

Town of Harrisville
Zoning Board of Adjustment
705 Chesham Road
Harrisville, NH 03450

The Town of Harrisville Zoning Board of Adjustment public meeting called to order at 7:02 P.M. on Wednesday, August 21, 2013 at the Town Office, 705 Chesham Road.

Board members present: Hal Grant, Charles Owusu, Charles Michal (Selectman), Susan Brown, Charles Sorenson, and Jeff Trudelle (alternate)

Public: Seth Kallman, Bob Sturgis, Rosemary and John Cifrino, Barbara Watkins, Julie and Alan Lord, Pam Flagg, Peter Katz, Judson Dexter.

1. Scott Flagg

Property at 655 Chesham Road, Harrisville, NH
Special exception for home based business
Article 4 Section 1.18

Scott Flagg has sheet metal business currently operating out of a mill in town. He wants to move business to home. He manufactures the product and takes it to site to install. He works for contractors with about 80% of the works done away from the Harrisville site.

He plans to locate the business in a structure currently being built in the middle of property about 400-475 feet off entrance to driveway.

Tax record shows attached garage and garage being built.

Concerns were raised about noise level. Neighbors have raised issues about current noise level that is related to the building of the structure. Everything related to the sheet metal business is to be done inside the structure. He is installing extra insulation for sound deadening described by Mr. Flagg as "3 in. of spray foam with additional insulation on top covered with a metal skin."

Customers do not come to the location. There are raw material deliveries to the site. Deliveries of raw materials come during the week in small trucks during normal delivery hours, and are not an everyday event. He uses his own vehicle, a one-ton pickup, to deliver to the construction site.

Mr. Flagg has one employee, his brother, who does not live with him.

The equipment and materials used include raw sheet metal, machine slits, hydraulic notcher, shears, rollers. Manufacturing noise occurs in the assembly at the end of process when a hand hammer is used to put together the product. All of this work will take place inside with doors closed.

There was discussion by board members about observing the noise at the present site. Mr. Flagg currently works with doors open. The new site will be ventilated, heated and cooled geothermally so the door can be closed.

Hand hammer on metal is the noise related to assembly. When asked if he could confine noise to certain hours, Mr. Flagg explained that as a subcontractor he must work when he has work. Generally he starts at 7 am then goes to a job site, then back finish by 7-8, which is usually paper work and prep work. He works on Saturdays and Sundays if the need arises. 20% of the work is done at the shop and 80% in the field.

The building is placed so that is cannot be seen from the road.

Abutters present were asked to speak for or against the request for a Special Exception. No abutter had objections to the granting of the Special Exception.

Charles Michal noted that the Selectboard could issue a 'cease and desist' order if in the future Mr. Flagg's business activities began to exceed what was allowed for a home based business.

Mr. Flagg agreed to amend his request from 4-1-18 to 4-1-19 since he has an employee not resident. Board approved.

4.1.19.1. It shall be carried on by residents of the premises, and not more than two (2) on-premise employees who are not residents. **Mr. Flagg understands.**

4.1.19.2. It shall not have an adverse effect on the environment and water resource supplies or the surrounding properties as a result of noise, odor, smoke, dust or lights; soil, water or air pollution; excessive increases in traffic or in parking requirements; or as a result of other nuisances. **Most of discussion focused on noise. Talked about traffic, parking, no issue of pollution.**

4.1.19.3. It shall have no outdoor display of goods, and no outdoor storage of materials or equipment unless screened from roads and surrounding properties by natural or structural means to such an extent and in such manner as may be specifically required and approved by the Board of Adjustment. **(adequately screened)**

4.1.19.4. The residence or accessory buildings shall not provide window displays or other characteristics or features normally associated with commercial use, except for a permitted sign. **(Not any, including sign)**

4.1.19.5. There shall be no change in the exterior appearance of the residence or other structures on the property as a result of the use, unless specifically approved or required by the Board of Adjustment. **(structure itself is accessory structure for this use)**

Charles Sorenson made motion to grant special exception 4.1.19 for home based business as amended by Mr. Flagg too grant special exception for home-based business of sheet metal fabrication. Sue Brown seconded.

Charles Michal Yes Sue Brown yes Charles Sorenson yes Charles Owusu yes Hal Grant yes

The board considered the parts of 20.1.2. Specific site is appropriate. No nuisance.

2. Judson K. Dexter

Property at 64 East Side Road, Harrisville, NH
Special exception – rebuild garage on existing foundation
Article 5 Section 5.4.2

Charles Sorenson pointed out that a special exception not appropriate because foundation has been vacant for more than a year.

This requires a variance to rebuild garage closer than the set-back.

Dr. Dexter found concrete foundation when damaged trees were cut. Insurance company requires closing hard door on his present garage. Many cottages had carriage houses near the road. He wants to recycle the concrete and step it back 18”

Charles Sorenson cited RSA 674:33 which requires the Dr. Dexter to show unnecessary hardship in being made to conform to the requirement of 25’ setback. There has to be special condition of the property that makes it an unnecessary hardship.

Dr. Dexter needs a variance application and a legal argument as to why property is different from others in area.

Charles Michal noted that RSA 674:33 requires that “The spirit of the ordinance is observed.” What is the “spirit” of asking for setback?
What purpose does 25 foot setback serve?

Charles Michal asked that the Zoning Board consider communicating with the Planning Board about Zoning Language requiring 25 foot setback that may be counterproductive, as only the Planning Board can recommend and bring changes to be considered by voters at a Town Meeting.

Dr. Dexter withdrew application.

Minutes from July meeting were approved.

Meeting adjourned 8:45.