



Town of Plaistow, New Hampshire
145 Main Street, Plaistow NH 03865
Phone: (603) 382-8469

ZBA Minutes 02/26/15

ZONING BOARD OF ADJUSTMENT February 26, 2015

The meeting was called to order at 7:06 p.m.

Roll Call: Larry Ordway, *Chair, Excused*
Timothy Fisher, *Vice Chair, Excused*
James Allen
Paul Boniface
Martha Sumner, *Alternate*

P. Boniface chaired the meeting.

P. Boniface appointed M. Sumner as a voting member for the meeting.

Approval of Minutes

M. Sumner moved second by J. Allen to approve the minutes of the January 19, 2015 meeting. There was no discussion on the motion. The vote was 3-0-0 U/A.

P. Boniface noted that there were less than five (5) voting members at this meeting. He added that all motions must have three (3) votes to the affirmative to pass and the applicant was welcome to continue until the next meeting in hopes that there will be a five (5) member board. It was also noted that if the applicant decided to move forward, knowing his odds of prevailing are diminished, he cannot use the lack of a five (5) member board as grounds for re-hearing.

Mr. Oligny was asked if he wanted to continue with his application. He noted that he would continue.

#15-02: A request from Jeffrey Oligny special exception under Article X, All Sections to permit a home occupation, namely a tailoring business. The property is located at 28 Main St, Tax Map 37, Lot 13 in the CII District. The property owners of record are Jeffrey D. and Joseph D. Oligny.

Representative Jeffrey Oligny, 28 Main St, was present for the application. He noted the following for the Board:

- The property was the former chiropractic office of Dr. Walsh and has historically been known as Bradley's Corner.

- The house is the second oldest in Plaistow
- There has been a complete renovation of the property including re-wiring and reinforcing the structure.
- The renovation work has been recognized by the Plaistow Historical Society
- There is nearly 3,000 sq ft of dwelling space in the structure
- The intent is to split one of the rooms down the middle to create a tailoring shop (208 sq ft)
- The use will be in keeping with the intent of the Village District
- This is a unique service not offered anywhere else in Plaistow.
- 12,000 cars a day pass by this parcel which makes this an ideal opportunity
- There will be a small compliant sign
- Complete tailoring services will be offered
- His partner has been a seamstress for 25+ years
- The property is located in the CII district, which allows for home occupations
- The hours of operation will be Monday through Friday 9:00am to 6:00pm and Saturday 8:00am to 12:00pm or less depending on the need
- There is parking available for three (3) cars to the rear of the building and three (3) on the Chandler Ave side of the parcel. Pictures of the parking area was provided to the Board
- His business sign would be located right below the “Bradley’s Corner” sign in front of the house.

The Board reviewed the criteria for the granting of a Home Occupation Special Exception noting the following:

- The home occupation would be permitted under §220-66.B – Seamstress
- There would not be any noxious uses, no dust, fumes, noise, smoke, vibration
- The building and business is owner-occupied
- The business use is secondary to the residential use and will only use 8% of the living space
- There will be no change to the residential character of the dwelling
- There will be no exterior changes to the dwelling
- There will be a small compliant sign (permit required)
- Deliveries will be consistent with those of a residential use

J. Allen asked if steam machines would be used.

J. Oigny replied that there would be no dry cleaning equipment used, no chemical processes and only steam pressing that would be the same as a home use.

- There will be no additional lighting for the sign
- The only employee will be the one seamstress
- There will not be more than two (2) commercial vehicles on the property, if any
- There are no restrictions in the deed
- This is not a condo, no home-owners association permission required
- This is the only home occupation at this property

It was noted that the Home Occupation is subject to inspection by the Building Inspector and must be renewed every three (3) years.

P. Boniface asked if the Board had any additional questions, there were none. He asked if there was anyone speaking in favor of or in opposition to the application. There was no one and the matter was closed.

DELIBERATIONS:

#15-02: A request from Jeffrey Oligny special exception under Article X, All Sections to permit a home occupation, namely a tailoring business. The property is located at 28 Main St, Tax Map 37, Lot 13 in the CII District. The property owners of record are Jeffrey D. and Joseph D. Oligny.

M. Sumner moved second by J. Allen to grant the special exception for a home occupation for a tailoring business at 28 Main Street.

P. Boniface summarized the applications. It was consensus that this is a routine home occupation that meets all the listed criteria.

There was no additional discussion on the motion. The vote was 3-0-0 U/A

There was no other business before the Board.

The meeting was closed at 7:27 p.m.

Respectfully Submitted,

Dee Voss
Administrative Assistant