

**TOWN OF CORNISH, NH
ZONING BOARD OF ADJUSTMENT
CASE 07-01
JUNE 4, 2007**

Members Present

voting: Bill Balch (Chair), Jason Bourne, Jim Brown, Dale Rook, and Bruce Tracy

non-voting: Scott Baker

Also Present

Robert and Shirley Bladen, Angie Hall, Bill Lipfert, Nina Lloyd, Amanda and Clara Posner, Troy Simino, and Heidi Jaarsma (recording secretary)

The meeting was held at the Cornish Town Office and was called to order at 7:35 p.m.

Case 07-01

Robert and Shirley Bladen have applied for a special exception concerning Article IV, Table 4.1 of the Zoning Ordinance. The applicant proposes a multi-use conversion to add an apartment to the Cornish Store in Cornish Flat.

Background

Shirley Bladen told the Board that when she and Mr. Bladen had bought the store the apartment at the back of the building had been in disrepair. The Bladens had approached the Selectboard about renovating the apartment earlier in the year. She had been directed to the Planning Board and had been told site plan review was not necessary. The apartment since had been renovated. The Bladens were then told that a special exception was required. An abutter had contacted the Zoning Board regarding the renovation.

The Board looked at the 1997 decision concerning the General Store. The decision contained nothing regarding the downstairs apartment.

Public Comment

Amanda Posner said that at the time the store was for sale, the realtor showed the downstairs apartment as part of the store. She added that the apartment renovations had been well done.

Jim Brown noted that demolition of the apartment to expand parking can be found in the 1997 minutes, but the removal of the apartment was not part of any order. Nina Lloyd read from the January 10, 2001, minutes which state that the Bladens must return to the Zoning Board to get approval for the apartment in question. Ms. Lloyd pointed out that a special exception is required for any modification of a multi-use conversion. She said that the apartment had not been in use since 1986 except for three months when Art LeClair had rented it out under a cease and desist. Ms. Lloyd's main concerns were light, privacy, noise, and the septic capability.

Dale Rook asked the Bladens if they knew the size of their septic tank. Mr. Bladen said that it was a one-thousand gallon tank. Nina Lloyd asked Mr. Bladen about lighting for the apartment. Mr. Bladen said that there would be two lights by the door.

Ms. Lloyd was also concerned about parking and asked the Board to consider some sort of screening. Bob Bladen said that there currently was a hedge between the two properties. Ms. Lloyd said that the lilac hedge was on her property. Shirley Bladen said that they planned to do some landscaping. Mr. Bladen was concerned that the fence on Ms. Lloyd's property was falling down. Ms. Lloyd reiterated that she felt very strongly about screening.

Angie Hall said that she could not see or hear any impact from the apartment. Troy Simino spoke highly of the General Store and the job the Bladens had done with it. Heidi Jaarsma said that the apartment was in line with the vision statement of the Master Plan.

Closed Discussion

Bill Balch asked if the two bedroom apartment included an attic space. Mrs. Bladen said that the stairs were gone and only a pull-out ladder accessed the attic. Bruce Tracy said that his only concern was the septic. Bill Balch asked the Board about screening and lighting. Shirley Bladen said that it was their intention to create a small fenced-in yard which would preclude parking at the front door of the apartment. She sketched the location of the fence on the plan. Jim Brown suggested that Ms. Lloyd and the Bladens work out an agreement on screening. Ms. Lloyd said that was an unenforceable condition.

The Board reviewed the criteria for a special exception. Jim Brown made a motion that the petition for a special exception be allowed on the following conditions:

1. That the findings of this hearing do not negate any conditions set at prior hearings;
2. That the Bladens receive a certificate from the State of New Hampshire stating that the septic is in compliance for the proposed use and provide a copy of certificate to the Board;
3. That the Bladens plant grass in the area marked on the plan as lawn and establish a demarcation between the end of the Bank extension and the property to the north. Either fencing or other appropriate demarcation will be constructed; and,
4. That adequate screening be provided in the gap between the edge of the existing hemlocks to the end of the existing cedars.

Jason Bourne seconded the motion. Bob Bladen said he had concerns about how owners' use of their property was being mandated. Nina Lloyd said that she was happy with the condition regarding the septic system. Jason Bourne seconded the motion, and the vote of the Board was in the affirmative, 5-0.

The meeting was adjourned at 8:41 p.m.

Respectfully submitted,
Heidi M. Jaarsma