

CITY OF LACONIA
REGULAR ZONING BOARD OF ADJUSTMENT MEETING
Monday, September 21, 2026 - 6:30 PM
City Hall - Armand A. Bolduc Council Chamber

9/21/2026 - Minutes

1. CALL TO ORDER

Chair Marcia Hayward called the meeting to order at 6:30 PM and welcomed attendees.

2. MEMBERS IN ATTENDANCE

- Marcia Hayward, Chair
- Councilor Eric Hoffman
- Deb Cheney
- Tim Whitney (seated as voting member)
- Nicole Arsenault (seated as voting member)

3. RECORDING SECRETARY

Planning Director Rob Mora served as Recording Secretary.

4. CITY STAFF IN ATTENDANCE

Tyler Carmichael, Assistant Planning Director and Rob Mora, Planning Director.

5. SEATING OF ALTERNATES

Chair Hayward seated Tim Whitney and Nicole Arsenault as voting members for the meeting in order to establish a full five-member Board.

6. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

6.1. Minutes From The August 17, 2026 Regular Zoning Board Of Adjustment Meeting

A motion was made by Deb Cheney to approve the August 17, 2026 Regular Zoning Board of Adjustment meeting minutes.

Second: Tim Whitney

Vote: Motion to approve unanimously, 5-0.

7. CONTINUED APPLICATIONS AND PUBLIC HEARINGS FOR FORMAL CONSIDERATION

No continued applications were considered.

8. NEW APPLICATIONS AND PUBLIC HEARINGS FOR FORMAL CONSIDERATION

8.1. ZB2027-004; 498 White Oaks Road (223-241-3); Variance

Variance - Storage Container as an Accessory Use

Applicant David Delsol appeared before the Board requesting a variance from Article V, Section 235-28, Uses Not Permitted, to permit a storage container as an accessory use.

The applicant stated that the 20-foot storage container had been on the property for approximately 12 years and was used to store parts and lawn-care equipment associated with the existing warehouse building. He confirmed that a boat identified during enforcement had been removed and would not return.

The Board discussed screening and visibility. The applicant stated that the container was largely screened by woods and could be moved farther back so it would not be visible from White Oaks Road or neighboring properties.

Chair Hayward opened the public hearing at 6:34 PM.

Troy Mahoney of 371 White Oaks Road spoke in favor of allowing storage containers on White Oaks Road. No members of the public spoke in opposition.

Chair Hayward closed the public hearing at 6:35 PM.

Following the close of the public hearing, the Board discussed the requested relief and found that a fully screened container would not alter the character of the neighborhood or diminish surrounding property values, that denying the request would provide no substantial public benefit, and that the storage use was reasonable.

A motion was made by Marcia Hayward to grant Application ZB2027-004, subject to the condition that the storage container be located and screened so that it is not visible from the road or neighboring properties.

In support of the motion, the Board made the following findings:

1. Granting the variance would not be contrary to the public interest because:

With the container screened from the road and neighboring properties, it will not alter the essential character of the neighborhood or threaten the public health, safety, or welfare.

2. If the variance were granted, the spirit of the ordinance would be observed because:

Because the screened container will not affect the character of the neighborhood, the purpose and spirit of the ordinance will be observed.

3. Granting the variance would do substantial justice because:

There is no substantial gain to the public from denying the variance, while granting it allows the owner to retain reasonable storage; therefore, the benefit to the owner outweighs any public loss.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

No evidence was presented that the screened container would diminish surrounding property values.

5. Unnecessary Hardship:

The container provides practical storage for parts, lawn-care items, and other equipment associated with the property. Requiring its removal would not advance the ordinance's purposes where it can be fully screened, and the proposed storage use is reasonable.

Second: Eric Hoffman

Vote: Motion to approve unanimously, 5-0.

8.2. ZB2027-005; 334 White Oaks Road (240-241-6); Variance

Variance - Storage Container as an Accessory Use

The applicant was not present when the application was called. The Board deferred the matter until the end of the agenda. When the applicant had still not arrived, the Board returned to the application and considered a continuance.

A motion was made by Eric Hoffman to continue Application ZB2027-005 to the October 19, 2026 Zoning Board of Adjustment meeting at 6:30 PM in the City Council Chamber at City Hall.

Second: Tim Whitney

Vote: Motion to approve unanimously, 5-0.

8.3. ZB2027-006; 15 Arlington Street (323-263-1); Variance

Variance - Minimum Lot Size and Minimum Lot Frontage

The applicant appeared before the Board requesting variances from Article VI, Sections 235-32, Minimum Lot Size, and 235-34, Minimum Lot Frontage, to permit subdivision of the parcel and restoration to its former lot configuration.

The applicant explained that the land had historically been a separate lot and that restoring the lot would reduce the amount of property to maintain and could provide funds for improvements to the existing home.

Staff explained that records showed the lots had previously been voluntarily merged. The parcel therefore could not be restored through the involuntary-merger process and instead required subdivision approval. The proposed lot would contain approximately 0.14 acre and approximately 50 feet of frontage. Staff noted that nearby lots were similarly sized and that any future development would have to comply with current zoning requirements or obtain separate relief.

Chair Hayward opened the public hearing at 6:41 PM.

No members of the public spoke regarding the application.

Chair Hayward closed the public hearing at 6:42 PM.

Following the close of the public hearing, the Board discussed the established neighborhood lot pattern and found that the proposed lot was consistent with nearby parcels and represented a reasonable, potentially buildable lot.

A motion was made by Eric Hoffman to grant Application ZB2027-006 for relief from the minimum lot size and minimum lot frontage requirements.

In support of the motion, the Board made the following findings:

1. Granting the variance would not be contrary to the public interest because:

The proposal restores a former lot configuration and creates a lot comparable in size and frontage to other established lots in the neighborhood; it will not alter the essential character of the area or threaten public health, safety, or welfare.

2. If the variance were granted, the spirit of the ordinance would be observed because:

Restoring the parcel to its former configuration is consistent with the existing neighborhood lot pattern, and any future development must comply with current zoning requirements or obtain separate relief.

3. Granting the variance would do substantial justice because:

The relief allows the owner to restore the historic lot line and make reasonable use of the property, while no countervailing public benefit would result from requiring the lots to remain merged.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

The proposed lot is comparable to surrounding parcels, and no evidence was presented that restoring the lot would diminish surrounding property values.

5. Unnecessary Hardship:

The property's prior lot configuration and the presence of similarly sized neighborhood lots are special conditions distinguishing the property. Strict application of current lot-size and frontage requirements would prevent restoration of the former lot without materially advancing the ordinance's purposes, and the proposed lot is a reasonable use of the property.

Second: Tim Whitney

Vote: Motion to approve unanimously, 5-0.

8.4. ZB2027-007; 120 Hillcroft Road (196-322-4); Variance

Variance - Shoreland Protection District

Applicants James and Deborah Pickens appeared before the Board requesting a variance from Article IV, Section 235-19F(b), Shoreland Protection District, to extend the existing deck to within 14 feet of the shoreline.

The applicants explained that they intended to replace the deck boards and railing, extend a portion of the deck approximately 15 feet to align with the existing roofline, and screen that area. They stated that the extension would reach the existing tree line and that they expected no trees would need to be removed.

The applicants confirmed that they had not yet obtained required shoreland approval from the New Hampshire Department of Environmental Services. Staff advised that state approval could be made a condition of the variance.

Chair Hayward opened the public hearing at 6:47 PM.

No members of the public spoke regarding the application.

Chair Hayward closed the public hearing at 6:47 PM.

Following the close of the public hearing, the Board discussed the proximity to the shoreline, the existing deck area, the relationship of the addition to the existing roofline, preservation of the intervening trees, and the need for state shoreland review.

A motion was made by Deb Cheney to grant Application ZB2027-007, conditioned upon the applicants obtaining all required New Hampshire Department of Environmental Services shoreland approvals.

In support of the motion, the Board made the following findings:

1. Granting the variance would not be contrary to the public interest because:

The proposed covered porch and deck extension will not alter the character of the neighborhood and, subject to required state shoreland approval, will not adversely affect public health, safety, or welfare.

2. If the variance were granted, the spirit of the ordinance would be observed because:

The project is consistent with the residential nature of the neighborhood and, subject to state review, will not adversely affect the shoreland, erosion control, or water quality.

3. Granting the variance would do substantial justice because:

The project will create covered outdoor living space that the property currently lacks, with no identified public loss that outweighs the benefit to the applicants.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

The project is in keeping with the residential character of the neighborhood and will not diminish the value of surrounding properties.

5. Unnecessary Hardship:

The request extends the existing covered porch approximately 15 feet, from approximately 5 feet to 20 feet. Given the existing house, roofline, deck configuration, and intervening trees, strict application of the setback has no meaningful relationship to the ordinance's purposes as applied here. The covered porch is a reasonable use that will increase the applicants' enjoyment of the outdoors by providing a screened area.

Second: Eric Hoffman

Vote: Motion to approve unanimously, 5-0.

8.5. ZB2027-008; 371 White Oaks Road (235-241-5); Variance

Variance - Storage Containers as an Accessory Use

Troy Mahoney appeared before the Board requesting a variance from Article V, Section 235-28, Uses Not Permitted, to permit two storage containers as an accessory use.

The applicant stated that the containers had been on the property for approximately 25 years, were located at the bottom of a slope, and were well screened by woods and not visible from the road.

Chair Hayward opened the public hearing at 6:50 PM.

No members of the public spoke regarding the application.

Chair Hayward closed the public hearing at 6:50 PM.

Following the close of the public hearing, the Board found that the request met the variance criteria for the same reasons stated for Application ZB2027-004, provided the containers remained screened from the road and neighboring properties.

A motion was made by Marcia Hayward to grant Application ZB2027-008, subject to the condition that the storage containers remain located and screened so that they are not visible from the road or neighboring properties.

In support of the motion, the Board made the following findings:

1. Granting the variance would not be contrary to the public interest because:

The containers are located well back from the road at the bottom of a slope and are screened by woods, so their continued use will not alter the character of the neighborhood or threaten public health, safety, or welfare.

2. If the variance were granted, the spirit of the ordinance would be observed because:

The containers are used for their intended storage purpose and, because they are screened from public and neighboring views, their continued use is consistent with the purpose and spirit of the ordinance.

3. Granting the variance would do substantial justice because:

The containers protect tools and equipment from the weather, and no public benefit would result from requiring their removal; therefore, granting the variance does substantial justice.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

Because of their remote, wooded, and screened location, the containers are not visible in a manner that would affect surrounding properties, and no evidence was presented that they diminish surrounding property values.

5. Unnecessary Hardship:

The property's slope, wooded screening, and the containers' long-established location at the bottom of the property are special conditions. Strict enforcement would require removal without advancing the ordinance's purposes, and using screened containers for storage is a reasonable use of the property.

Second: Tim Whitney

Vote: Motion to approve unanimously, 5-0.

8.6. ZB2027-009; 218 Lynnewood Road (395-347-5); Variance

Variance - Minimum Setback Requirements

Chair Hayward disclosed that Wildwood Village Condominium is an abutter, recused herself, and joined the audience. With four members participating, staff advised the applicant of the right to proceed or wait for a five-member Board and explained that three affirmative votes would be required. The applicant elected to proceed. Eric Hoffman served as Acting Chair for this application.

Attorney Brett Allard appeared for property owner JCB, LLC, accompanied by company principal Christopher Bouchard. The applicant requested a variance from Article VI, Section 235-35A, Minimum Setback Requirements, to construct an attached two-bay garage extending 22.3 feet into the required front setback along Blueberry Lane.

The proposed 25-foot by 25-foot garage would replace the function of the existing one-bay garage, which would be converted to living space. Access would be provided from the existing Blueberry Lane driveway, and the Lynnewood Road driveway would be removed and restored as yard area.

Attorney Allard explained that the corner lot must maintain front setbacks along both street frontages, reducing the available building envelope. Although the garage would be approximately 2.7 feet from the Blueberry Lane right-of-way line, the unusually wide right-of-way would leave approximately 25 to 30 feet between the garage and the traveled pavement. He also stated that the homeowners association had approved a waiver from its setback requirements.

Acting Chair Hoffman opened the public hearing at 6:57 PM.

Marcia Hayward, speaking as president of Wildwood Village Condominium, stated that the condominium supported the application. No other members of the public spoke.

Acting Chair Hoffman closed the public hearing at 6:58 PM.

Following the close of the public hearing, the Board discussed the corner-lot configuration, the width of the right-of-way, and the benefit of eliminating the Lynnewood Road driveway. Members found the proposal compatible with the property and surrounding area.

A motion was made by Deb Cheney to grant Application ZB2027-009.

In support of the motion, the Board made the following findings:

1. Granting the variance would not be contrary to the public interest because:

The property will remain a single-family residence, and the attached two-bay garage is a customary residential accessory. The unusually wide Blueberry Lane right-of-way leaves approximately 20 to 25 feet of open space between the lot line and traveled way. The project also removes the Lynnewood Road driveway. The proposal therefore will not alter the neighborhood's essential residential character or threaten public health, safety, or welfare.

2. If the variance were granted, the spirit of the ordinance would be observed because:

The front-setback requirement is intended to maintain separation from the street and avoid safety or congestion concerns. Those purposes remain satisfied because the traveled way

is substantially farther from the property than the technical right-of-way line suggests, and one existing driveway connection will be eliminated.

3. Granting the variance would do substantial justice because:

There is no identifiable public benefit from requiring strict compliance with the 25-foot setback at this location. Denial would prevent a logical garage location using the existing Blueberry Lane driveway and would prevent conversion of the existing garage while eliminating the Lynnewood Road driveway; therefore, the balance of equities favors the applicant.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

The conventional attached garage will serve an existing single-family residence, introduce no incompatible use or additional density, and will not encroach into side or rear setbacks toward abutters. Removing pavement along Lynnewood Road will improve the residential appearance, so surrounding property values will not be diminished.

5. Unnecessary Hardship:

The approximately 0.6-acre corner lot must maintain 25-foot front setbacks along both Lynnewood Road and Blueberry Lane, and the Blueberry Lane traveled way curves through an unusually wide right-of-way. These special conditions substantially constrain the building envelope. Because approximately 20 to 25 feet of open right-of-way already separates the property from the pavement, requiring another 25 feet on the lot would not materially advance setback or safety purposes. The attached garage is a permitted and reasonable residential accessory use.

Second: Nicole Arsenault

Vote: Motion to approve unanimously, 4-0, with Marcia Hayward recused.

9. MOTIONS FOR REHEARING

No motions for rehearing were considered.

10. OTHER BUSINESS

10.1. September 24, 2026 Land Use Boards Meeting

Staff reminded the Board that the joint land use boards meeting with the Master Plan Steering Committee would be held Thursday, September 24, 2026, from 6:00 PM to 8:00 PM at Lakes Region Community College in the Academic Commons.

Staff explained that the meeting would review the master plan work completed to date, the emerging community vision, future land use strategies, and the proposed future land use map, and would seek feedback from the City Council and land use boards. Staff also reported that the Next Generation Survey remained open and had received approximately 140 responses from students, parents, and young professionals.

11. ADJOURNMENT

A motion was made to adjourn the meeting.

Vote: Motion to adjourn unanimously, 5-0.

The meeting adjourned at approximately 7:03 PM.

Respectfully submitted,

Rob Mora

Planning Director / Recording Secretary

DRAFT