

ZBA Agenda
November 21, 2023

7:00 p.m. Meeting Convenes / Roll Call / General Business (quorum 3/5)

- 1) **Billie Maloney, Chair**
- 2) Kevin Scott, Vice Chair
- 3) Jack Cannon
- 4) Rick Snyder, Planning Board Liaison (*voting member*)
- 5) William Gregsak
- 6) Jason Walsh, Alternate

- I. Call to Order, Roll Call
- II. Minutes Approval of October 17, 2023 Minutes
- III. Non-Public Session: 91-A:3(II)c)(e) if needed, reputation of someone other than a Board Member, or Consider advice of legal counsel (if needed)/pending litigation.
- IV. Training ZBA Fall Conference Review
- V. Updates Trudeau
Financials
Rules of Procedure Edits: Advertising with Derry News
FY 2024 Proposed Budget
- VI. Correspondence Robert Gerry, Map 3-3 Status of 2007 Variance
- VII. Public Hearings:

Reading of Public Notice. Posted 10-23-23 Abutter’s Noticed 10-23-23, Derry News: 10-19-23

Please note that the order of the hearings is at the discretion of the Chair and the hearings may not be called in this order.

- 1. The application of Fairwind Properties, Inc. c/o Bernstein, Shur, Sawyer & Nelson, P.A. on behalf of the MacLean Family Revocable Trust of 2018

For a Variance from Article 5, Section 5.3.5 Table 1 (Table of Dimensional Requirements) to permit a 100+/- acre lot to be subdivided from the existing 118+/- acre lot known as Map 2 Lot 82, where the proposed 100+/- lot will lack frontage on a Class V Road, where 290’ of frontage on a Class V road are required.

The intended use for the parcel is as conservation/open space land as part of a larger development with no intended construction contemplated on the 100+/- acre lot. The parcel would abut Class VI Mill Road for 578.’ Mill Road is a Class VI road, subject to gates and bars.

Pursuant to ordinance definition 2.30 Frontage is defined as: “The distance along a lot line dividing a lot from a Town approved road.”

Pursuant to ordinance Article 5, Section 5.3.5.3 Frontage and Article 5, Section 5.3.5 Table 1 “Every lot shall have the minimum required frontage on a Class V or better Town-approved highway.”

On the premises to be known as and numbered Map 002, Lot 082-006, in the R-1 Residential zoning district.

Opened @ _____ Members Voting _____

Public Comment is Closed / Deliberations @ _____

Motion _____ Second _____ Vote _____

Conditions _____

Reading of 30-Day Notice of Appeal

- 2. The application of C&I Design, Inc. c/o Bryan Richter on behalf of Busch International, Inc. for Variances from Article 5, Section 5.3.5 (Table 2) and Section 5.7.5.4 to permit:
 - A. To construct a 120’x170’ multipurpose building with the southwestern edge of the building approximately 16’ from the edge of wetlands where 75’ are required;
 - B. To construct a 120’x170’ multipurpose building with the southwestern edge of the building approximately 16’ from the edge of wetlands where structures are required to maintain a 25’ no-clearing buffer from the edge of wetlands;
 - C. To construct 372’ of walkway, at the southwesterly edge of the parking lot approximately 1’ from the edge of wetlands where 75’ are required;
 - D. To construct 372’ of walkway at the southwesterly edge of the parking lot approximately 1’ from the edge of wetlands where structures are required to maintain a 25’ no-clearing buffer from the edge of wetlands;
 - E. To construct a 18648 SF parking lot to the right of Wadleigh Hall 40’ from the edge of wetlands where 75’ are required; and
 - F. To construct a 6’x116’ walkway along the northwesterly edge of the parking lot to be built to the right of Wadleigh Hall and a connector walkway above to the existing walkway beside Wadleigh Hall 35’ from the edge of wetlands where 75’ are required.

On the premises known as and numbered Map 005, Lot 015, in the R-1 Residential zoning district.

Opened @ _____ Members Voting _____

Public Comment is Closed / Deliberations @ _____

Motion _____ Second _____ Vote _____
Conditions _____

Reading of 30-Day Notice of Appeal

3. The continuation of the application of Nadia Wright d/b/a Juliano's Pools on behalf of Mark Marcon and Lynda Marcon

For a Variance from Article 5, Section 5.7.5.4 and Article 5, Section 5.7.8, Table 2 (Table of Dimensional Requirements - Wetlands) to permit an 18'x36' in ground pool located 40' from the edge of wetlands where 75' are required

On the premises known as and numbered Map 011, Lot 53, 491 Lane Road in the R-1 Residential zoning district.

Opened @ _____ Members Voting _____

Public Comment is Closed / Deliberations @ _____

Motion _____ Second _____ Vote _____
Conditions _____

Reading of 30-Day Notice of Appeal