NEWMARKET Zoning BOARD OF ADJUSTMENT
Monday, AUGUST 23, 2021
**TOWN COUNCIL CHAMBERS**
7:00 PM

**Present:** Bob Daigle (Chair), Wayne Rosa (Vice Chair), Diane Hardy (Zoning Administrator), James Drago, Steve Minutelli, Al Zink, and Henry Smith (Alternate).
**Absent:** John Greene

**The Chair called the meeting to order at 7:06 PM**

**1. Pledge of Allegiance

2. Review and Approval of Minutes**

**a.** 06/14/2021

**Motion:** James Drago made a motion to approve the minutes of 06/14/2021.

**Second:** Steve Minutelli
 **Vote:** All in favor

**3. Regular Business

a.** Michael Mangan - Public hearing for an application for Variances from Section 32-87 Setbacks and Section 32-89 Dimensions Table, requested by Michael Mangan, to permit the building of a 27’ x 18’ structure, for personal use, with storage for tenants/owners on the lower level and a multi-purpose space for tenants/owners to do arts/crafts or play music, for example, that has a 16’ setback on/from the Washington Street property line, where 25’ is required. The property is located at 10 Nichols Avenue, Tax Map U2, Lot 237, R3 Zone.

Mr. Michael Mangan submitted an application for a variance. He was seeking a variance to the 25 foot setback on the Washington Street side of his property at 10 Nichols Ave. in order to build a structure 27’ by 18’ for personal use. All abutters to the property were noticed by certified mail. He spoke briefly synopsizing his application.

The Chair opened the meeting for public comments.

Mr. Jim Stevens, who owns the property at 1 Lincoln Ave., but does not reside there, mentioned his concern that the building might become a band practice place.

There were no others present who wished to comment.

The Chair closed the public comment at 7:33 PM.

Mr. Mangan responded to the ZBA and Mr. Stevens that he intends to sound proof as much as possible and the design has fewer windows on the first floor to avoid becoming a nuisance. He also mentioned that he plans to retire in 5-8 years and is looking for a place he can go to play his guitar.

The Chair began the discussion among the members. There was considerable support for the thought that he has plenty of space to situate this building on his lot without a need of a variance. The owner was unable to meet hardship requirement. The Zoning Administrator said that in order to satisfy the Town’s requirements for storm water management, a design by an engineer indicating clearly where the water would go was very important to provide. The applicant was asked if he would like to come back to present more information on his hardship and offer a thorough engineering plan. Mr. Mangan thought 90 days would be sufficient.
No decision will be made by the ZBA this evening.

**Motion:** Bob Daigle made a motion to table, without prejudice, the variance request from Mr. Michael Mangan for 90 days to allow the owner to develop a more detailed plan.

**Second:** Wayne Rosa
 **Vote:** All in favor

**4. New/Old Business** None.

 **5. Adjourn

Motion:** James Drago made a motion to adjourn.

**Second:** Bob Daigle
 **Vote:** All in favor

The meeting was adjourned at 8:16 PM.

Respectfully submitted,

Sue Frick, Recording Secretary.