

TOWN OF ALLENSTOWN  
Zoning Board of Adjustments  
16 School Street  
Allenstown, New Hampshire 03275  
July 31, 2019

**CALL TO ORDER**

The Allenstown Zoning Board of Adjustments meeting of July 31, 2019 was called to order by Chair Keith Klawes at 6:30 pm. The meeting began at 66 School Street, the site of a proposed motor vehicle sales business (Case #2019-04).

**ROLL CALL**

Present on the Board: Dawna Baxter, Jeff Gryval, Keith Klawes, Chad Pelissier

Others present: Chris Bennett, Michael Abbott, John A. Anderson, Derik Goodine, Town Administrator

**Case #2019-04 Chris Bennett – 66 School St (109-011) Zoned: Business; Special Exception: Article VIII Section 802.d – Motor Vehicle Sales**

Mr. Gravel asked the applicants to point out the parking spots to be labeled.

Mr. Bennett indicated a couple of spots by the grassy knoll near the dumpster. He said they might move the dumpster between the two properties to prevent it being a dangerous pass through. The tenants, he said could park on the side or at the back where there are at least five spots.

Chair Klawes asked if vehicles would be making left or right turns out of the property.

Mr. Bennett said they could go either way; there are no restrictions. He said that to the left of the garage there could be a couple of cars. Their main display would be against the road up front. He said they might take down the barrier so the only way in and out of the property would be Route 3.

Chair Klawes said he assumes the two spots next to the dumpster would be for their employee and for visitors to the business. He asked about the office.

Mr. Bennett said they would probably have an office of the first floor of Martel's.

Chair Klawes asked how they would prevent their customers from taking spots for the businesses.

Mr. Gryval suggested moving the barriers between Subway and the two-family building, and putting vehicles there to prevent driving through.

Mr. Pelissier asked about the number of employees.

Mr. Bennett said there would be just one.

Chair Klawes noted that if the ZBA grants a Special Exception, the applicant will have to go before the Planning Board for a change of use.

Chair Klawes asked how many cars each tenant is allowed.

Mr. Bennett replied that each is allowed one parking spot; there is no change in that.

Mr. Goodine said the goal was for vehicles to get on and off the road safely.

Chair Klawes made a motion for a ten-minute recess for the participants to reconvene at the Fire Station. The motion carried unanimously.

Mr. Pelissier made a motion to come out of recess. Mr. Gryval seconded the motion. The motion carried unanimously.

Mr. Bennett said that they have talked with professionals who agree there will be no change in traffic volume as a result of this business. This relates to the third item.

Mr. Gryval said he agrees with the Central NH Regional Planning Commission statement on this subject.

Mr. John Anderson said this is like putting ten pounds into a five-pound container. He said there is so much there now, it is chaotic.

Mr. Abbott stated that he will move the dumpster wherever it needs to be.

Mr. Gryval said he assumes that will not be at Mr. Anderson's restaurant.

Mr. Anderson said his is in the back on a pad.

Mr. Abbott said that they are not required, per the lease, to supply a dumpster at all. He added that 80% of their business is on line.

Ms. Gryval made a motion to go into deliberation. Ms. Baxter seconded the motion.

A roll call vote was taken on the motion:

Dawna Baxter, aye; Keith Klawes, aye; Jeff Gryval, aye; Chad Pelissier – aye

The motion carried.

Chair Klawes announced that the members would be going into deliberation, and he asked those present to remain quiet unless questioned by the Board. He read the first criteria.

- ✓ **No hazard to the public or adjacent property on account of potential fire, explosion, toxic materials or hazardous activity**

All members agreed that this standard is met.

- ✓ **No detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood due to the location or scale of buildings and other structures, parking areas, access ways, odor, smoke, dust or other pollutants, noise glare, heat, vibration or unsightly outdoor storage or equipment, vehicles or other materials**

All members agreed that this standard is met.

- ✓ **No creation of a traffic safety hazard or unmitigated substantial increase in the level of traffic congestion in the vicinity**

Chair Klawes suggested that they stipulate no left turns.



Ms. Baxter said that might cause more problems.

All members agreed that this standard is met.

- ✓ **No excess demand on municipal services including but not limited to water, sewer, waste disposal, police and fire protection and schools**

All members agreed that this standard is met.

- ✓ **No significant increase of storm water runoff onto adjacent properties or public ways**

All members agreed that this standard is met.

- ✓ **In an appropriate location for the proposed use**

All members agreed that this standard is met.

- ✓ **No adverse effect on the health and safety of residents and others in the area and the proposed use shall not be detrimental to the use or development of adjacent or neighboring properties**

Ms. Baxter noted that this is in accord with the goals of the Economic Development Committee.

All members agreed that this standard is met.

- ✓ **In the public interest and in the spirit of the ordinance**

Ms. Baxter noted that the business would be in a commercial area and this is part of the overlay district and therefore is in the spirit of the ordinance.

All members agreed that this standard is met.

- ✓ **Requirements set forth in the ordinance for the particular use permitted by special exception**

All members agreed that this standard is met.

Chair Klawes made a motion to approve the Special Exception application, adding that the applicant will have no more than five vehicles on the property for sale at any time and that they take down the barriers and cannot park beyond where they are now. Mr. Gryval seconded the motion.

A roll call vote was taken on the motion:

Dawna Baxter, aye; Keith Klawes, aye; Jeff Gryval, aye; Chad Pelissier – aye

The motion carried.

Chair Klawes advised of the 30-day appeal period.

Mr. Anderson said he would be appealing the decision because this will create a big problem.

## **UNAPPROVED AND UNSIGNED MINUTES**

Mr. Pelissier made a motion to approve the minutes of the June 26, 2019 meeting. Mr. Gryval seconded the motion.

A roll call vote was taken on the motion:

Dawna Baxter, aye; Chad Pelissier, aye; Keith Klawes, aye; Jeff Gryval, aye.

The motion carried.

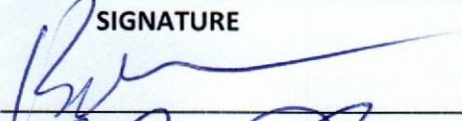



#### **ADJOURNMENT**

Mr. Gryval made a motion to adjourn the meeting at 7:51 pm. Mr. Pelissier seconded the motion. A roll call vote was taken: Dawna Baxter, aye; Jeff Gryval, aye; Keith Klawes, aye; Chad Pelissier, aye.



**ZBA**  
**SIGNATURE PAGE**

**July 31, 2019**

SIGNATURE	MEMBER	DATE
	Keith Klawes, Chairman	9/14/19
	Chad Pelissier, Vice Chairman	9/25/19
	Dawna Baxter, Secretary	9/25/19
	Jeff Gryval, Member	9-25-19
	Roger Laflamme, Member	