



**TOWN OF WEARE**  
PLANNING BOARD  
ZONING BOARD OF ADJUSTMENT  
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Naomi L. Bolton  
Land Use Coordinator

**Office Hours:**  
Monday  
thru  
Friday  
8 AM – 4:30 PM

**PLANNING BOARD  
MINUTES  
JUNE 14, 2007  
(Approved as amended 6/28/07)**

**PRESENT:** Paul Morin, Chairman; Frank Bolton, Vice Chairman; George Malette, Secretary; Tom Clow, Exofficio; Neal Kurk, Alternate; Naomi L. Bolton, Land Use Coordinator.

**GUESTS:** Frederick H.L. Davis; Michelle A. Davis; Dr. David L. Avard; Suzanne Avard; Frank Szerlog; Virginia Whitten; Lisa M. Wilber; Joyce Moors; William Lansford; Barbara Mora; Heleen Kurk; Harry Hadley; Roxanne Hadley Quirk; Steve McDonough; John Heavisides, Meridian Land Services; Andy Fulton.

**I. CALL TO ORDER:**

Chairman Paul Morin called this meeting to order at 7:00 PM at the Town Office Building. Chairman Morin appointed Neal Kurk to sit in place of Craig Francisco as a voting member for tonight.

**II. MINUTES:**

MAY 24, 2007 MINUTES: Frank Bolton moved to approve the May 24, 2007 minutes as written; Neal Kurk seconded the motion, all in favor.

**III. PUBLIC HEARING:**

DAVID & SUZANNE AVARD – REVOCATION OF SITE PLAN FOR FOLLOWING REASON: Chairman Morin opened this hearing at 7:05 PM. Chairman Morin explained that this is basically a fact finding effort regarding a site plan. Dr. Avard explained that in 1997 he came before the board for site plan for a chiropractic office. The driveway existed as it does today. He had three (3) public hearings at that time the abutter's didn't have any concerns. He was going to be renovating the garage into his chiropractic office. The board approved it and signed the site plan in 1997. Dr. Avard submitted a letter dated June 8, 2007 and read it out loud.

Neal Kurk asked Mr. Avard if he could tell the board the distance between the corner of his house and the property line. Dr. Avard responded that is in dispute at the moment. Mr. Dahlberg did the survey for the Hadley's and Mr. Duval is in the process of surveying it for Mr. Avard. There appears to be a dispute between the two surveys that has not been resolved at this point.

Tom Clow asked if the section of the driveway that goes around the house the same width as the part by the house. Dr. Avarad responded that is a little narrower than the rest of the driveway.

Chairman Morin stated that he understands there is a dispute as he has done some research on his own previous to the meeting. It is his understanding that the dispute has to do with the corner of the house to the lot line and the difference is about one foot.

Mr. Hadley was present. Mr. Hadley stated that the revocation of his business was not his intent. Mr. Hadley stated that he felt this would be the time to get this corrected. The Avarad house is on the market and he would like the driveway issue cleared up before someone else purchases the property.

Suzanne Avarad briefly touched upon the point regarding the arrest of Mr. Hadley.

Neal Kurk asked Dr. Avarad if the board can have a copy of the new survey. Dr. Avarad responded that he could get the board one.

Chairman Morin closed the public hearing at this point. Neal Kurk stated that he would like to see the other survey before coming to a conclusion.

Chairman Morin stated that he would like to continue this to allow time for Dr. Avarad to get documentation (the survey and other related papers) to the board for their review. Chairman Morin asked if 30 or 60 days would be appropriate.

Dr. Avarad stated that 60 days would be a reasonable time for him to gather more information. The board agreed the Duval Survey would be helpful. Frank Bolton stated that he certainly hope the board could find the minutes and the file.

Frank Bolton moved to continue this hearing to August 9, 2007, George Malette seconded the motion, all in favor. Chairman Morin closed this hearing at 8:22 PM.

#### **IV. WORK SESSION:**

STEVE MCDONOUGH (JAY HEAVISIDES – MERIDIAN LAND SERVICES) – CONCEPTUAL HEARING, NORTH STARK HIGHWAY, TAX MAP 203-036: Chairman Morin opened this hearing at 8:23 PM. Jay Heavisides from Meridian Land Services and Steve McDonough were present. Mr. McDonough just recently purchased the former A-1 Saw site next to the Mobil Station. Mr. McDonough would like to put in a single bay touch less car wash building with a two station exterior self serve spray bay. This property was granted a variance and site plan review for a building for A-1 Saw in 2001. The size of the building approved is slightly different from the previously approved site plan, so Mr. Heavisides thought they would probably have to go back to the zoning board and then back to this board for the site plan. Mr. McDonough currently owns

facilities in Bristol, Milford, Manchester and one currently underway in Hillsborough. Chairman Morin closed this hearing at 8:35 PM.

Update of Site Plan Regulations: The board wants to start the update process of the Site Plan Regulations hopes to get input from the Board of Selectmen, Economic Development Committee, Fire Chief, Conservation Commission, Public Works Director and others. Heleen Kurk was the only one present for this discussion this evening. The board wanted Naomi to call SNHPC to get their input and guidance to see what Towns might have a good model for the board to use. Naomi has gathered several from area Towns. The board wants Naomi to start putting together some changes with some guidance from SNHPC. Neal Kurk and George Malette offered to help and be backups for Naomi. The board also wanted Naomi to ask Jack Munn at SNHPC to see if someone has a section that has to do with performance standards.

Wetland Buffer Area: Andy Fulton was present. Thee concern was that there will be a lot of potential applications to the buffer that won't become before the Planning Board or Conservation Commission, so there needs to be some way to make sure there is another mechanism for that. Chairman Morin felt that the first step is to make everyone aware of it, which would be with the building application. The Board felt that the checklist needs to be changed to add that requirement that it be shown on the plan with a note and a legend notation. A deviation request from the article would require a variance. The Conservation Commission will create a statement and some frequently asked questions for a handout with the building application as well as with the zoning board for all parties to be informed.

**V. OTHER BUSINESS:**

GARY A. & CONSTANCE K. EVANS – VOLUNTARY MERGER, RIVER ROAD, TAX MAP 202-106, 202-108, 202-158: Naomi informed the board that they have already seen this request. The question at the time was if there was or was not a dwelling unit on each lot. After some research the dwelling unit was removed off one of the lots, therefore there would appear to be no reason why this request couldn't be approved. Tom Clow moved to approve the voluntary merger as requested; George Malette seconded the motion, all in favor.

**VI. ADJOURNMENT:**

As there was no further business to come before, George Malette moved to adjourn at 10:00 PM; Tom Clow seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton  
Land Use Coordinator