Zoning Board of Adjustment
27 School Street
HILLSBOROUGH, NH
October 20, 2026

DATE APPROVED: 11/10/26

TIME: 6:00 p.m. –7:32 p.m.
CHAIRPERSON: Chairman Larry Baker
VICE CHAIRPERSON: Keith Cobbett
MEMBERS: Shawn Kelley, Michael Schamel, Frank Malinoski
PLANNING DIRECTOR: Robyn Payson

ALTERNATES: None

EXCUSED: Michael Shamel

Public Present: See Attached

CALL TO ORDER:

Chairman Larry Baker called the meeting to order.at 6:00 pm.

Pledge of Allegiance

Minutes

9/14/26
Larry Baker made a motion to approve the amended minutes. Keith Cobbett seconded the motion. The motion carried unanimously.

Public Hearings

Variance
4 Newman Street (Map 23 Lot 71)
Christopher Marx

The applicant is seeking to build a 10x20 shed and place it on top of crushed stone and blocks extending into the side setback.

Chairman Larry Baker told the applicant that there were only 4 members of the Board instead of 5. He gave the applicant the option of continuing the hearing until a 5 member Board was assembled.

Mr. Marx elected to move forward with the hearing. Stephanie Marx will present the application

Project: Applicant Stephanie Marx said a 10x20 shed to be built on blocks. The shed requires a 6' variance to one side.

Criteria

A. Granting the proposed Variance will not be contrary to the public interest because:

The applicant said it is a small storage shed at the back of their property. The variance requested is on the back side of our neighbor's home.

There were no questions or comments from the Board.

B. Granting of the proposed Variance will observe the spirit of the Hillsborough Zoning Ordinance because:

The applicant said allowing a variance would observe the spirit of the ordinance because the regulations in place are in part to protect neighborhood character. Having a nice shed to store items reduces driveway clutter and keeps the area looking nice.

There were no questions or comments from the Board.

C. Granting the proposed Variance will do substantial justice because:

The applicant said doing so will allow them a reasonable use of their property, while creating little to no impact to their neighbors or the neighborhood.

There were no questions or comments from the Board.

D. Granting the proposed Variance will not diminish the values of the surrounding properties because:

The shed is a typical residential structure. It will be maintained , is an appropriate size for the property and will not create unwanted noise, safety concerns or other adverse effects to the neighborhood.

There were no questions or comments from the Board.

E. Literal enforcement of the provisions of the ordinance will result in an "unnecessary hardship" because:

(1). Owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) The

proposed use is a reasonable one because:

The applicant said a shed will not hinder their neighbors from any current activities. The shed will house tools and other items keeping them out of public view and keeping the neighborhood clean.

Chairman Larry Baker asked the Board if they thought E1 was established. The Chairman, Keith Cobbett and Frank Malinoski said they felt it was.

Chairman Larry Baker opened the public hearing. There being no comments from the public, he closed the public hearing.

Keith Cobbett made a motion to approve the variance. Frank Malinoski seconded the motion. The motion carried unanimously and the variance was granted.

Special Exception
73 School Street (Map 12 Lot 35)
Tucker McCarthy for David Fullerton and Sandra Colby

Tucker McCarthy made his presentation for the 48 unit residential development. (See attached)

Chairman Larry Baker asked Mr. McCarthy if he wanted to proceed with 4 members. After a brief discussion he said that he did want to proceed.

A. The ZBA shall hear and decide requests for Special Exceptions that are specifically authorized in Table 4 Chart of Uses:

Chairman Larry Baker said the Table 4 Chart of Uses allows more than 4 family dwellings in the Village Residential Zone by Special Exception.

B. The requested use will not create undue traffic congestion or unduly impair pedestrian safety:

See Presentation (attached)

There were no questions or comments by the Board.

C. The requested use will not overload any public or private water, drainage, or sewer system or any other municipal system, nor will there be any significant increase in storm water runoff onto adjacent property or streets.

See Presentation (attached)

Chairman Larry Baker asked Mr. McCarthy if he had any conversations with Water/Sewer yet.

Mr. McCarthy said he had not. He said when he went to the Planning Board he was told there

was availability.
The Board had no further comments.

D. The requested use will not create excessive demand for municipal police, fire protection, schools , or solid waste disposal services.

See Presentation (attached)

There were no questions or comments from the Board

E. Any requirements and standards for the specific use as set forth in the Zoning Ordinance are fulfilled;

See Presentation (attached)

There were no questions or comments from the Board.

F. The requested use will not create hazards to the health, safety, or general welfare of the public, nor be detrimental to or out of character with the adjacent neighborhood.

See Presentation (attached)

There were no questions or comments from the Board.

G. The requested use is consistent with the spirit and intent of this Ordinance and the Master Plan

See Presentation (attached)

The Board had no questions or comments.

Chairman Larry Baker opened the public hearing.

Andrew Irwin said he owns Hillsborough House. He talked about the project from 1998 that was not approved. He thinks it is difficult to say a 46 unit development is consistent with a code that specifically seeks to limit development to four units. This is nearly 12 times bigger than the code anticipates and the code is the people who are speaking through the code. So when the code says their threshold for development is four units I think that is something that should be taken seriously. It's a hard case to make that this is keeping in character with a residential neighborhood. In 2025 there were 16 of these projects state wide not a single one of those 28 units was permitted in a district that is zoned as this one is. The ones that needed special exceptions or variances needed them because they were already in high density residential areas. Even in those areas they needed exemptions to be that high. To say this is consistent with the character of Blair Ave is a hard case to make. I think it is a better case that it is out of character

with the entire state. Hillsborough would be the only town that I think of that is permitting this density in this zone. 20 years ago Police and Fire weighed in and said there was sufficient hazard on School Street that they did not want the additional traffic. The traffic study that the applicant has presented is based solely on volume.

Ray Brown said he is concerned about the 391 cars flowing out of the development on to Brown Avenue which is a one way street and is used to bypass the light on Henniker Street.

Tom McClure said the traffic issue is something that the Board must consider. Just the sight plane as you are coming up School St., there is a rise right there. A driveway on the other side of that rise would be hard to see. In the past development that was talked about there they talked about lowering the road because it was such an issue. The other thing is when you hire a company to do a traffic survey for you they are going to give you a traffic survey that you're happy with. I think that along with the 391 cars you have to take into consideration where everybody shops today. I live on a two family driveway and at least three maybe four times a week there's either an Amazon truck a UPS truck or a Fed Ex truck that comes in. This is going to make a lot more traffic than they are talking about. As far as fitting in to the neighborhood, it's impossible for a three story structure to fill in to a neighborhood when you look at the residential housing behind it. The residents of the Town of Hillsborough voted at a town meeting to restrict the size of development and by giving a Special Exception you are over riding the voice of the people and I don't think that should happen.

Tim Vaillancourt said he might be impacted more than anyone else. He said he went around the neighborhood and talked to everybody at maybe 20-25 properties. Everybody agreed that there might be a housing need but it was just the impact of so much in this area that this is the wrong place for it. Mr. Fullerton is more than welcome to sell his property but its just the impact of it. He said he was sitting on his porch looking at the stars and he said that 15 feet away from that would be a dumpster for 150 people. 30 feet would be a three story building with people looking down at me. They could put up a 12ft screen and the second and third floor would be looking right into my bedroom and my porch. It would really be an imposition on me as far as privacy. He said he is very concerned about the traffic, he's very concerned about the drainage he knows the problems. He has lived there for 35 years, there are drainage problems. He said he knows they said they have 13 acres but they brought everything up into a compounded area they are bringing a road in, I would imagine there would be street lighting within 15 feet of the line. My back yard's a little bit bigger, the others are narrower. They are bringing a road in by my neighbors and I would imagine security lining within 15 feet of the property line. You have a road right there so now you have traffic on both sides. He sat there Sunday afternoon coming up over that knoll, I was at the meeting in 1998 and that was a huge concern. They were proposing at that time to rip up the road and re-do School Street right there. It was rejected by the Board because of safety issues. Mr. Fullerton has the right to sell his land with single family housing something that conforms with the neighborhood. This is out of character with the neighborhood; it is much larger. We live in single family homes, and this overlooks our privacy.

Holly Mooney who is a crossing guard said its very scarry with the traffic going through. She spoke of a woman who did not stop. They don't abide by the speed limit, there is that knoll there it is very serious. There is traffic from the school and people don't pay attention. It's not a good place to put another driveway. She said she counted 296 yesterday morning going in. She didn't count any going out unless they were going down the hill that didn't go into the school or that were coming out of Blair Avenue. There is a lot of traffic especially when the High School goes in. There is so much traffic and they won't let the kids cross.

Chairman Larry Baker suggested that she tell the SRO about this.

Doug Parker said he said there are a few concerns with this. He said there was another property down the street, a 29 unit property of elderly housing in 2011 that was voted down by the Board as well for the same types of reasons that people are talking about tonight. The traffic, and it's out of character for a neighborhood. The design is conceptual because they don't want to spend the money on an elaborate plan. But lighting, drainage issues, there's already wetlands. Theres 2 12,000 square foot buildings and three parking lots equaling 13 or 14, 000 square feet as well. You take an inch of rain and there will be quite a bit of water going into the wetlands that are already there. He said his brother and he own a piece of property at the end of Blair Avenue that already has some wetlands (he believes) by the highway with impervious asphalt that has contributed to the wetness on our property and I believe this development will as well. Safety for the kids getting out during school hours like a lot of people have said is nearly impossible because of the traffic. A lot of people drive their students to school and there are 197 teachers and support staff that drive to school and back. He thinks the population of the Hillsborough/Deering is 800 or 900 students. That's a large number to impact the area as it is let alone these extra buildings. Those are my concerns.

Chairman Larry Baker said that only the application and criteria will be addressed, no Planning Board issues will be discussed although people can bring up whatever they want during their three minutes.

Dana Ford said it's going to affect property values. He said he has sold homes for over 26 years and people ask. When they to buy somewhere they look at the zoning. And you say don't worry it's never going to be more than 3 units. That cul-de-sac doesn't have the value the cul-de-sac should have because of what is going to go on behind it. He said he has polled some appraisers and we are looking at least a 10% drop in value in the homes around Blair Avenue cul-de-sac because it's not going to be as valuable as it once was. People don't expect that because they move into an area that only allows three units. These are commercial units and they should probably be located in the Commercial zone.

Tracy Houton said her concern is the amount of children riding their bikes down to the fields to do their sports and things like that. We have several children that constantly come down on their bikes, they come around the corner on the other side of the road-it's not safe. We have had a car on our property before. They came down and around the corner and landed on our property. My

concern is the increase of traffic; it's a cut-down trip for the Dollar Generals and the Family Dollar because that is what is on that side of the road. We have always been a cut through from Gay Avenue to Park Street and the amount of speed on that corner and the people that almost get hit on that corner, I think adding this amount of traffic is going to make it a bigger cut through and more dangerous for the children who walk that to get to their sports

David Fullerton said Speeding has always been a problem on School Street. He said he had a talk with the Chief of Police and he put two cruisers on School Street and they gave out warnings and they slowed down immediately. That's all you need to do to slow down the speeding. Regarding housing, Hillsborough Heights filled up immediately. The housing is needed in Hillsborough.

Lisa Murdough said It is absolutely not in character with the neighborhood. Having a three story building in the middle of our neighborhood is not what we need. Safety is my biggest issue. Are you going to add another crosswalk? We've got three crosswalks right now between Blair Ave and Brown Ave, it's too many and there are too many kids on that street. In reference to the project from 1998, they did a study that was 2,800 cars on that road every day back then. That was before the development on Jefferson Drive and we have no idea what that traffic is today. That number is not available and now we are going to have 400. She said she doesn't know how children will be safe. There are going to be a lot of accidents and potential issues. She said she thinks those reasons need to be re-looked at of why we would put that building in that spot. She said she was not against homes she thinks we need them but that neighborhood is single homes and that's what should be going in there so we can stay with the character of that whole development.

Alicia Gagnon said she agrees with the traffic. She has young kids we are constantly having people cut through to get to the traffic light people speed too fast I'm constantly having to watch for my own kids in the parking lot and the driveways because people just fly down the road. She said she agrees with the crosswalk because she witnessed the crosswalk incidents. It's going to be right behind her property. She said she heard there was going to be a dog park and all kinds of stuff.

Stacy Tela said she comes out every morning at 7:00 to leave to go to work and she finds it is quite frustrating to get out of Blair Ave. There are multiple students that are crossing the crosswalks. There are multiple school buses that come in and it takes about 5-10 minutes to get on to that street. I have actually talked to some policemen about this and I feel this is a difficult area to add more people and I don't know how many times I've almost gotten hit myself just coming out. And it's very difficult to do this every single day. I can't imagine to have more people in this area let alone a huge building that's going to be looking at our house.

Diane Sampson said she is not against housing, we need it but Hillsborough is not the savior of the housing crisis. I feel like I understand why they would want to put this gigantic thing in because we need housing. My issues are I can walk my grandson to school in the morning and

come back and almost lose my life sometimes. People come down off of that hill flying. I think if the police officers sat there they could give out some really good tickets. They don't even stop. We're at the crosswalk and I've got his hand and say do not cross until I say ok. I say go ahead and then someone goes flying down that hill. How is this going to be safe? There's three crosswalks now. I have to go down to where Holly is to feel safe to cross the street and go back up Blair Avenue but I'd be crossing that new street with more cars. The other thing is that they raise our taxes they practically doubled my taxes. So now with my property value like Tim was saying is going to go down. I'm living in a residential area we bought that place with young kids at the time, it was safe. Now I want to take my grandson to go play at the playground so we walk up there we want to cross the street it's the same thing even when school's not on. I was coming to this meeting there was something going on at the school, I'm at Blair Avenue and I want to get out and I have to wait because there is traffic there is always traffic. There's Jefferson Avenue and all kinds of places. People are not just coming to Blair Avenue or Maple Leaf there's a parking lot, there's the school, there's Hillcat Drive, there's another little parking lot, there's the nursing home parking. There is so much traffic now. If that's happening what is going to happen when school is on with all of these kids? There's 20 units at Maple Leaf, Blair Avenue has approximately 32 homes, so that is 52 units in a large area. They want to put 48 units in a very small compact area. When we bought our house we had water in the basement so we had a sump pump. We have two sump pumps now that are running almost constantly. So when you talk about wet grounds we have it too and we're higher up. So when you start doing this what's going to happen to the ground table? Nobody talks about us being wetlands but we are.

Jessica Howley said my worry is the fact of that her kids go to school here, one of her kids is in second grade. There aren't enough teachers as it is right now so adding 48 more homes, how many more kids is that going to be for our school and there's no school busses. And for most of the people that have to drive their kids we already have to wait in a long line and adding that many more homes with that many more families and kids; what's that going to do to our school system? I love our school system right now but I worry that it's going to make it worse by putting that many kids with that small school that the kids are not going to get the one on one time if they need it and stuff like that and pick up and dropoff is not going to be good. It's already a nightmare to get the kids dropped off. They are going to end up being late to school because the line is so long. I just worry about my kids and the school area.

Paul Mooney said This is not the direction I want the town to go in. I know there is a housing crisis but lets build the housing after we get some of the other things we need in this town that will lower our taxes and contribute to the tax base. We said no in the 90's, I don't know why we are even considering it.

Michael Astaphan said he is not originally from this town and that's the point. Even I know the problems that this town has. We already have trouble managing infrastructure for the people that are here. They can hire all the traffic people they want it doesn't matter unless they buy a house on Blair Avenue and live there for six months they're not going to know what the traffic's like.

You can't sit out there for a couple of days and find out. We already have a problem with water, we already have a problem with fixing the roads we already have budget problems and you are going to bring in a ton-load of renters who aren't going to contribute anything and we all know that this property is going to go down in value over time, it's going to get run down. It's not going to be this pristine palace that it is when it's first built. And the fact about housing is that migration is going down and AI is coming in and while housing is an issue today, it's not going to be an issue in 10 years and 20 years here. Things are changing. So don't let monorail salesmen coming to the town and sell you on an idea that's from a past time and not future looking.

Scott Murdough said I just want to say I live there, I come out of that street every day and it's a disaster. Sometimes I have to wait and nobody lets you in. Then when I get out the cars are all the way down to the nursing home. I do not understand why we want to put this monstrosity in this spot. Yesterday he was at the school watching where the kids are out front, that whole front lawn of that school was full of kids and now you want to put a road in there? That does not make sense to me. Someone is going to get hurt and if it was one of my kids god forbid.

Paul Czyzewski said he is a maintenance technician at the Hillsborough Deering school. I love this school system. It is a traffic nightmare. I have to pull a Dale Earnhardt Jr. to go from Blair Avenue across the street to the school where I work. It is a nightmare. And to have more? I have to direct traffic as it is at the school system because its so bad. I got people trying to run over other people just to snake how we have it. So just having more congestion, it's going to be a nightmare.

Diane Sampson said I know we are only in a part of the process but when you said you didn't put a lot of time and thought into this that was a little shaky for me. The other thing being this survey for transportation and planning that says how much traffic there's going to be, did they count company visiting, food deliveries, Fed Ex deliveries, mail deliveries, social services if they need it. Kids on bikes, walkers crossing the street? I'm wondering if that's tabulated and how old is this tabulation. What year is it from? We looked it up and it looked like it was from 2000. So that's not current. But anyway, is there any of that in there?

Tim Vaillancourt said he invites Mr. Fullerton to sell his property, he has a right to but do it as a zone. Single Family housing which is the character of the neighborhood. They are all single family with the exception of the duplex and the nursing home. He said he understands that a lot of this is unbuildable so everything is crowded up before in 1998 things were even closer to School Street, they went a little bit deeper. Now you are down there on my property. When my parents built their house they had to build it up because of a little water problem. This is where you want to put your second parking lot which is double wide. It doesn't say how many cars. These lights are shining in my room when you are plowing snow. You have a dumpster from my property to that wall. I had a fire last night watching the stars. I am having a dumpster serving about 150 people coming in and out. I'm going to have lighting, I won't see the stars maybe again. I'm not a builder I don't know soils that well. But I do know there is a big runoff

problem now. When you do have the hard surfaces-the roof, I have worked on these things. I see nothing on the drainage. This is going to go into my neighbors who are flooded anyway. I don't know how they are going to get that second building in, it's just that wet.

Andrew Irwin said he thinks the general sense here is that nobody is opposed to housing they are just opposed to housing in that specific spot. And it's my understanding that the Board is also invited to consider alternatives which there is three acres down by Grimes Field which is zoned appropriately that meets the footprint requirements and would likely require a Planning Board review. The question is does the town need housing? That lot is suitable so I don't know that there is a hardship argument that can be made here on this specific lot. The reason why we are abutters on two sides of this lot is because we bought what is now a vacant building on Gay Avenue because the traffic getting in and out of our parking lot for our staff was only contributing to this problem. We at least now can route traffic down Gay Avenue instead of coming out of our parking lot at shift change that coincides with school getting in and out more or less. I don't know that anyone has spoken against the need for housing but unfortunately that's an answer to a question that no one asked. The question is, is this project appropriate for this specific lot.

Dave Fullerton said he has had to put up with traffic for years. I have a Bachelors of Science in Engineering and what Engineers are taught is how to solve problems. For years I have been looking at this traffic situation and I have been wondering why in the world the school doesn't use the exit up near the Middle School and get some of the cars to go down through there.

A member of the public asked about the construction equipment and the noise. How is that going to affect the children at school?

Tim Vaillancourt said he went out Sunday afternoon and sat on the stone wall and as I set there with the knoll on the hill he couldn't see the cars coming He spoke about the traffic coming to and from the schools.

Chairman Larry Baker closed the public hearing.

Tucker McCarthy said he thanked everyone for coming tonight and he heard a lot of valid concerns. He asked if in 1998 a variance or a special exception was applied for.

Robyn Payson said it was a special exception.

Tucker McCarthy asked if the same zoning was in place

Robyn Payson said it was.

Tucker McCarthy talked about the density. He pointed out that there was no limitation on density in town. He said they started with the minimum requirement for a four-unit building. If

you look at the amount of land here you could get a lot more than 48 units. That is the basis for what we looked at this overall property. He agreed it looks condensed, they don't want to be filling wetlands. He wanted to reiterate that a lot of the issues that were discussed here are not in the purview of the zoning board. I understand sight distances drainage, the high part of the road. It sounds like there are significant traffic issues in this area. That 391 number is a daily number not a peak number. If you look at the actual data you're talking AM peak street hours which is between 7 and 9 AM they are saying you are going to have 23 cars coming out of here, that's 1 car every 5 or 6 minutes. Its not like they are putting a thoroughfare through there.

He said he did hear the comments that there wasn't a lot of thought put into this. What he means by that is that we haven't really looked at the site, this is not the final lay out. The unit number could change. I heard the comment from the gentleman who is right next door and if this subdivision is approved and we could we could pull a permit. That 15 foot setback a three story house could be built there. He understands his concern, could we rearrange this and move it away from your house? Absolutely and we would be willing to consider that.

He said he heard a comment about Blair Avenue having a 10% drop in value, he said he didn't believe that is a correct statement. He said he heard people talking about taxes; this is a vacant piece of property right now so there are no taxes being generated right now. A development of this size is going to have a significant impact on taxes. There could be payments into the Water/Sewer system that would help toward future improvements.

He went on to discuss the traffic memorandum from August 2025. As part of the Planning Board process, they might do a full traffic study. This is a big enough project that they will have to go to the state for Alteration of Terrain. You are not allowed to impact any drainage on any abutters. There would be a very large drainage study that would be conducted as far as this project where they would look at existing run off -you are not allowed to increase that. And all storm water on impervious surface must be captured prior to any discharge on the property.

Chairman Larry Baker said this is a very impactful project that is being proposed. He said he would suggest to the Board we schedule a site walk.

Frank Malinoski said he wanted to see an independent review of the traffic memo.

Keith Cobbett said he knows what the road is like, he knows the property well so he doesn't need a site walk because he visits that area frequently. His hang up is that the code says 4 units. Going from 4 to 48, he understands exceptions need to be made but that's a huge difference that is what he is concerned about. The size of the project.

Keith Cobbet said if I was speaking back in 98 and I owned property here or I was a voting member in the Town of Hillsborough when you are thinking of a Special Exception for a location that's already zoned for four units, I don't think 48 is coming into the purview of consideration. It is so far outside the norm for that area when its surrounded by single family

homes. He said he thinks we are beyond Special Exception as to where any reasonable person couldn't dictate that would have been coming to them.

Shaun Kelley said he would like to continue after a Site Walk.

Tucker McCarthy asked if he is asking for a Special Exception that is more than four units am I asking for a specific unit count. My thought is no.

Keith Cobbet said based on your application you are going for 48 units. That is what's in front of me.

Dave Fullerton said he owned the sidewalk.

Following discussion, Keith Cobbett made a motion to schedule the site walk on October 26, at 9:00 am Frank Malinoski seconded the motion. The motion carried unanimously.

Frank Malinoski made a motion to continue the hearing to 11/10 at 6:00 pm Keith Cobbett seconded the motion the motion carried unanimously

There being no other business, Chairman Larry Baker made a motion to adjourn. Keith Cobbett seconded the motion. The motion carried unanimously.

Meeting adjourned at 7:32 pm

Respectfully Submitted,
Robyn Payson, Planning Director

10/20/2026

Hillsborough

Zoning Board of Adjustment

Sign in Sheet

Name (Please Print)	Address (Please Print)
Ellen McGuire	32 Gay Ave - Hillsboro
TRACY HOUGHTON	45 PARK ST. HILLSBORO
DAN FINO	34 PINE RIDGE, HILLSBORO
William McGraw	35 Blair Ave. Hillsboro
Jessica Howley	40 melody lane. Hillsboro
Alicia Gagnon	22 Gay Ave - Hillsboro
Shawn Hey	3 blair Ave Hillsboro
TOM MCCLURE	411 E. WASHINGTON RD
Tamara McClure	411 E. Wash. Rd.
Cynthia Blais	74 Pine Ridge Rd.
Will. R Blais	74 Pine Ridge RD
JOAN RICH	38 PINERIDGE RD
Holly Mooney	24 PineRidge Rd.
Tucker McCarthy	Amherst, NH
Lorna Poland	Peterborough NH.

Lisa Murdough	65 Blair Ave Hillsboro
DARRELL S MURDOUGH JR	135 Bible Hill Rd
BRETT MURDOUGH	26 MEETING HILL RD HILLSBORO
Dominic Collins	55 Mary Rose Drive
PETER MELLEN	22 CENTER RD. HILLS.
Douglas Parker	68 Blair Ave Hillsboro
TIM VAILLANCOURT	25 BLAIR AVE.
Penny Griffin	26 Whittemore St
John Griffin	26 WHITTEMORE ST
PAUL CZYZEWSKI	9 Pine Ridge Ct
JOANN PARKER	69 BLAIR AVE
PAT STAFFORD	69 Blair AVE
STEPH MARY	4 NEWMAN ST
CHRIS MARY	4 NEWMAN ST
RAY BROW	62 School St
SHANNON BROWN	67 School St
ANDREW IRWIN	73 school St
DAVID FULLERTON	73 school St
MARIYA KOSOVA	
Tia Kelly	82 Sand Knoll Rd
JOHN S SAMPSON	45 Blain Ave
Trista Freisinger	44 Blair Ave
Gregory Dumais	44 Blair AVE
JAMES DUMAIS JR.	105 Center Rd
Stacy Tela	38 Blair Ave
Sadie Smith	16 Depot St
Grace Spilluk	# 38 Gray Avenue

Micheal Asfaphan	38 BLAIR AVE.
Diane & Don Sampson	11 Blair Ave
Lynn Wrenn	5. Elliott Lane
Zac Provost	34 Whitemore St
Dylan Pearse-Theroux	484 center rd
A Hon Eckel	19 Myrtle St
Brent Jones	57 Gibson Mt. Rd.
Carrie Adams	03 Brook St.
Scott Murdough	65 Blair Ave
Kenny Stafford	106 Preston ST.
Paul Mooney	34 Whitney rd
Mark Murdough	139 Bigelo Hill

Attachment to Special Exception Application

73 School Street, Map 12 Lot 35
Request for Special Exception from Table 4 Chart of Uses of the Zoning Ordinance
Owner: David Fullerton and Sandra Colby
Applicant: McCarthy Properties LLC

The applicant, McCarthy Properties LLC (the "Applicant"), respectfully submits this statement in support of its application for a special exception from Table 4 Chart of Uses of the Hillsborough, NH Zoning Ordinance (the "Ordinance") in order to construct a multifamily development larger than four (4) units in the Village Residential District.

Background and Overview

Prior to delving into the analysis of the special exception criteria, the Applicant wishes to provide the Board with some background concerning the Property and the Applicant's proposed use—information which the Applicant respectfully suggests may assist the Board in its analysis.

As noted above, the Property is located in the Village Residential District. Currently the property consists of approximately 13.37 acres with an existing single-family home.

The conceptual plans that were provided show a proposed three (3) lot subdivision that would provide a lot for the existing home, a lot for the new development, and an additional developable lot.

Wetlands were field delineated by a wetland scientist and the plans are based off GIS and record plan data. It is anticipated that the proposed development will meet all setback, area and other requirements as set forth in the Hillsborough Zoning Ordinance.

Included in the submittal is a traffic memorandum that provides data showing that the proposed development will not impact traffic. Through the planning process, the applicant will work with the Planning Board to provide a plan for the proposed driveway and existing sidewalk to continue pedestrian access and safety.

I. The Special Exception Criteria

The Applicant's criteria for the Special Exception is as described below.

A. The ZBA shall hear and decide request for Special Exceptions that are specifically authorized in Table 4 Chart of Uses.

Table 4 Chart of Uses in the Hillsborough Zoning Ordinance Attachment 4:1 allows Dwelling More than 4 Family in the Village Residential District by Special Exception.

B. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

Included in the applicants submittal is a traffic memorandum from a professionally licensed traffic engineer regarding the proposed development. In the memorandum, it is noted that the proposed development would not have a significant impact on area traffic operations or on nearby intersections or driveways.

The proposed driveway will be designed in a way to maintain the existing sidewalk along School Street and will connect with sidewalks along the driveway to the proposed development. The applicant anticipates that any school aged children living at this development would have the ability to walk to school and a safe walkable environment will be created.

C. The requested use will not overload any public or private water, drainage, or sewer system or any other municipal system, nor will there be any significant increase in storm water runoff onto adjacent property or streets.

It has been conveyed to the applicant that the existing public water and sewer systems have the capacity to handle the proposed development. The applicant does not anticipate any overload to those systems as a result of this development.

As part of the planning board process, a full drainage study will be conducted to ensure that there are no impacts in storm water runoff to any adjacent properties or streets. It is likely that onsite stormwater treatment and storage facilities will be proposed to mitigate any additional runoff created by the development.

D. The requested use will not create excessive demand for municipal police, fire protection, schools, or solid waste disposal services.

It is not anticipated that the proposed use will create any excessive demand for municipal police, fire protection, schools or solid waste disposal services. These buildings will have full fire suppression systems that would help mitigate demand on municipal fire in the case of a fire emergency.

Also, it is intended that the development would use private solid waste disposal.

E. Any requirements and standards for the specific use as set forth in the Zoning Ordinance are fulfilled.

The proposed development will comply with all requirements and standards set forth by the Hillsborough Zoning ordinance and no relief beyond the special exception is anticipated.

F. The requested use will not create hazards to the health, safety, or general welfare of the public, nor be detrimental to or out of character with the adjacent neighborhood.

This development would be held to the standards of all new construction and therefore would not create any hazards to health, safety or general welfare of the public. All approved building products would be used, and the property would be built safely and properly.

Compared to other allowed uses in this zone, the proposed use is not detrimental to or out of character with the adjacent neighborhood. There are a mixture of uses in the neighborhood and within the Village Residential District. The new buildings constructed on this site are well off School Street. They will be built to modern standards. Architectural renderings will be presented to the Planning Board and the applicant will work through that process to propose a look that is appeasing to the Town and future residents.

G. The requested use is consistent with the spirit and intent of this Ordinance and the Master Plan.

Granting of the special exception will not be contrary to the public interest because it will not alter the essential character of the neighborhood or threaten the public health, safety, or welfare. For the same reasons, the requested special exception would be consistent with the spirit and intent of the Ordinance.

Throughout the Town Master Plan, housing was a reoccurring theme of importance to the Town and its residents. There was quite a bit of support for multi-family development as well as concern about the poorly maintained existing multi-family in Town.

This project would bring well needed additional, new, safe and clean housing to the Town of Hillsborough. As outlined in the Town Master Plan, the population of Hillsborough is projected to grow over the years and projects like these allow that growth to continue.

Encouragement of in-fill development and walkability was also mentioned throughout the Master Plan. This project is one of a few remaining large undeveloped and underutilized parcels within walking distance of the schools and downtown. The distance to walk from this property to downtown is around a quarter of a mile, which amounts to around a five (5) minute walk. This would allow residents to support those businesses downtown without the need to use a vehicle.

A large portion of this property will remain undeveloped in the back as there are existing wetlands preventing further development. This land will remain forever natural and could potentially be used for recreation by the residents for walking and/or biking trails.

Providing additional housing in a walkable location to downtown in an underutilized property is consistent with the Town Master Plan and the spirit and intent of the Ordinance.

II. Conclusion

For all of the foregoing reasons, the Applicant believes that its requested special exception satisfies the applicable special exception criteria and respectfully requests that the Board grant the special exception accordingly.