

Zoning Board Public Hearing Minutes
Middleton, NH
May 26, 2021

Call to Order: 6:35pm

Pledge

Roll Call: Mary Knapp, Vicki Croteau, Lorri Gunnison, Ken Anderson, Jimmy Keegan present. Joe Varga (BOS) excused

Old Business:

Approve minutes from May 19, 2021. Ken Anderson made a motion to accept the minutes Janet Kalar from the Public asked Mary “Are you holding a meeting or public hearing?” Mary stated that is was a public hearing. Janet Kalar told Mary she could not ask for a motion to accept minutes during a public hearing. Mary put the minutes on hold until next regular meeting.

Mary immediately started to discuss with the applicant, Charles Therriault, his application. Chuck started to present to the board what variances he was looking for from the Zoning Board.

To help the residents understand this was read “Workforce housing is housing that’s “affordable” for a Renter family of 3 making 60% of Area Median Income. Owner family of 4 making 100% of Area Median Income. This Does not include age-restricted housing. Does not include developments with >50% of units having less than 2 bedrooms. § Affordable—no more than 30% of income should be spent on housing (rent + utilities; or mortgage principal and interest, taxes, and insurance). Reasonable and realistic opportunities/ Economically viable workforce housing. Collective impact of land use ordinances and regulations. RSA 674:58-:61”

Mary addressed the public, she said the purpose was for Chuck to present his plan and explain why he needs these 5 variances. Chuck has the floor and we would all hear him and then after the board asks questions. Mary explained there would be time for public questions.

Chuck showed the board photos and explained his project to develop a structure consisting of 18 - 1 bedroom 11 -2 bedroom and 5 - 3 bedroom along with a convenience store drive and thru coffee shop. He would like to get Middleton into compliance with the State of New Hampshire and use the land

The public had a hard time hearing because of a lot of background noise.

Mary explained that this meeting is NOT to approve his plan, it is only to hear about 5 variances for his projected plan.

The bulletin board was passed around to the public and Chuck continued to talk about how his water tower sprinkler system water well and parking. Chuck is requesting 85 foot set back instead of 100 and suggested this is a benefit to the town to have a workhouse housing would put Middleton into compliance with the state.

Currently Middleton has a 35 foot height restriction based on Article 6 Lot standards section C number 10. This can be located on Page 16 and of the Middleton zoning ordinances. He is requesting 42 feet due to the peak in the building.

The public requested everyone speak up due to the background noise. Ken read the applicants request on.

Residential units of 34 current zoning in Article 25 section 5 subsection C states 8 units

Drive thru window

Building height

Water tower 60 ft

The setback store part is zoned 100 feet chuck has designed for 85 ft

And a 20 ft greenbelt across the whole front instead of the current zoning of 30 ft

Chuck talked about overhead power lines and a shorter green space due to parking

This was a bit confusing to me something about traffic impact section #11 on page 16 with article 6

Ken asked about the size of the building and the entrance and frontage

450 to 500 feet next to the alpaca farm on rt 153 approx 5.7 acres

The building will have 3 floors with an elevator, each floor approx 16,000 sq feet

Jimmy Kegan asked about getting the fire chief involved, will the ladder reach the building height? He was concerned about the water tower system and if we could adequately protect the building. Chuck responded that the third floor was at 22 feet and he put in for 42 feet in height but thinks it will be lower like 38 feet and then something about the steel round structure lower than 60 feet, 35 feet radius 7000 sq feet

Valerie (did not hear her last name) asked about number of children - Chuck replied maximum number is 21 and this is controlled by NH housing and mentioned the state could override if the town denies, the state approval is 6 units per acre

Lorri read from the Middleton Zoning ordinance done in 2017

A. PURPOSE: The purpose of this section is to provide reasonable and realistic opportunities for the development of multi-family and workforce housing within Middleton. It is intended to promote the continued availability of a diverse supply of home ownership and rental opportunities. This section was established in order to meet the goals related to workforce housing provisions set forth in the Middleton Master Plan and to meet the State of New Hampshire requirement that all communities provide realistic opportunities for the development of needed workforce housing. At the same time, the Town enacts this Section to assure that any such housing meets reasonable standards and conditions for approval related to environmental protection, water supply,

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Lorri Continued to read

5. "Workforce Housing": Workforce housing developments may consist of: a. Housing which is intended for sale and which is affordable to a household with an income of no more than one hundred percent (100%) of the median income for a four (4) person household for counties and metropolitan areas of the State of New Hampshire, applicable to Middleton, as published annually by the HUD; b. Rental housing which is affordable to a household with an income of no more than sixty percent (60%) of the median income for a 3-person household for counties and metropolitan areas of the State of New Hampshire, applicable to Middleton, as published annually by the HUD. Housing developments that exclude minor children from more than twenty (20%) percent of the units, or in which more than fifty percent (50%) of the dwelling units have fewer than two (2) bedrooms, shall not constitute workforce housing for the purposes of this section.

7:30pm Mary opened the floor for public questions. Mary asked that everyone state their name, spell last name and state whether they are an abutter or not.

Bonnie Gagnon, not an abutter, stated that we are currently at capacity with the school. Currently 145 registered for the fall. She is concerned about 20 more kids.

Dan (last name not heard) has been a resident for 33 years. He stated that he is tired of this garbage trying to get pushed through. He went on to say that we were told taxes go up 30 % then down when the school was put in. He went on to say that we can't put 34 families in town; this will not help us. We are all tired of developers benefiting from the town.

Ken Smith discussed that 2 of the 5 variances requested seemed reasonable however he feels the town does not need 21 more children.

Roger Mains stated that he would like the public to know that Chuck will go before the planning board and when he talks to them and they may suggest in conjunction to approve this. We may need to add to the school to accommodate the extra students. He wanted the public to know that 2 of the backers of the Golf course died and we are still working on some things. The town is getting 1400 a month for the AT&T cell phone tower on Ridge Road.

Tom Dooley wanted to know about the workers and where will they work? He asked Chuck if he ever consider senior housing or having housing for veterans? Tom has been in this town for 32 years and the people just want to know about the plans and what is going to happen.

Chuck responded that it is a secure program that is run by the state and some units will also include seniors.

Joann Coaskie

She had a few comments. She knew that Chuck lost the backing on his other projects and some may think he is well off. She continued by stating he may be a little but he is like us and needs the state aid to help. She asked if the hydrant being put in with this project would be available 365 days? He wanted the residents to know that with or without this project the town is growing. Joann pointed out that we have outgrown our school or will shortly. Joann stated that this town won't die, it is growing. She continued that we will be having families coming to Middleton in the future. Joann pointed out that Chuck needs this financial backing from the state, this could be our springboard for all the issues we have with the school board, parking, and other projects.

Linda Adamo, a resident that was on the ZBA and Planning Board in the past, wanted to know if this is replacing the general store, etc. and permits given back previously? She wanted to know how many years have passed with nothing being built as promised. She remembers Chuck getting a variance in 2006 that was never developed. Linda wanted to know if Chuck applied for a change of use permit. She stated that Chuck never put in the hotel or golf course, etc. She asked how Chuck was going to afford this? Linda let the residents know that we have to think of the town, and this is about selling a pipe dream. Linda wanted to know how the town can trust Chuck.

Christine Maynard

She stated that the estimated tax revenue was 300,000+, correct? She went on to say that we will need more Ems, fire and more police with this project coming in to Middleton. She stated that everyone keeps talking about businesses will come. She stated that businesses are not coming. She knows that Diprizio's pays about \$27,000 in taxes and that is approximately the cost of one car they sell. She asked Chuck if he was willing to pay the police, fire and ems for the extra services needed. She was clear in stating we will need more emergency services. Christine wanted the residents to know that lower income households brings more issues and the convenience store will add even more services needed from the town.

Roger Mains talks about parking areas and the drainage of water and eventually could help Middleton with water issues, He addressed the public should come to the planning and selectmen meetings, anyone can put in a warrant to be done or not done, he says we always have the same people.

Ann Donohue, a new resident to the town, feels a better presentation to explain the plans and expectations, possibly a PowerPoint would clear things up for many present. Ann still had no idea on what is really being presented. She felt it was all "loosey goosey". Ann hoped the Zoning Board would do a postponement to research and clarify things the applicant is saying

Janet Kalar stated that she is or will be calling DHHS and NH housing and feels we need an emergency plan for this project.

Tammy Allard understands more safety personnel will be needed. Tammy works at a convenience store and calls will be made for sure with a housing unit and drive thru that are all being shared with people coming and going.

Bonnie Gagnon wanted clarification about the drive thru location. Chuck said out back and then she asked about the parking location and the entrances,

Janet Kalar stated section 8 is not a quick fix, you stay on it for a while. Janet would like clarification on the lot. She wanted to know if this is the original parcel?

Jill Divalain feels a work study before the board votes.

Roxanne Tufts-Keegan stated that she is an abutter and wanted to inform us she was never notified, She said only Linda got the certified notice. There are 4 people listed on the tax bill and all should be notified, not just one. Mary made note of this.

Linda Adamo stated in regards to the greenbelt and the setbacks for the front it is not needed. She feels in the front you can plant trees and shrubbery and have a raised bed. She would like to see a 3 foot raised bed and not the factory looking building that appears.

Andrea Bowden wanted to know the height of the building. She is concerned about the fire and safety and ladder length needed. Chuck replied with 38 to 42 feet due to the peak and the third floor window would be around 18 to 22 feet high.

Mr Brannan, an abutter, asked about the pond and the well Chuck was referring to. Chuck said it was a 3 million gallon pond 20 times capacity needed and a 15000 gallon water silo. There will be 400 feet radius around a well that can eventually be used to tie into the school which will be a good benefit.

8:20pm Sue Dooley asked if there would be a playground for these kids, Chuck stated there would be one behind the building. Sue is deeply concerned about her property and potential water damage. She had questions regarding the Brookfield dam and the flooding that could occur. She wanted to know if the design had an emergency water plan? Sue wanted to know how the pond affects the dam on Kings highway?

Janet Kalar mentions we need to research the water source, what about all the neighbors wells, will they go dry while you are supplying 32 units with water. She feels that is project will be tapping into the surrounding water supply.

Mike commented on how if the Zoning Board does not approve these variances Chuck is going to wait 90 days and then appeal to the State of New Hampshire. He wanted to know if we had proof of Chuck's statements.

Roger Mains suggested the Zoning Board have Chuck's engineers come to the planning meeting and listen to the facts. They could answer some questions that we have. Mary appreciated the advice, however, tonight was just about the variances Chuck was asking for.

Vicki made a motion to have an executive session. Ken second the executive session. During this session, the board decided they could not make an educated vote for the variances on the table at this time. The board decided to extend the meeting to June 9 with a workshop in between on June 2. The board will be seeking legal counsel.

Vicki made a motion to come out of executive session and Ken seconded. At this time Chuck requested that we either approve or deny his variances at that time. We told him that we needed more time to research to make a better educated decision. Chuck was clear he needed a vote tonight.

The meeting was adjourned at 8:40pm

****Chairman's Note (opinion):** This was an extremely long meeting. The minutes were taken by someone on the Zoning Board that is brand new to the board and taking minutes. Anything missed or out of order or spelled incorrectly is strictly due to the fact the background chit chat and outbursts during the meeting were disruptive. During the meeting a board member had to remove himself because of the disrespectful comments being made. Mary had to state several times there will be no disrespect or personal attacks during this meeting. This meeting was about variances, only.

Respectfully submitted,
Lorri Gunnison/ edit by Mary Knapp
Zoning Board Member/Chairman