

TO: Zoning Board of Adjustment
FROM: Jenny Monahan and Sean Monahan
DATE: April 8, 2021
RE: Special Exception Request by Richard Harris

Our family home is the closest abutter to the existing storage rental facility which is seeking to expand its facility which does not conform with the current zoning. Our mother and father purchased our family home in 1975 and has served as our family home since. Our father, who was a Vietnam Veteran and the Town of Carroll's Police Chief, who died in 1979 at the age of 31, a victim of being exposed to Agent Orange.

The current self-storage facility was developed in 1999. The Town, recognizing that all types of businesses were important for the community, but that a self-storage rental facility was not very attractive and its appearance detracted from Route 3 and because of this facility the zoning was changed the following year to prevent this use from being developed in the future in this area.

The Town as a whole recognized that the self-storage facility in this area and the mandate of the voters was not to allow future self-storage facilities in this zoning district.

The request of the Owner is to expand a non-conforming use that was specifically voted by the Town not to be allowed in this zone. To expand a non-conforming use, it is necessary that the Zoning Board of Adjustment (ZBA) grant a Special Exception. In order to grant a Special Exception, the ZBA must determine that the proposed expansion of the existing non-conforming use does not create a greater nuisance or detriment after consideration of the following factors: volume and type of traffic, noise, vibration, odors, lighting, glare, hours of operation, building size and mass, and impervious area.

Based on living next door to this facility and after a reviewing of the proposed plans we offer the following analysis for each of the conditions to be considered by each member of the ZBA. The standard for allowing the expansion of a non-conforming use are very specific.

Volume and Type of Traffic: The expansion will obviously increase the traffic in and out of the facility.

Noise: Having a home adjacent to this property has required enduring noise from cars and trucks entering the facility at all hours of night. It is anticipated that the noise will increase with more rental units. Many people store their snow machines at this location and often we must endure additional noise related to the snow machines and ATV's stored at the facility. Due to the nature of the business, there is not a mechanism to enforce noise regulations 24/7 by the owner.

Odors: The operating of snow machines and ATV's does create unpleasant odors and fumes.

Lighting & Glare: The existing lighting creates an unpleasant condition for us to enjoy our home and yard. This is caused by the facilities lights and the vehicles entering the facility at all times of night. The expansion will increase this nuisance.

Hours of Operation: The facility is accessed at all times of day and night, 7days a week and 24 hours a day. Despite any rules that might be incorporated there is no mechanism to control the hours of operation. The expansion of the number of rental units will only increase this nuisance.

Impervious Area – The expansion of storage units and the increase of parking and circulation area will increase the amount of impervious area. The increase in impervious area will result in significant run off of water into the watershed and the Ammonoosuc River without the opportunity for the storm water to clean itself of petroleum contaminants and other contaminants. As previously mentioned in former hearings, the water run off causes a significant detriment to our property. Please see our statements from NHDOT and NHDES confirming that gravel driveways and roads are indeed an impervious surface, although Mr. Cooper states to the contrary in Mr. Harris' application.

Having lived next to this facility it is apparent that the expansion does not meet the requirements of granting a Special Exception and will create a greater nuisance than exists and will be an increased detriment.

In this case, it is the duty of the ZBA to prevent the abutters from suffering increased detriment or to suffer from a greater nuisance. The Town voters recognized that this was the wrong use for the Main Street of Carroll and changed the Zoning to prevent this use in the future. We would hope that you recognize the prior vote of the Town and appreciate that the expansion of this non-conforming use is going to adversely affect our ability to enjoy our home that we occupied since 1975. Accordingly, pursuant to the Zoning Ordinance this application must be denied.