

# Minutes of the Town of Manchester Zoning Board Meeting of March 3<sup>rd</sup>, 2020 – 7:00pm

**Present:** Scott DeCook, Michael Blazey, Jessica Hemenway and Leonard Bolton - members, Kenneth Blazey - Chairman, and Steve DeHond - Code Enforcement Officer

**Absent:** Jill Havens - Recording Secretary

**Also, present:** Donald & Brennan Marks – Applicant; Jeff DeCook, Wanda Guarino, Wayne & Cindy Poole - Residents

Chairman Blazey introduced the board members and the applicants were informed of their right to appeal the decision of the board within 30 days.

**Area Variance # 4596 - 20:** Donald Marks who is requesting an area variance for 3 lots that don't meet the required lot width of 175 feet, 2 lots are 120 feet and the third is 165 feet on property located at 2912/2932 Stevens Street, tax map no. 33.00-2-48.00 in an A-1 district pursuant to Chapter 375 Section 275.

The chairman read the public hearing notice. Ten (10) surrounding property owners were notified by mail of this meeting of which Jeff DeCook, Wanda Guarino, Wayne & Cindy Poole were present.

**Kenneth Blazey, Chairman:** Please come forward and tell us what you want to do.  
**Brennen Marks, Applicant:** We are proposing a four (4) lot subdivision of a single 9.9-acre lot, which is currently occupied by two (2) mobile homes by proposed lot #1 and #4. The mobile homes are aging and will need to be repaired or replaced soon. In order to do anything with the mobile homes we have to subdivide the lot, currently it is a pre-existing, non-conforming lot. There is currently 639' of frontage. The subdivision will support four (4) new residential units. The residential units will be in the front of the lot along the minimum front setback. These will not be flag lots. The lots will all have their own wells and septic systems, as shown on the plans we have submitted. All the lots will have their own cut-off of Stephens Street. Proposed lots #2 and #3 will be larger lots because of the way the parent lot is configured currently. The property is surrounded on the north and west side by Rocky Run Creek. The further back you get on the lot, the wetter it gets, so the back of the lots won't support a home and the lot as a whole won't support agricultural use.

**Kenneth Blazey:** So, we are missing 61' on the whole project

**Brennen Marks:** Yes.

**Kenneth Blazey:** Are you planning to sell these lots?

**Donald Marks:** That is not my intention at this time, but if I can sell one lot to generate revenue to build dwellings on the other lots, then ok.

**Kenneth Blazey:** It says here that the property was recently listed for sale, as is, for \$100,000.00. So, you have it up for sale.

**Donald Marks:** Yes, I did, I took it down. We did not receive the interest that we were looking for.

**Kenneth Blazey:** You don't think that if you don't have four (4) lots here that it's not feasible? Four is asking for quite a bit.

**Scott DeCook:** If we allow it to happen once, we are going to have to allow it every time it comes before the board, that's my concern.

**Kenneth Blazey:** I know, that's what scares me.

**Brennen Marks:** If we can't get four (4) lots out of this property, it won't generate the income we are looking for and we will just keep it as is.

**Leonard Bolton:** Do you have buyers already for that kind of money?

**Brennen Marks:** Key Homes has a lot of interested people in this area, we would most likely partner with them.

**Jessica Hemenway:** I don't understand why you couldn't subdivide it into three (3) lots and then try to sell the two with the mobile homes on them to generate the money to build on the third lot?

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**Brennen Marks:** If we could do that and then we could get up to potentially \$90,000, that would be the next step if we are unable to get the subdivision. Either that or go the flag lot route or into a cluster development situation here. This seemed like the better way to go with asking for a frontage variance.

**Kenneth Blazey:** Do any of the residents have anything they want to say or any questions?

**Wanda Guarino:** Not really, I live right next door and I would hate to see that area become a subdivision.

**Jeff DeCook:** Yes, I agree. I would like to see just a couple of nice homes there in that area.

**Brennen Marks:** And I wish we could make that work, just economically, it's not feasible.

**Steve DeHond, Code Enforcement Officer:** So, there is another way around this. You mentioned cluster development, that would allow you in our code to bring that frontage down to 75% of what surrounding lots are within 1,000 feet.

**Kenneth Blazey:** What's the difference in the clustering, Steve?

**Steve DeHond:** It's done by the Planning Board in an effort to protect the natural resource, which here would be Rocky Run Creek. It allows for smaller lots; some can be bigger. It puts a conservation easement on the natural resource. It's a lot more work for the applicant.

**Kenneth Blazey:** If they went to do this clustering, why wouldn't they be able to get what they want without us telling them they need to make a change in the size or number of their lot? Wouldn't it benefit them?

**Brennen Marks:** It's just another step we would have to do. This way we thought would just be the easiest to get the subdivision and benefit the Town by creating much need residential space.

**Kenneth Blazey:** Any other questions?

(Hearing none)

The Public Hearing was closed.

A motion was made by Chairman, Kenneth Blazey to **deny** Area Variance # 4596-2, submitted by Donald Marks who is requesting an area variance for 3 lots that don't meet the required lot width of 175 feet, 2 lots are 120 feet and the third is 165 feet on property located at 2912/2932 Stevens Street, tax map no. 33.00-2-48.00 in an A-1 district pursuant to Chapter 375 Section 275, with the recommendation that they take their plan of a cluster development to the Planning Board, the motion was seconded by Scott DeCook. All voted "Aye." Motion carried.

## Previous Minutes:

A motion was made by Kenneth Blazey to approve the minutes from the meeting which took place on January 7<sup>th</sup>, 2020, the motion was seconded by Scott DeCook. All voted "Aye." Motion carried.

Meeting adjourned @ 7:30pm.

Meeting adjourned.

Respectfully submitted,

Kenneth Blazey  
Chairman, Zoning Board of Appeals

Jill Havens  
Transcribed Minutes taken by  
Acting Recording Secretary, Steve DeHond