



AnneMarie Skinner, AICP
City Planner

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

January 29, 2025
MEETING MINUTES

Attendees: Chair Christopher Carley, Alternate Mark Davie, Member Laura Spector-Morgan, Alternate Brenda Perkins, Member Nicholas Wallner, Member Andrew Winters

Absent: Member James Monahan

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

1. Call to order

Chair Carley called the meeting to order at 6:00 p.m.

2. Chairperson's comments

3. Public meetings

- 3.1 Leon LaFreniere requests a rehearing for ZBA 0232-2024 (On December 4, 2024, Orr & Reno requested and received approval for, on behalf of NHSCOT and Child and Family Services Realty Corporation, variances from Section 28-2-4(j) *Table of Principal Uses* to allow *Services – Personal and Business* use where such use is not otherwise permitted; and, Section 28-2-4(h) *Multiple Principal Uses on a Single Lot* to allow multiple principal uses on the same lot where only one principal use is permitted, at Tax Map Lot 32Z 59, addressed as 210 Bog Rd, in the Open Space Residential (RO) District.). (ZBA 0242-2025)

Chair Carley stated the Zoning Board of Adjustment is present to discuss a request for a rehearing for ZBA 0232-2024. Chair Carley noted that three documents were submitted for review. The first was from Mr. Lafrenier requesting the rehearing. The second was from Attorney John Arnold contesting the request. The third was a follow up from Mr. Lafrenier rebutting Mr. Arnold's comments. Chair Carley confirmed that the Board members all had a chance to review the documents.

Member Laura Spector-Morgan recused from voting as she was not present on December 4, 2024, for the original decision. Member Laura Spector-Morgan stated she understood the rest of the Board was present at the December 4, 2024, meeting. Member Laura Spector-Morgan has read the documents and the minutes from the meeting. However, she stated she will remove herself from the conversation and the vote.

Alternate Brenda Perkins stated for the record she was present for the December 4, 2024, meeting, but did not vote.

Chair Carley stated in order for the Board to grant the request for a rehearing they need to find there was an error in law or the offering of new information that was not available to the Board at the time of the decision.

Member Wallner stated he did review the three pieces of correspondence and the meeting minutes. Member Wallner stated he does not feel there was an error in the original decision, nor does he see any missing information that would necessitate a rehearing.

Member Winters agreed. Member Winters stated that some additional details were added in the request for a rehearing, as is normal with such a request. However, there was not anything added that would rise to the level to make any change to his vote.

Alternate Davie stated he had no further comment.

Alternate Perkins stated if she had voted at the December meeting she would have voted to move the project forward. Alternate Perkins noted that she did not see anything in the rehearing request to change her mind.

Chair Carley agreed with the previous comments.

Member Wallner made a motion to deny the request for a rehearing. Alternate Davie seconded. All in favor. 5-0 The motion passed unanimously.

4. Any other business that may legally come before the Board

Ms. Skinner stated that at the January 8, 2024, meeting the request for special exception approval for a rooming house at 11-15 Pierce St was tabled by the Board to the February meeting to allow staff to gather information on emergency services calls to the site, as well as allow time for the city solicitor to provide information regarding reasonable accommodation. Ms. Skinner noted that the information on the emergency services calls would be in the agenda packet. Ms. Skinner further noted that the city solicitor reviewed reasonable accommodations under ADA and the Fair Housing Act, but that the application did not provide enough information for the Board to make a reasonable accommodation approval.

Ms. Skinner then provided a brief outline of the applications submitted for the February meeting, noting that there would be the continued hearing of the 11-15 Pierce St case, as well as two new applications – one for a variance, and the other for an equitable waiver.

5. Adjourn

On a motion made by Member Laura Spector-Morgan, seconded by Alternate Mark Davie, the Board unanimously voted 6-0 to adjourn at 6:25 p.m.

Respectfully submitted,

Krista Tremblay

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Administrative Specialist II