them time to find new locations. Alternate Member Perkins asked Ms. Skinner if they were to deny the variance tonight how long do they have.

Ms. Skinner stated as long as the Board wants to allow.

Alternate Member Perkins wants to say yes; however, it will have a dramatic impact on the whole district without changing the zoning requirements for CVP. Alternate Member Perkins stated she feels like they would have to vote on changing something in the ordinance for that district.

Chair Carley stated they have already said they do not do that. Chair Carley does not see how he can vote in favor.

Alternate Member Perkins asked if it would be against the rules to give them three or six months to relocate.

Ms. Skinner stated she does not know as she has never been in this situation before.

Chair Carley stated he does not believe the Board had issued any conditions about enforcement. Chair Carley noted it is possible they do not come to a decision because you need three people to vote on a motion if three people to vote on a motion. If there is no motion that is unanimous, they simply do not act.

Ms. Skinner stated she believes it would have to go to July and will have to check with legal.

Chair Carley noted it is sounding like they might be in that situation and asked if they can recess to consult with legal.

Member Monahan stated he is trying to give the applicant time to come up with a plan "b".

Chair Carley would support a motion to recess for two months.

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, to continue to a date certain of August 6, 2025.

Chair Carley asked the applicants if they have any questions about what just happened.

Mr. Czyzowski stated he understands they pushed the decision off until August to come back with an idea on a medical thing. Mr. Czyzowski asked about the discussion on the rules being changed and how to go about asking for the rules to be changed.

Chair Carley stated to approach the at-large city councilors and the city councilor from their district.

Ms. Skinner noted what they want to approach the city councilors with is to allow personal and service businesses in the CVP district.

Chair Carley noted that City Council makes the rules, and the Board does not. Chair Carley stated the way the rules are written, the Board is narrowly constrained.

Ms. Skinner stated nail and skin care are not medical uses.

Alternate Member Perkins noted they are looking to have the zoning changed to allow them in the

district.

- 4.15 New Hampshire Troopers Association and Tara Mercado request approval for a variance from Section 28-2-4(j)(D) *Table of Principal Uses – Services – Personal and Business*, to allow a nail salon where one is not otherwise allowed, at Tax Map Lot 6414Z 3, addressed as 109 N State St, Suite 6, in the Civic Performance (CVP) District. (ZBA 0289-2025)

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, to continue to a date certain of August 6, 2025.

- 4.16 Advantage Signs, on behalf of Eurofins and Concord Antrim Avenue Real Estate Inc., requests approval for a variance from Section 28-6-9(c)(2) to allow one 35-square-foot freestanding sign to be located closer than five feet to the front property line, at Tax Map Lot 76Z 8, addressed as 51 Antrim Ave, in the Industrial (IN) District. (ZBA 0290-2025)

Josh Messinger (128 Hall St, Concord) is present to represent this application. Mr. Messinger stated in 2021 he applied for a sign permit when Eastern Analytical owned the property. The sign permit was granted and the sign was installed. It stated in the document that it should be two feet back from the face of the curb. It is a unique property because the curb and sidewalk are well more than two feet off the curb. It is 39 inches.

Chair Carley asked if this is an existing sign they want to replace.

Mr. Messinger answered yes, it was recently sold to a national company. When they went to apply for the sign permit that is when they were told that they were out of compliance because the sign is within the five-foot setback. They said to place the sign two feet from the curb and the property line is quite a bit off the road.

Chair Carley asked for photos on the site.

Mr. Messinger stated it is a hardship to move the sign because there are underground utilities there. It would require heavy equipment to move the sign. The new owner just wants to update the face.

Alternate Member Perkins asked if they are only replacing the panels.

Ms. Skinner stated the ordinance requires that it all be compliant even if refacing.

Chair Carley asked if the issue is that it is in the setback.

Mr. Messinger answered yes, it is 21 inches in the setback.

Member Monahan asked who approved it before.

Mr. Messinger stated it went to Architectural Design Review Committee and Planning Board.

Ms. Skinner stated the Zoning Board of Adjustment did not approve a variance for the setback.

Member Monahan noted it was built outside of what was approved.

Mr. Messinger it was signed off on by the city.

Chair Carley asked about the real problem with visibility if had to move the sign back.

Mr. Messinger showed the location of the sign and the parking space which would impede snow removal and to the right there is a tree getting bigger. It would set it off the road and it would not be visible. It would almost be in line with the parking spaces.

Chair Carley closed the public hearing, noting no one in the audience wished to testify.

Alternate Member Perkins thinks it's a simple yes. They did not get the variance the first time because they did not know they needed it. Alternate Member Perkins stated it is still within the meaning of the ordinance to allow it.

Member Monahan stated ditto.

Chair Carley stated ditto and they can claim hardship for reduced visibility.

On a motion made by Alternate Member Perkins, seconded by Member Monahan, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **to grant the variance from Section 28-6-9(c)(2) to allow one 35-square-foot freestanding sign to be located closer than five feet to the front property line** at 51 Antrim Ave, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* "The current sign has been in this location since 2021 from the approved permit. The sign has enhanced the usability of the building for all users."
  2. *The spirit of the ordinance is observed by granting the variance.* " The City of Concord has already approved the placement of the sign prior to the change of the business name."
  3. *Substantial justice will be done by granting the variance.* " This sign has already been approved, installed and the sign is in place."
  4. *The values of surrounding properties will not be diminished.* "There is no instance of signage decreasing surrounding property values. If anything this will increase the value of properties due to the signs materials and value."
  5. *Denial of the variance would result in unnecessary hardship because:* " This sign has been in place since 2021 and was permitted and approved by the City of Concord. The sign was later found in May of 2025 to be in the property setback. The unnecessary hardship is that the property has underground utilities under the sign the sign also has concrete footings and will require heavy equipment to move the sign. This would be a tremendous financial burden to the business."
- 4.17 Orr & Reno, on behalf of MOR Real Estate Holdings, LLC and Allison Street Holdings, LLC, requests approval for a variance from Section 28-5-3(b)(1) *Minimum Lot Size*, to allow lot area of 12,197 square feet where 12,500 square feet is otherwise required, for the conversion of one office space to an apartment unit, at Tax Map Lot 6444Z 54, addressed as 63 School St, in the Civic Performance (CVP) District. Not a development of regional impact. (ZBA 0291-2025)

Agenda item 4.17 was heard as the first item of the meeting.

Mr. Arnold (45 S Main St, Concord) is present to represent this application. Mr. Arnold stated the applicant bought 63 School St. They pulled a building permit to convert an office unit to a residential unit. They did the work and the City determined after the fact that they should come for site plan approval. At the time of the site plan approval, the City determined they needed a variance for frontage because the lot did not have enough frontage. The frontage variance was granted. After the hearing the City determined the lot size was not compliant. Mr. Arnold stated the request tonight is that the lot size existing is 12,197 square feet, and the minimum lot size requirement is 12,500. They are 300 feet short. They are not changing the lot size or increasing the building area. This is purely internal renovations that already have been completed to convert an office to residential living space.

Chair Carley stated there was an administrative oversight that could have been addressed last month and for whatever reason it was not.

Chair Carley closed the public hearing after confirming no one in the audience wished to testify.

On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed, **the Board granted the variance from Section 28-5-3(b)(1) Minimum Lot Size**, to allow lot area of 12,197 square feet where 12,500 square feet is otherwise required, for the conversion of one office space to an apartment unit, at 63 School St, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* "A variance is contrary to the public interest if "it unduly and in a marked degree conflicts with an ordinance such that it violates the ordinance's basic zoning objectives." Farrar v. City of Keene, 158 N.H. 684, 691 (2009) (internal quotations omitted). In determining whether a variance would violate basic zoning objectives, the board should examine whether the variance would alter the essential character of the locality, or whether the granting of the variance would threaten public health, safety or welfare. Id. Here, the variance will not alter the essential character of the locality. There are no exterior changes proposed to the Property. All renovations have been interior. Nor would the variances threaten public safety, health or welfare. The lot size is existing, and has caused any public harm over the years. "
2. *The spirit of the ordinance is observed by granting the variance.* "The New Hampshire Supreme Court has determined that this criteria overlaps with the public interest requirement. See Chester Rod & Gun Club v. Town of Chester, 152 NH 577, 580 (2005). The spirit of the ordinance seeks to ensure that there will be certain minimum lot sizes to prevent overcrowding. But none of that is changing under this request. The Property has existed and functioned adequately for an extended period of time. Originally, as residential space, and more recently as office space. The lot size variance will not result in any overcrowding of the neighborhood."
3. *Substantial justice will be done by granting the variance.* "Substantial justice is done where granting a variance will not cause harm to the general public that outweighs the benefit to the applicant. See Malachy Glen Associates v. Town of Chichester, 155 N.H. 102, 109 (2007). That is the case here. The restoration of the residential use within the house on a lot approximately 300sf under the minimum lot size will not harm the public in any way. The creation of housing serves the public interest, as the City has recognized there is a housing shortage. The variance would greatly benefit the applicant because it would allow the use of

the recently renovated space as a residential unit. Without the variance, the applicant would be required to change the space back to office space, which would mean the loss of the substantial investment already made in the renovations, and the additional costs of converting the space back to office.”

4. *The values of surrounding properties will not be diminished.* “The variance will not impact surrounding property values, as it relates solely to continuation of existing conditions, and the only changes to the Property will be interior.”
  5. *Denial of the variance would result in unnecessary hardship because:* “The Property is unique in that it has an existing residential structure built around 1900, and is currently configured for three residential apartment units. The latest renovations to restore the third unit were done under a building permit issued by the City, at considerable expense. The Property’s lot size has existed for many years, and whether the Property is used as 2 apartments and one office, or as 3 apartments, is immaterial for purposes of lot size. Restoring the office to a residential unit does not pose any harm to the public, and as such, there is no public purpose that would be served by strictly enforcing the lot size requirement to this Property. The proposed use is reasonable because the structure was originally intended as a residential structure, and has historically been used as a residential structure, until recent years when an accounting office opened. Residential uses, including multifamily, are permitted by right in the CVP District. The Property is only approximately 300sf under the minimum lot size, which is an insignificant deviation.
5. **Review and acceptance of minutes from May 7, 2025**  
Member Monahan moved, seconded by Alternate Member Perkins, to approve the meeting minutes from May 7, 2025, as written. The Board voted 3 in favor (Carley, Monahan and Perkins) to 0 opposed. The motion passed unanimously.
  6. **Any other business that may legally come before the Zoning Board**
  7. **Adjourn**  
On a motion made by Member Monahan, seconded by Alternate Member Perkins, the Board unanimously voted 3 in favor (Carley, Monahan, and Perkins) to 0 opposed to adjourn at 8:26 p.m.

Respectfully submitted,  
Krista Tremblay  
Krista Tremblay  
Administrative Technician III