

171 Ladieu Road
Plainfield, NH 03781
June 19, 2018

Zoning Board of Adjustment
Town of Plainfield

Dear Board Members:

We are writing to appeal the decision reached by the board regarding the Tomlinson variance granted for 177 Ladieu Road, and are asking for one additional limitation.

As the board will recall, we requested as abutters that, if it were legal, some limit be placed on the ownership of the business or variance, especially that it not be allowed to be passed to any potential future purchasers of the property at 177 Ladieu Rd. John Tomlinson has publicly expressed his willingness to discontinue the business prior to any sale of the property, but as his current statement of willingness would not be legally enforceable if in the future there were a change of plans, we feel it would be more reasonable to make this a part of the zoning variance officially. John stated in a recent conversation that he would have no problem with an amendment to the current variance limiting it to the current owner. We feel that such an amendment would decrease the long-term impact on us, and if some limitation on ownership or, if this were not legal, some time limit (such as 5 years) could be added to the decision, would make this a more balanced compromise for the nearest neighbors.

It is our understanding that such a limitation (of ownership) was under favorable discussion by the board at one time, so we are hoping that this one thing can be added to the variance decision. We think we have been reasonable in our dealings with this difficult situation, and believe that the limitation we are continuing to request would make the variance more reasonable and decrease the impact on us as abutters.

Sincerely,



Andrea Brown and Reed Brozen



Jen and John Houde

**PLAINFIELD ZONING BOARD OF ADJUSTMENT
NOTICE OF DECISION**

John Tomlinson
177 Ladieu Road
Plainfield, NH 03781

Case 2018-02

Application for Cottage business, Portable Toilet Rentals

You are hereby notified that the appeal by **John Tomlinson** for Special Exception #3.4 Approved Cottage Business to establish a portable toilet rental business at 177 Ladieu Road (Map 224, Lot 2) has been **granted** by an affirmative vote of at least three members of the Zoning Board Of Adjustment. In reaching this decision, the Zoning Board has relied on representations made in the application and testimony received at the May 14th 2018 meeting and May 24th 2018 site visit and meeting.

As part of its review of this application, the board made the following findings;


1. The New Hampshire Department of Environmental Services (DES) does not regulate the storage yards for chemical toilet business.
2. The site is not visible from any abutting home.
3. There is a 100' +/- vegetative buffer between the storage site and the nearest boundary.
4. All waste is cleaned from units at an off-site facility per DES regulations.
5. Industry norm is that cabin interior and exterior are cleaned with water, unscented dish soap and bleach. Applicant testified that DES does not regulate the disposal of this waste water.
6. Activities other than moving and cleaning (e.g. unit assembly/repair) will take place in the existing outbuilding.

The application is approved with the following conditions;

1. The use may not expand beyond the proposed size (4 employees, 2 trucks, 2 trailers, 100 portable toilet units).
2. Hours of operation to be 6am to 8pm, with only infrequent exceptions.
3. Applicant must manage noise and odors to a reasonable level by abatement or through hours of operation.
4. No additional permanent lighting associated with this use.
5. No signage associated with this use.
6. Current vegetative screening of site must be maintained.
7. A limit of 2 round trips per day, with only infrequent exceptions.

In granting this appeal, The Board determined that the use as defined in the application will satisfy the conditions for all special exceptions as outlined in section 5.6 II and the specific standards found in Section 3.4 Approved Cottage Business of the Plainfield Zoning Ordinance, 2018 edition.

RSA 677:2 governs the rehearing and appeal process for ZBA decisions.


Richard Colburn, Chairman
Zoning Board of Adjustment

Date: *30 May 2018*

June 17, 2018

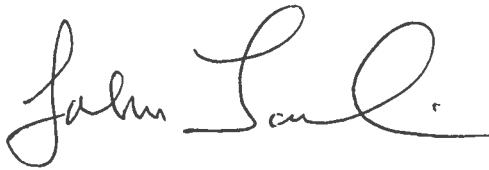
To The Town Of Plainfield Zoning Board Of Adjustment,

Please include this letter as part of Case 18-02.

Regarding the permission granted please let this serve to affirm my previously stated intention to relinquish the allowed use of operating a portable sanitation business at 177 Ladieu Road should we sell the property.

Respectfully,

John Tomlinson

A handwritten signature in black ink, appearing to read "John Tomlinson". The signature is written in a cursive style with a large, looping initial "J" and a long, sweeping underline.