

**CANDIA ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES OF  
March 25th, 2025  
APPROVED MINUTES**

ZBA Members Present: Judith Szot, Chair; Boyd Chivers, Vice-Chair; Tony Steinmetz; Ron Howe; Gale Pellegrino, Alt.

PB Members Absent:  
Bill Keena

\*Judith Szot, Chair called the ZBA meeting to order at approximately 6:30PM, followed immediately by the Pledge of Allegiance

**New Business: Case #23-001:**

**Applicant:** Applicant/Owner – Bob & Claudia Carr — 17 Vassar Street, Manchester, NH 03104.  
Property Location: 669 High Street, Candia, NH 03034 Map 405, Lot 48

***Intent:** to request a special exception as provided in Article XV, Section 15.01, 15.02, 15.03, and 15.04B and, in the alternative, determine that a special exception is not required to make tax map 405 lot 48 a condominium with 7 units. 6 of the units will be residential and will be located in 3 buildings (2 units per building). The 7<sup>th</sup> unit will not be residential, it will be a barn.*

Mr. Carr and his attorney, Jason Bielagus, are invited to the table to state their case. Mr. Bielagus explains the project's history. Initially proposed to the ZBA in 2023, the property was intended to have six units in three buildings that would be rented out. A variance was granted from section 205 at that time, allowing the six dwelling units. Since the meeting, Mr. Carr has decided to sell the units as condominiums instead of renting them, which the attorney states would be a kind of subdivision. They went before the planning board for their proposed subdivision and were told to come to the ZBA for a special exception.

Mr. Bielagus states that he does not agree with the need for a special exception, as the zoning ordinance does not say condominiums need one because it is a subdivision. He asks that the board says no special exception is required. In the alternative, he asks to review the special exception standards and determine how the project would meet the special exceptions. He then points out that the plans are still the exact same, the only difference is ownership.

Judith Szot references RSA 359, which prohibits discrimination toward condominiums and asks if they are changing any of the requirements set forth by the board when the original variance was granted, to which Mr. Bielagus declines.

Boyd Chivers explains that the town is indifferent to the type of ownership of the units and states that the appropriate course of action would be to dismiss this case and present the site plan to the

planning board. The attorney asks for the decision to be that a special exception is not needed rather than a dismissal.

Judith Szot explains that since they are not making changes to the stipulations set forth by the ZBA in 2023, there is no reason to grant a special exception because the applicant already has a variance, then asks board if they have any other comments, to which the board says no. The people on Zoom are asked if they have any questions or concerns. D. Masirelli, a neighbor of the applicant, asks about the barn on the property, stating he did not see it on the original plans. Requests to see the plan on record, to which Mr. Carr states he will go over and show them to him in person.

B. Chivers: I **Move** this board find that the provisions of Section 15, Article 15, and the zoning ordinance do not apply in this case. There is no special exception required. **Second:** T. Steinmetz. All were in favor. **Motion passed.**  
Following the vote, there was no discussion.

#### **Other Business:**

- Review of Minutes – February 25, 2025

J. Szot states that she would like to move the review to the next meeting, as there are multiple changes needed.

- Reappointment of J. Szot, Chair.

B. Chivers: I **Move** now that this board support Mrs. Szot for another term as chairman. **Second:** R. Howe. All were in favor. J. Szot abstained. **Motion passed.**

- R. Howe states that he must recuse himself from the May 27th meeting and asks to ensure an alternate is present.

#### **Public Comments:**

B. Chivers: **Motion** to adjourn. **Second:** G. Pellegrino. All were in favor. **Motion passed.**

Meeting adjourned at approximately 7:00 pm.

Respectfully submitted,

Megan Ross

Land Use Coordinator

cc: file