



**Stratham Zoning Board of Adjustment**  
**Meeting Minutes**  
**May 25, 2021**  
**Municipal Center/Virtual Meeting/Conference Call**  
**Time: 7:04 PM**

**Members Present:** Garrett Dolan, Chairman  
Bruno Federico, Full Time Member  
Amber Dagata, Full Time Member  
Drew Pierce, Full Time Member  
Richard Goulet, Alternate

**Members Absent:** Phil Caparso, Vice-Chair

**Staff Present:** Shanti Wolph, Code Enforcement Officer/Building Inspector

**1. Call to Order/Roll Call**

Mr. Dolan called meeting to order and took roll call. Mr. Dolan asked Mr. Goulet to be a voting member for this meeting. Mr. Goulet agreed.

**2. Approval of Minutes**

**a. May 11, 2021**

Mr. Dolan noted the following corrections: Page 2, Line 84 change “there” to “the”; Page 3, Line 114 change “intent” to “intended”; Page 3, Line 134 change “Court’s” to “Court” and “define” to “defines”; Page 4, Line 157 change “there” to “where”. Mr. Goulet noted the following correction: Page 7, Line 337 change “affirmative” to “permanent”. Mr. Dolan made a motion to accept the May 11, 2021 meeting minutes as amended. Ms. Dagata seconded the motion. Motion passed unanimously.

**3. Public Hearing(s)**

- a. Case #659, Amy Tilton, 3 Hillcrest Drive, Map 19, Lot 63, Residential Agricultural Zoning District.** The applicant requests a Special Exception as specified in Section 5, Article 13 of the Stratham Zoning Ordinance to allow a Home Occupation, the proposed use is a combined art/design studio with a focus on small group art lessons.

Amy Tilton, 3 Hillcrest Drive, introduced herself and stated she is a public school teacher and is requesting to teach private lessons from her home. Ms. Tilton has resided at 3 Hillcrest Drive the majority of her life. Ms. Tilton read the letter submitted to the board. Ms. Tilton explained the art lessons will be held in the existing detached workshop allowing up to four (4) students at a time during the school year and up to twelve (12)

students for a few weeks in the summer and outdoors. During the school year students will be dropped off and picked up, four (4) days per week, during a three (3) hour window each day. Ms. Tilton explained that is the maximum proposed and will potentially be less than the time suggested. Ms. Tilton stated the professional organizing business will be a home office and she will be travelling to client's homes for all meetings and work. Ms. Tilton explained the location of the proposed Home Occupation. Ms. Tilton stated there will be no toxic substances used. Ms. Tilton point to the area for parking that shows plenty of space if needed. Mr. Goulet questioned where the studio access would be located. Ms. Tilton showed the board the access on the plan provided.

Mr. Wolph confirmed the application is complete and a site visit was completed to verify the conditions on the map which shows a gravel parking area to be installed subsequent to the acceptance of the application if the board gives approval. The board discussed conditions regarding the hours of classes. Mr. Federico questioned how supplies would be delivered. Ms. Tilton stated via personal trips to Michael's Craft Store or by small carrier delivery. Mr. Federico suggested conditions for normal business hours, no earlier than 7:00 am and no later than 10:00 pm.

#### 17.8.2 Special Exceptions:

c. Special Exceptions: shall meet the following standards:

- i. Standards provided by this Ordinance for the particular use permitted by special exception;

Mr. Dolan stated with the Building Inspector/Code Enforcement Officer's approval the standard will be met. The board agreed unanimously.

- ii. No hazard to the public or adjacent property on account of potential fire, explosion, or release of toxic materials;

Mr. Dolan stated the applicant has met this criteria and there will be no hazards involved. The board agreed unanimously.

- iii. No detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood on account of the location or scale of buildings and other structures, parking area, access ways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials;

Mr. Dolan stated the applicant has proposed a very low key, quiet operation and believes the standards are met. The board agreed unanimously.

- iv. No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity;

Mr. Dolan stated the applicant proposed a small number of students so there will be no traffic safety hazards. The board agreed unanimously.

- 97 v. No excessive demand on municipal services, including, but not limited to, water,  
98 sewer, waste disposal, police and fire protection, and schools;  
99

100 Mr. Dolan stated the small number of students for art classes will not be an excessive  
101 demand on services. The board agreed unanimously.  
102

- 103 vi. No significant increase of storm water runoff onto adjacent property or streets.  
104

105 Mr. Dolan stated there is no alteration of the existing facility and the new gravel  
106 parking area will have no impact on drainage so this criteria has been met. The board  
107 agreed unanimously.  
108

- 109 d. Special Exception Approvals: may be subject to appropriate conditions including the  
110 following:  
111

- 112 i. Front, side, or rear yards in excess of the minimum requirements of this Ordinance;  
113

114 Mr. Dolan stated there is no impact and meets all the requirements. The board agreed  
115 unanimously.  
116

- 117 ii. Screening of the premises from the street or adjacent property by walls, fences, or other  
118 devices;  
119

120 Mr. Dolan stated the applicant has provided this and the criteria is met. The board  
121 agreed unanimously.  
122

- 123 iii. Modification of the exterior features or buildings or other structures;  
124

125 Mr. Dolan stated there is no modifications or the building that is existing and the  
126 criteria is met. The board agreed unamisouly.  
127

- 128 iv. Reasonable limitations on the number of occupants and methods and times of  
129 operation;  
130

131 Mr. Dolan stated the intent is to provide services to four (4) students during the school  
132 year and twelve (12) during the summer. Mr. Federico does not believe a condition on  
133 number of students is required. The board agreed unanimously to place a condition of  
134 normal business hours, 7:00 am-10:00 pm, for this approval.  
135

- 136 v. Grading of the premises for proper drainage;  
137

138 Mr. Dolan stated the applicant will be creating an additional gravel parking area so this  
139 criteria is met. The board agreed unanimously to place a condition on the approval that  
140 the gravel parking area shall be constructed in accordance with the submitted plan.  
141

- 142 vi. Regulation of design of access drives, sidewalks, and other traffic features;  
143

144 Mr. Pierce stated a condition of “no parking” on the street shall be placed on the  
145 approval. Mr. Wolph suggested the condition only be placed on the Home Occupation  
146 and not the residence.

vii. Regulation of the number, size, and lighting of signs more stringent than the requirements of this Ordinance.

Mr. Dolan asked if the applicant will have a sign displayed for the Home Occupation. Ms. Tilton stated she was only proposing to have her car signage, which will be a magnet placed on the vehicle. Mr. Wolph explained to the applicant that if a sign was to be placed on the property for the business, one (1), 2x2 sign is allowed and a permit would be required.

Mr. Goulet asked that the record reflect no persons came forward in opposition of this application.

Mr. Federico moved to approve with conditions as recorded Case #659, Amy Tilton, 3 Hillcrest Drive, Map 19, Lot 63, Residential Agricultural Zoning District, the Special Exception for Home Occupation that would allow a combined art/design studio with a focus on small group art lessons.

Conditions:

1. Normal business hours of 7:00 am-10:00 pm shall be in effect.
2. Gravel parking area to be installed in accordance with the submitted plans.
3. No “on-street” parking for the home occupation shall be allowed.

Mr. Pierce seconded the motion. Motion passed unanimously with a 5:0 vote.

Mr. Dolan explained to the applicant that there is a 30-day appeal period and going forward before that time is at the applicant’s own risk.

#### **4. New Business**

**a. Election of new Board Chair**

Mr. Dolan confirmed he will be moving in July and will have to step down as Chairman of the Zoning Board. Mr. Dolan made a motion to appoint Mr. Pierce the Chairman of the Zoning Board of Adjustment. Ms. Dagata seconded the motion. Motion passed unanimously.

#### **5. Other Business**

**a. June 8, Appeal from an Administrative Decision regarding the setback requirements for children’s playsets/play structures.**

Mr. Wolph gave the board a quick overview of the upcoming June 8 hearing. Mr. Wolph explained his interpretation of play structures and the zoning ordinance regarding setbacks. Mr. Wolph researched other town’s regarding playset setbacks and found a majority do not permit or consider playsets a “structure”. Mr. Wolph stated the board will receive the full packet to review prior to the hearing.

**b. Mr. Federico stated concern that this past weekend, on Saturday, Legacy Lane Farm had cars parked along the highway. Mr. Federico stated the majority of cars were from out of state. Mr. Federico stated there was a “no parking” sign visible but there were six (6) vehicles**

196 parked on the road across from Barker's Farm. Mr. Goulet stated he witnessed it as well. Mr.  
197 Wolph has visited the property and discussed the options of parking in the back property.

- 198  
199 c. Mr. Goulet thanked Mr. Dolan for his guidance as Chair of the Zoning Board and  
200 volunteering his time to the Town of Stratham. Mr. Wolf and the board members agreed and  
201 thanked Mr. Dolan.

## 202 203 **6. Adjournment**

204  
205 Mr. Dolan made a motion to adjourn at 8:17 pm. Mr. Goulet seconded. Motion passed  
206 unanimously.

### 239 240 *Note(s):*

- 241 1. Materials related to the above meeting are available for review at the Municipal Center during normal business hours. For more information,  
242 contact the Stratham Building/Code Enforcement Office at 603-772-7391 ext.180.  
243 2. The Zoning Board of Adjustment reserves the right to take items out of order and to discuss and/or vote on items that are not listed on the  
244 agenda.