



Town of Plaistow
ZONING BOARD OF ADJUSTMENT
145 Main Street - Plaistow, NH 03865

ZONING BOARD OF ADJUSTMENT
April 28, 2016

The meeting was called to order at 7:00 p.m.

Roll Call: Peter Bealo, *Chair (Elect)*
Timothy Fisher, *Vice Chair (Elect)*
James Allen, *Excused*
Dan Lloyd
Joyce Ingerson
Martha Sumner, *Alternate*

T. Fisher, sitting vice chair, opened the meeting.

J. Ingerson offered praise and best wishes for Larry Ordway, previous Zoning Board of Adjustment (ZBA) chair, who retired after nearly thirty (30) years of service. All concurred.

★M. Sumner was appointed as a voting member in place of J. Allen.

Nominations and Election of Chair/Vice Chair

★ J. Ingerson moved, second by T. Fisher to nominate P. Bealo for chair of the ZBA. There were no additional nominations. The vote was 5-0-0 U/A.

★ J. Ingerson moved, second by M. Sumner to nominate T. Fisher for vice chair of the ZBA. There were no additional nominations. The vote was 5-0-0 U/A.

P. Bealo, chair elect, took over from T. Fisher for the remainder of the meeting.

Approval of Minutes

★ J. Ingerson moved second by T. Fisher to approve the minutes of the September 24, 2015 meeting. There was no discussion on the motion. 2-0-3 (Fisher, Ingerson and Sumner abstaining).

PUBLIC HEARING:

#16-01: A request from Tessa Parziale Rigattieri special exception under Article X, All Sections to permit a home office for a real estate business. The property is located at 11 Elm St, Tax Map 41, Lot 86 in the VC District. The property owners of record are Tessa Parziale Rigattieri and Tia Parziale.

Tessa Parziale Rigattieri and Tia Parziale were present for the application.

T. Rigattieri noted that following information for the Board:

- The real estate office is currently located at 5 Elm Street and she would like to relocate it to the home she just purchased at 11 Elm Street

The Board reviewed the criteria in Article X for the granting of a home occupation noting the following:

- The application qualifies as a home occupation under §220-66A
- The office use would be +/- 12% of the living space
- There would be no uses that could be considered noxious or injurious by emission of dust, noise, vibration, or cause electrical fluctuation
- Ms. Rigattieri and Ms. Parziale own the house together
- The residential character of the dwelling will not change
- There will not be any exterior storage
- The applicant is planning to have a three (3) square foot, non-illuminated, sign and will obtain a permit for same
- Ms. Rigattieri will be operating the business and there will not be more than one (1) person, not living in the dwelling employed on site
- There will not be any outside display of merchandise
- There were pictures submitted to show the off-street parking for two (2) vehicles
- No business deliveries are anticipated but if there are any they will be in line with normal residential delivery methods
- There are no vehicles greater than a one-ton capacity associated with the business
- There are no restrictions in the deed
- This is not a condominium so no additional authorization is needed
- This is the only home occupation in this dwelling unit

P. Bealo explained that should the home occupation be approved that the home office is then subject to inspection by the Code Enforcement Officer. He also noted that the home occupation must be renewed every three (3) years.

J. Ingerson noted that the parking area was not paved. She asked how many vehicles there would be associated with the residents of the home.

T. Rigattieri replied that her sister would be living in the home and she only had one car.

P. Bealo asked if there was anyone else on the Board with questions. There was no one. He asked if the applicant had anything else to add. She did not.

P. Bealo asked if there was anyone speaking in favor of or opposition to the application. There was no one and the matter was closed.

The deliberation and notification of the decision process was explained.

DELIBERATION:

#16-01: A request from Tessa Parziale Rigattieri special exception under Article X, All Sections to permit a home office for a real estate business. The property is located at 11 Elm St, Tax Map 41, Lot 86 in the VC District. The property owners of record are Tessa Parziale Rigattieri and Tia Parziale.

★ D. Lloyd moved second by M. Sumner to approve the application for a home occupation at 11 Elm Street as noted in the legal notice.

P. Bealo suggested that this was a pretty straight forward home occupation application.

J. Ingerson offered that the reason she questioned the parking and who was living there was to make sure that there wouldn't be a lot of vehicles parking in the street. But since there is only one (1) vehicle it shouldn't be a problem.

There was no additional discussion on the motion. The vote was 5-0-0 U/A and the special exception for a real estate office home occupation, at 11 Elm Street, was granted.

Other Business

In the past the Board has heard all the matters on its agenda before then deliberating and deciding on any of the cases. The Board discussed a change to the hearing and deliberations process. By consensus it was decided that each case would be heard and immediately deliberated upon, before moving on to the next matter on the agenda. It was noted that it would help keep testimony and evidence in a case from being confused with that of another case.

D. Voss noted that there was still time to sign up for training scheduled for June 4.

The Board once again offered praise and best wishes to Larry Ordway upon his retirement.

There were no additional matters before the Board.

The meeting was adjourned at 7:25 p.m.

Respectfully Submitted,

Dee Voss
Administrative Assistant