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TOWN OF
NEWMARKET
NEW HAMPSHIRE

Zoning Board of Adjustment

June 9, 2025 7:00 PM

Town Council Chambers

DRAFT MEETING MINUTES

Present: Bob Daigle (Chair), Wayne Rosa (Vice-Chair), Al Zink, James Drago, Dylan Tooch, David Evans (Zoning Administrator)

The Chair explained that the Vice-Chair will be leading tonight's meeting.

The Vice-Chair called the meeting to order at 7:00 PM.

The voting members will be: **Bob Daigle, Wayne Rosa, Al Zink, James Drago, and Dylan Tooch.**

1. Pledge of Allegiance

2. Acceptance of Minutes

a. May 12, 2025

Action

Motion: Al Zink moved to approve the minutes of May 12, 2025, as written.

Second: Dylan Tooch

Discussion: None

Vote: Approved 4-0-1 (*Bob Daigle abstained due to not being present*)

3. Regular Business

a. Continuation from the May 12, 2025 meeting: A Variance request by New Road Newmarket, LLC seeking relief from Newmarket Town Code Section 32-56 Table of Permitted Uses to permit age restricted housing on real property with an address of 200 New Road (Tax Map R3, Lot 56) in the B2 zoning district.

Action

Motion: Dylan Tooch moved to reopen the public hearing.

Second: James Drago

Discussion: None

Vote: Approved 5-0-0

Attorney Kevin Baum introduced himself as the representative for the applicant, as well as **Rob Graham**, owner, **Joe Coronati**, engineer, and **Jim Gove**, wetland scientist.

Atty. Baum continued to give a brief overview of the presentation at the May meeting, and for the concerns that will be addressed further at the Planning Board stage.

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Bob noted that although he was not present at the last meeting, he did watch the video and therefore will participate in the discussion.

Al reiterated that he wanted to give the public another chance another chance to speak to the application, which is why he requested continuance at the May meeting.

The public comment was opened at 7:10 PM.

Matt Larkin, 189 New Road, noted that he lives across the street from the property, and noted concerns for the density for maintaining the character of the road and neighborhood.

Gary Levy, 81 New Road, spoke to the wear and tear of the road and asked if there was a way to do the construction in less than 5 years at it is a long time to have construction vehicles going up and down the road, but unsure if that would e discussed now or at the Planning Board stage.

It was confirmed that the construction schedule would be discussed further at the Planning Board level.

Mr. Larkin added concerns regarding the space between the units as the last meeting it was stated they would be about 25-30' in distance, with concern to fire safety as there is only one point of egress on the single road proposed.

It was confirmed that this also would be further addressed at Planning Board.

The public comment was closed at 7:17 PM.

Bob explained how he was very involved with the industrial park and how the crossing was an initial sales point for potentially opening up the area for development, but that had fallen through. Therefore, the whole area is reliant on New Road instead, making the best use a residential one as the road would not hold up to commercial traffic.

Al noted that his concern has been addressed, to have the public get the opportunity to speak to the proposal.

Wayne brought up his concern noted at the previous meeting as well regarding the septic plans, but noted that that will be at the Planning Board level for further discussion as well.

Mr. Gove added that they still need to have more test pits, but that he estimates based on observation about 18 inches near the road for seasonal high water table, and 40 inches at the top of the hill.

Wayne reiterated that he sees it as a public safety issue, but also agreed that the town needs housing, recommending that the Planning Board give high consideration to the septic.

Action

Motion: **Dylan Toooh** moved to grant a variance request from New Road Newmarket, LLC, petitioning the Zoning Board of Adjustment for relief

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from Section 32-56 Table of Permitted Uses of the Municipal Code of the Town of Newmarket, New Hampshire to permit age restricted housing on real property with an address of 200 New Road (Tax Map R3, Lot 56) within the B2 zoning district, as the petition satisfies the 5 part test of the variance statute, pursuant to RSA 674:33.

Second: Bob Daigle

Discussion: None

Vote: Approved 5-0-0

- b. A Variance request from the Alexxandre M Monastiero Revocable Trust seeking relief from Newmarket Town Code Section 32-84(2) to permit a single family residence on a lot with frontage on a Class VI road without upgrading the road on real property with an address of 90 Hersey Lane, Tax Map R5, Lot 42 in the R2 Zoning District.

Alexxandre Monastiero introduced herself as the applicant, and explained that they are under contract to purchase the property in question. It was explained that property conforms with all regulations except for it fronting a Class VI road. If the variance is granted, the next step would be to go before the Town Council for approval for a driveway on the Class VI road.

Ms. Monastiero continued to read the variance criteria as submitted in the application into the record.

Ms. Monastiero confirmed that the lot is 0.56 acres, and that the driveway would be about 400' long. There is also water and sewer at the end of the Class V portion of the road, and they are intending to bring in water and sewer. They did have test pits to ensure that they could have a septic if needed, and they were suitable.

Dave confirmed that the next step if the variance is granted is to go to Town Council to have an indemnity agreement that states that the town is not responsible for any upgrade of the road and that the town is not responsible for any plowing, road maintenance, and that the town is not responsible to provide medical or police services if the road is unpassable. The agreement is then recorded at the registry of deeds.

Ms. Monastiero explained that if the road were to be upgraded to a Class V, it would require it to be 50' wide, 24' of pavement, fully engineered, drainage studies, and side swales to bring it to conformance, all for the one property in question tonight.

Discussion ensued regarding other potential future development opportunities on the Class VI portion of the road. It was clarified that if someone further down past the conservation areas surrounding the lot were to develop, then the driveway would go away and it would become a town road if upgraded at that time, and the property's driveway would start at the lot line instead. With this proposal too, it is still a road that is open to the public. It was also noted that if there were to be a similar application in the future for the same request, if this one was approved the board could still deny a future one due to the cumulative effect on the neighborhood. **Ms. Monastiero** added that as

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far as she is aware, there are no other lots for development on the road, and only the conservation land, easements, and current use land.

Action

Motion: **Bob Daigle** moved to grant a variance request from the Alexxandre M Monastiero Revocable Trust for a Variance from Newmarket Town Code Section 32-84(2) to permit a single family residence on a lot with frontage on a Class VI road without upgrading the road on real property with an address of 90 Hersey Lane (Tax Map R5, Lot 42) within the R2 zoning district, as the petition satisfies the 5 part test of the variance statue, pursuant to RSA 674:33.

Second: **James Drago**

Discussion: None

Vote: **Approved 5-0-0**

4. New/Old Business

a. Zoning Administrator Items
(None)

5. Adjournment

Action

Motion: **James Drago** moved to adjourn the meeting at 7:50 PM.

Second: **Al Zink**

Discussion: None

Vote: **Approved 5-0-0**

Respectfully submitted,
Bridgette Grotheer
Land Use Administrator

DCAT:
https://videoplayer.telvue.com/player/XSekdEeRsk0JHQVHAvKJVka7_5VjxKP/videos