Lancaster Zoning Board
Location: Lancaster Town Hall
August 27th, 2025

Roll Call:
Regular Members Present: Chair Tricia Frenette, Vice Chair Nate Kenison, Donald Freddette, Les Hilton, Steve Young
Absent:
Alternate Members Present: David Anderson, Scott Lambert, Robert Cass
Alternate Members Absent: Eric Livingstone
Others Attending Meeting: Land Use Coordinator Robin Irving, Clerk Kailey Kennagh, Applicants Diantha & Richard Rochefort, Abutter Richard Belmore, Resident David Haas

Meeting opened at 18:30 PM by Chair Tricia Frenette with the Pledge of Allegiance.

QUORUM

Minutes:
Freddette moved to **APPROVE AS WRITTEN** the July 30th, 2025 meeting minutes. Kenison seconded the motion. All members vote to **APPROVE AS WRITTEN** the July 30th, 2025 meeting minutes, no objections. *Motion Passed.*

Appointments: None

Public Hearings:

Case # 561 – Rochefort, Richard J. & Diantha – Applicant(s)/Owner(s) for a Variance (Area) concerning Article 5 "Districts,' Chapter 5.05 "Agricultural District," Section "Setbacks and Frontage," Subsections (a)(2) "Side and rear yards of no less than forty (40) feet from the property line," and (a)(3) "No building or other structure shall be located less than fifty (50) feet from the nearest existing edge of the public or accepted private street." Owner(s)/Applicant(s) request approval to construct an accessory use stick-built 28'x28' 2-bay garage connected via mudroom to the single-family dwelling up to thirty-eight (38) feet from the side boundary when forty (40) feet is required, and up to thirty-nine (39) feet from the front right-of-way edge when fifty (50) feet is required. Stockwell Road is a town-owned and town-maintained street with a right-of-way width of forty-nine and one-half (49.5) feet. Land Zoned Agricultural. [Tax Map R02 Lot 011 (1.90 acres; 82,764 square feet; 55 Stockwell Road)].

The Board reviewed the application for variance:

1. Granting the variance would not be contrary to the public *interest* because: "It would not be any different than the other properties." The Board agreed with Applicant's statement.

2. If the variance were granted, the *spirit* of the ordinance would be observed because: "It would not be any less than existing properties." The Board agreed with Applicant's statement.

3. Granting the variance would do substantial *justice* because: "It would improve property and we had excavation done before we knew the setbacks." The Board agreed with Applicant's statement.

4. If the variance were granted, the *values* of the surrounding properties would not be diminished because: "It is an improvement of our property." The Board agreed with Applicant's statement.

5. Unnecessary Hardship

A) Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because: "We have paid for the excavation." The Board concluded that this is the only reasonable place for them to put the garage. The only other place to put it would be in the rear of the property, and Frenette stated even then it would be too close to the other abutter's lot behind the property.

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of the provision to be property because: "The area was previously zoned agriculture with higher setbacks, 50' frontage and 40' boundaries, the zoning was changed after the house was built and did not accommodate a garage. The only practical location is proposed." LUC Irving said that the zone used to be commercial with lower setbacks. The Board agreed with Applicant's rationale.

ii. The proposed use is a reasonable one because: "It would be an improvement to the street." The Board agreed with Applicant's statement.

B) Explain how, if the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exists if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. "The excavation has been done. The other properties on the street are less than 50'." Applicants are not allowed to have another curb-cut. The only access is to this one spot. The Board agrees with Applicant's statement.

Frenette asked if the Rocheforts' would like to explain their proposal to the Board.

Richard Rochefort stated they did a lot of renovations to the house after they bought it. The garage was planned as an addition to the existing structure. There was a one-car garage there, and to get more room it was turned into a room for the house. Now they want a 2-car garage. It would not bother anyone, there is one abutter here and he has no problems with it. Rochefort

spoke with another abutter and she also has no problem with it. They are hoping to go forward, as they postponed the pouring of concrete and they want to get it done before winter.

Irving stated they were issued a building permit already, but once they broke ground, they realized it was closer to the setbacks than allowed.

Chair Frenette **OPENED TO THE PUBLIC** the public hearing at 1841PM for Case #561.

Abutter Richard Belmore at 63 Stockwell – They moved to their house in 2000 and had to get a variance as well for his property. The Rocheforts' have done a great job across the road and a 2-car garage would help them out a lot. No problem from him and his wife.

Chair Frenette **CLOSED TO THE PUBLIC** the public hearing at 1843PM for Case #561.

Young motioned to **APPROVE WITH NO CONDITIONS** setbacks of 38' on the side boundary and 39' on the front boundary. The motion was seconded by Hilton. All members vote to **APPROVE WITH NO CONDITIONS** setbacks of 38' on the side boundary and 39' on the front boundary, no objections. *Motion Passed.*

Frenette informed the Applicant(s) of the 30-day appeal period. If they start the construction before the 30 days are up, it is at their own risk.

Other Business:

Land Use Permits:
25-071AR2 – Fixter, Mark, 137 Prospect St – Residential enclosed porch (RENEWAL)
25-061 – Briere, Francis Joseph & Lydia Dee, 45 Buffalo Rd – Residential single-family dwelling
25-047 – Roberts, Michael G. & Shelli J., 7 Page Hill Rd – Residential (After the fact) conversion to two-family home.
25-066RA – Lambert, Scott, 25 Kelsea Dr – Residential basement/foundation (AMENDED RENEWAL)
25-065 – Eddy, Michael J. & Janin C., 5 Blackberry Ln – Residential shed
25-067 – Pelletier, Stephen-GC, 74 Main St – Commercial demolition
25-066 – O'Brien, Paul F. & Drouillard, Diana I., off Kelsea Dr – Residential garage
25-070 – Tomer, Frank Noel & Marissa Lynn, 9 Hoopers Dr – Residential solar array
25-072 – Roy, Kristin A., 453 North Rd – Residential garage
24-073R – Desrochers, Guilbert A. & Nancy H., 225 Elm St – Residential mobile home & option for garage (RENEWAL)
24-074R6 – Vondell, Daan P., 112 Wesson Rd – Residential camp with loft (RENEWAL)

Planning Board Agenda: 8/13 Planning Board decision on Case # 875 on the Motel. The Applicants were not granted the waiver to waive a second meeting, and the case will continue into September's Planning Board meeting.

Other:

Hilton motioned to **ADJOURN** at 1915PM. The motion was seconded by Kenison. All members vote to **ADJOURN** at 1915PM, no objections. *Motion Passed.*

Respectfully submitted,

Kailey Kennagh, Clerk

Approved: Robin L. Irving

Robin L. Irving, Land Use Coordinator for the Lancaster Zoning Board of Adjustment

Date APPROVED: 9/24/2025