



**Town of Plymouth**  
**ZONING BOARD OF ADJUSTMENT**  
**November 1, 2022 MINUTES**

Approved 1/3/2023

**Call to order**

The meeting was called to order at 7:00 pm on Tuesday, November 1, 2022.

**Roll Call of Members:**

Members: David Kent (Chair), Stephanie Halter (Vice Chair), Tom McGlaflin, Butch Cushing, Peter Julia, and Malik Hammond (Alternate).

Town Staff: June Hammond Rowan, Planning and Development Director (Via Zoom); Joseph Perez, Community Planner.

**Pledge of Allegiance**

**Review of Minutes:**

The board reviewed the minutes of the September 6, 2022 Zoning Board Meeting. No board members had any proposed corrections to the minutes, so Halter motioned to approve with a second by Cushing. All voted in favor.

**APPLICATIONS and PUBLIC HEARINGS:**

An application was received from Marilyn Rasicot to add a second primary residential structure to her property at 21 Melvin Road (PID 223-029) in accordance with Article III Section 304 of the Plymouth Zoning Ordinance.

Rasicot gave the Board background on her proposal: in order to allow her father to move into a living unit on her property, she was proposing to construct a second, detached living unit in addition to the already existing residence. The proposed second residential unit would be a single level structure with its own garage. The Board asked a number of questions to the applicant regarding the neighborhood, the road giving access, and the proposal. Rasicot informed the Board that there were a few houses on the street, but it was generally rural in feel. Melvin Road sees relatively low traffic, and switches to a private road at a point beyond the applicant's property. Since the proposal would be accessed by a new driveway off from the Town portion of the road due to the topography of the land, a driveway permit would be needed from the Plymouth Highway Department. No connection to public water/sewer are proposed, a septic design has already been created for the second unit and it would be served by an existing private well on the property. Town Staff informed the Board that no comments had been received from abutters prior to the meeting.

The public hearing was opened at 7:07

An interested member of the public asked how long the construction would take.

Rasicot informed the Board that she was first on the list for the Septic installation next season, so that work would likely begin in May. After that, a slab would be poured and the structure itself will be constructed within a relatively short period of time by a company who specializes in such buildings,

depending on their availability. The driveway would be constructed of blue stone by a local contractor, so Rasicot expected that all of the work would most likely be completed next year.

With no further questions or comments the hearing was closed at 7:13.

The Board discussed the application amongst themselves. Staff confirmed that this use was permitted as a Special Exception under Zoning Ordinance Section 304. The Board agreed that the neighborhood could be characterized as rural and including a mix of use types. Melvin Road sees very little traffic, and the impacted portion of the road is already being plowed by the Town. The Board also agreed that there was no indication that the use would create any nuisance, and that the lot had plenty of acreage and frontage to sustain the use. It was also apparent that the addition would not place an additional burden on Town services or facilities given that a septic design has already been created for the additional residence, and the existing well on the property is sufficient to serve both residences.

With that, the board moved into findings of fact, as listed below.

#### Findings of Fact

1. The proposed use is allowed by Special Exception in the Zoning Ordinance.
2. The 2.5 acre lot is adequately sized to accommodate a second dwelling unit.
3. The applicant is proposing to construct a second, freestanding residential structure.
4. The proposed building is one story in height.
5. No neighbors have spoken to any adverse effects of the proposed special exception.
6. The proposed use would fit with the character of the neighborhood on Melvin Road.
7. The second residential structure would be served by a separate driveway.
8. The proposed use would not create an increased demand for Town services.
9. There would be no adverse safety impacts to the public by granting the special exception.

Kent read through the five criteria for a Special Exception, giving the board the opportunity to vote on whether the proposal met each one.

1. The proposed use shall be only those allowed in this Ordinance by Special Exception.
  - a. True: 5, False: 0
2. The specific site is an appropriate location and of adequate size for the use:
  - a. True: 5, False: 0
3. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located:
  - a. True: 5, False: 0
4. There will be no nuisance or serious hazard to vehicles or pedestrians:
  - a. True: 5, False: 0
5. The use will not place excessive or undue burden on Town services and facilities:
  - a. True: 5, False: 0
6. There would be no significant effect resulting from such use upon the public health, safety, and general welfare of the neighborhood in which the use would be located.
  - a. True: 5, False: 0.

In light of the findings of fact and review of criteria, McGlaulin moved to grant the special exception. The motion was seconded by Halter.

The Board discussed the motion, and Kent suggested a condition of limiting the second residential structure to one-story. Julia suggested a condition that the second residential structure be limited to one unit. In light of this discussion, McGlaulin withdrew his motion.

Halter moved to grant the special exception with the following condition:

1. The second residential structure shall be one story and contain one dwelling unit.

Julia seconded the motion, and all members voted in favor of granting the Special Exception with the condition as stated.

**Unfinished Business:**

None.

**New Business**

**NH OPD: Optional Planning and Zoning Test**

The NH Office of Planning and Development has created an optional Zoning Board of Adjustment test, which may be taken on the OPD website either anonymously or for a certificate.

Hammond Rowan screen-shared the test, and the staff and Zoning Board members went through and discussed each of the 30 questions.

Due to other obligations, McGlaulin left the meeting at 7:35.

Due to other obligations, Julia left the meeting at 8:00

For those members interested, staff will send a follow-up with additional information about where the test may be taken for a certificate. Staff will also send a copy of the test with an explanation for the correct answers to each question.

**Other Business**

Kent asked Hammond, as a newly appointed as an alternate member of the Zoning Board of Adjustment, to introduce himself to the Board. Hammond gave an overview of his background in the Plymouth area, and his interest in serving the community as a Zoning Board member.

**Adjournment**

Upon a motion by Halter, a second by Cushing, and unanimous approval, the meeting was adjourned at 8:23 pm.