

Town of Boscawen
Zoning Board of Adjustment
Meeting Minutes – Final
Boscawen Municipal Complex
March 28, 2017 at 7pm

Present: Dr. Gail Devoid – Chair, Edward Cherian, Jr. – Vice-Chair, Tracy Jo Bartlett, Doug Supry

Absent: Roger Sanborn, Ann Dominguez

Others Present: Alan Hardy – Planning and Community Development Director, Kellee Jo Easler – Planning and Community Development Assistant, Katie Phelps – Recording Secretary.

Chairwoman Dr. Gail Devoid called the meeting to order at 7:00pm.

Roll Call completed by Recording Secretary.

Review and Acceptance of Draft Minutes:

The board reviewed draft minutes from the October 25, 2016 meeting. Edward Cherian suggested some edits.

Motion to approve the minutes as corrected made by Doug Supry, and seconded by Edward Cherian. All in favor.

Board members should be available for a meeting in April during school vacation week.

Old Business:

- Rules of Procedure:

Dr. Gail Devoid suggested moving the election of officers from June to the first meeting after Town Meeting. Alan said we can have a public hearing to amend the document. Edward Cherian asked if the board could review the document and return with proposed changes. Alan said yes.

New Business:

- Pastoral Properties – Variance Request (Public Hearing):

Todd Sullivan, P.E. with SFC Engineering stepped forward to present an application for a variance from NH State Building Code Sections 903.2.1.2 and 903.2.8 to omit sprinkler protection in the existing building, 1st floor only, located at 215 King Street, submitted by Pastoral Properties of New England of 195 Knox Mountain Road, Sanbornton, NH 03269 with the location of the property at Map 81D, Lot 87, 215 King Street, in a COM zone.

Chairwoman Dr. Gail Devoid asked if there was a letter from the applicant giving permission for Todd Sullivan to speak on their behalf. Alan and Kellee Jo said there has been email correspondence stating that Todd is representing the applicant.

Todd states Katy and Colm Brophy wanted to be here, but they had a prior commitment. The property they purchased has a barn that was renovated into an event center to use for weddings and other

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functions. The residential portion of the house can be used to accommodate up to 16 guests. Sprinkler protection will be provided in the assembly space in the barn and they have gone back and forth with what to do with the residential part. According to the State Fire Code, sprinkler protection is not required, however, under the State Building Code it is required. The State Building Code allows for a compliance alternative if approved by a Board of Appeals. It would provide for the same level of coverage or safety. They have come up with an alternative which would include sprinkler protection being omitted on the first floor. The building was built in 1765 and it has historical features. If a system were installed on the first floor it would be intrusive to the aesthetics of the building. Their proposal would include the second floor being sprinkled – which is where the residents sleep. In lieu of not having sprinklers on the first floor there will be heat detectors and smoke detectors tied into a fire alarm system.

Alan said this variance is unlike others because it's based on equivalencies. If something is required, are the applicants providing an equivalent measure? They aren't looking for a variance to omit sprinklers completely. Edward Cherian asked if it was the State Fire Marshall's responsibility to make that determination. Alan said the Fire Marshall can grant a variance. Todd said any variances to the State Fire Code would be directed by the Fire Marshall. The State Building Code variance can be granted by the Town via the ZBA. The only variance they are seeking is for relief from the State Building Code. Todd said they must comply with both. Mr. Cherian asked if the house and barn are considered one structure or two separate ones. Todd said they are considered one structure. The barn and house are separated by a 2 hour rated fire barrier. Mr. Cherian asked what the State Fire Marshall denied. Todd said they had denied their request to omit sprinkler protection in the barn. The driving factor for the denial was because it's a place of assembly. Discussion ensued.

Alan said there is still a Conditional Certificate of Occupancy for the building. Mr. Cherian asked what needs to be completed to get the final Certificate of Occupancy. Kellee Jo says there needs to be an evacuation route sign with Chief Fisher's approval, and the top second floor railing needs a height increase to 38-42 inches with either wood or pipe. Her understanding from the Brophys was that it would be completed by this spring. The board discussed sprinkler options. Fire extinguishers will be every 75ft.

Alan said he received an email about preference for the how the system would be installed. Todd said due to anticipated costs the applicants would like to phase the project. They would like to install sprinklers in the barn this season and the residential area would be sprinkled the following season. Todd went on to say that it's not uncommon for the State Fire Marshall's office to allow phasing to fix a deficiency. Discussion ensued.

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Kellee Jo Easler states they did a Place of Assembly permit for the residential portion and Chief Fisher did a walk through in August 2016. It allows for 125 guests with a fire watch. Alan says it's a great meeting space.

Chairwoman Dr. Gail Devoid opened a public hearing and closed with no public comment.

Motion to grant a variance from NH State Building Code sections 903.2.1.2 and 903.2.8, to omit sprinkler protection in the existing building, 1st floor only, located at 215 King Street in Boscawen made by Edward Cherian, and seconded by Tracy Jo Bartlett. All in favor.

Alan Hardy checked the documents that he had in file, and found a signed letter from the owners to have Todd Sullivan speak for them tonight.

Motion to adjourn made by Edward Cherian, and seconded by Doug Supry. All in favor.

The meeting adjourned at 8:05pm.

The next meeting of the Board will be April 25, 2017 at 7:00pm.

Minutes respectfully submitted by Katie Phelps