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**Town of Henniker
Zoning Board of Adjustment Meeting
Wednesday, July 21, 2021
Community Hall**

Members Present: Chairwoman Doreen Connor, Robert Pagano, Ron Taylor and Leon Parker

Members Excused: Gigi Laberge & Vice Chairwoman Joan Oliveira

Town Planner: Mark Fougere

Recording Secretary: Wendy Baker

Guests: Dylan Eastman, Tia Hooper, Heidi Aucoin and Stephen Carson and Meg Carson

1. Call to Order / Attendance

Chair Connor called the meeting to order at 7:00pm.

2. Public Meeting:

ZBA Case 2021:05 Request for a Special Exception, Article V Section 133-22 A, for the establishment of a Commercial/Professional business (pediatric dental office) within the former funeral home, Applicant West St. Property LLC, Owner Holt Funeral Home, 19 Hall Avenue, Map 2 Lot 160B, Zoned RV Village District.

Chair Connor explained that they have 2 board members absent for this hearing and she gave the applicant the opportunity to table the application to next month or to move forward today and the applicant wanted to move forward today.

Dylan Eastman explained that they are proposing that 19 Hall Avenue stay in it's current configuration of 2 residential units and 1 commercial unit and within the RV zone, a professional use is allowed. It is proposed to change the current funeral home space into a pediatric dentist space. Dylan then went through the questions and answers on the application.

1. Please describe how the specific site is an appropriate location for the requested use or structure?

Dylan answered they believe it is an appropriate use for the location because it has been historically used for professional services and has good visibility from downtown which is only 2 blocks away and positioned amongst similar land uses (school, library, community center).

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2. Please describe how the requested use will be compatible with neighboring land uses.

Dylan answered the use would be compatible with the neighboring uses because it is adjacent to other existing public uses with the Community School across the street, library one block away, downtown two blocks away and the Community Center on the same street.

3. Please describe how the requested use will not create undue traffic congestion or unduly impair pedestrian safety.

Dylan answered the proposed use would not create traffic congestion or impair pedestrian safety because it would not be a walk-in scenario but would be a scheduled appointment and there would not be people crossing the street. This would make it a consistent amount of cars there at one time for those scheduled appointments and employees.

4. Please describe how the granting of the permit would be in the public interest.

Dylan answered that granting the permit is in the public interest because there are currently no pediatric dentists in Henniker and it appears the closest provider is in Concord. There are about 28,653 children between the ages of infant and 14 years old within a 20-mile radius.

5. Please describe how the proposed use would not create hazards to the health, safety or general welfare of the public, nor be detrimental to the use of or out of character with the adjacent neighborhood.

Dylan answered the proposed use would create no hazard to the public as it is a public health provider nor would it be detrimental or out of character with the adjacent neighbor. There would be no signs of anything different to the exterior of the building as all of the changes will be interior.

6. Please describe how the proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odor, heat, glare, or unsightliness.

Dylan answered it would not constitute a nuisance because it emits no noise, vibration, smoke, dust, odor, heat, glare or unsightliness. They would work to improve the building exterior aesthetic while keeping the character of the surrounding architectural vernacular.

Dylan also stated that there would be no entrance changes to the property and that it would be an asset to the community. He pointed out an adjusted plot plan done recently.

Chair Connor opened the hearing to questions from the Board.

Chair Connor asked if all 1,900 sf of the first floor would be used for the business. Dylan answered that it appears to be 1,916 sf currently for the funeral home and the 24' x 31' area is occupied by the apartment. Chair Connor asked because she wanted to make sure

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there were enough parking for the residents and the business. Dylan said they know that 1 space per 500sf of the business is needed and potentially 2 spaces per rental and what they are looking to do is put 6 spaces in the front, 2 in front of the garage and 2 in the rear. This would give them 2 more than what is required. He said currently there is a loop which he is planning to make into 45-degree parking.

Ron Taylor asked about where employees would be parking. Dylan answered that they plan to have an arrangement for employees to park off site. Discussion ensued regarding parking and the requirements in the ordinance.

Chair Connor opened the hearing up to the public and questions comments.

Meg Carson, current owner of 19 Hall Avenue wanted the Board to know that there are currently 5 parking spaces in the rear and 2 by the garage and she feels the applicant is planning for more and it will be an improvement to the current situation of when a funeral is happening.

Chair Connor closed public comment.

Chair Connor moved to enter into Board deliberation. Leon Parker seconded. Motion carried. 4-0.

The Board entered into deliberations.

Criteria #1: Is the site an appropriate location for the requested use or structure?

Leon Parker felt that it has been a commercial property and it is not going to look very different and not as much traffic as when the funeral service was happening.

Criteria #2: Is the requested use compatible with neighboring land uses?

The Board agreed that it was compatible with what was in the area.

Criteria #3: How the requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The Board agreed that it will be an improvement because there won't be the big influx of traffic that is there currently.

Criteria #4: Describe how the granting of the permit would be in the public interest.

The Board agreed that the need for a pediatric dentist in the area has been proven by the applicant.

Criteria #5: Describe how the proposed use would not create hazards to the health, safety, or general welfare of the public, nor be detrimental to the use of or out of character with the adjacent neighborhood.

The Board agreed there won't be any external differences to the property to cause any hazards.

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Criteria #6: Describe how the proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odor, heat, glare or unsightliness.

The Board agreed the proposed use would not be a nuisance.

Leon Parker moved to approve ZBA Case 2021:05 for a Special Exception from Article V, Section 133-22 A, for the establishment of a Commercial/ Professional business (pediatric dental office) within the former funeral home. Robert Pagano seconded. Motion carried 4-0.

3. Meeting Minutes

On first page last paragraph change state to stated and further on in the paragraph change vent to vet.

Robert Pagano moved to approve the minutes as amended of June 16, 2021. Leon Parker seconded. Motion carried 4-0

4. Adjourn

Adjourn at 7:28 pm