

Zoning Board of Adjustment Meeting
Meeting Room, Town Administration Building
January 20, 2010 - 7:00 PM
Public hearings with applicants

Members present: Chair Karyn Forbes
Ray Desmarais
Douglas Hatch Jr.
Ellen Conklin
Gerald Gajewski

The Zoning Board of Adjustment met on January 20, 2010 to hear the following Case. Chair Forbes called the meeting to order at 7:00 PM in the Meeting Room at the Town Administration Building. The Clerk called the roll of members present. The meeting was taped for future reference.

Clerk Hatch stated that the applicants for the lot line revisions on **Long Shore Drive Cases ZB 09/666, ZB 09/667, and ZB 09/668 between Ling Shores Lot Owners Association and Charles Therraiult** was closed at the request of the applicants. The email stated that they hoped to return in the Spring with a new plan.

The Board moved to the continued hearing for:

**Case ZB 09/672 -Cynthia Scamman – Trustee of the Scamman Family Camp Trust
52 River Road, Stratham, NH - Tax Map 119, Lot 2
Article 11 – Construction of a dwelling less than 75 feet from the
shores of Swain’s Lake
Use Variance – The applicant has constructed a deck on a house
that is less than 75 feet from the shores of Swain’s Lake**

Attorney Francis Bruton represented the Case with the applicants. The Case was for an area variance for decks that had been built without a building permit and did not meet the setbacks. At the December meeting the Board had asked the applicants if they wanted to continue the meeting to tonight to redesign the decks so they would be less non-conforming. Attorney Bruton said that he would like to continue the hearing.

Bruton said that the existing decks violated the shoreland setbacks. He said there needed to be 2 points of entry. He said that the deck on the side had been reduced in size. The deck size that was at ground level was 36 feet by 74 feet. The deck on the side of the side of the dwelling had been reduced in size also.

Gajewski asked when the deck was built. Mr. Scamman said about 6 years ago. Members noted that the decks had been made smaller as asked at the last meeting. They had no questions. Forbes asked if anyone wanted to speak for or against the plan, no one spoke. There were no abutters present. The informational portion of the hearing was closed.

Decision:

Forbes asked Bruton to show the setbacks from the side deck to the waters edge on the plan and bring it back. She said it would not affect the decision of tonight's meeting.

Bruton asked the Board to vote on the use variance for the decks that had been heard at the December meeting as well as the area variance before the Board tonight. Forbes said the lot was non-conforming and small as well as a peninsular. The applicant had reduced the decks as much as possible. Forbes said the hardship was in the land size. There would be no diminishment of property values to the surround properties. A dwelling needed 2 points of access in order to meet the Codes. The use would remain the same. The reduction of the decks would make them less non-conforming. The request was in the spirit of the Ordinance as the area was residential. All agreed.

Hatch Jr. made a motion to grant the use variance for the decks, seconded by Desmarais, all in favor. Desmarais made a motion to grant the area variances for the decks shown on the plan presented on January 20 with the condition that the setback will be shown on the final plan. The motion was seconded by Hatch Jr., all in favor.

Desmarais made a motion to adjourn, seconded by Conklin, all in favor. The next meeting of the Board will be held on February 17, 2010.

Dawn Hatch, Clerk

**PUBLIC NOTICE
BARRINGTON ZONING BOARD OF ADJUSTMENT MEETING**

The Zoning Board of Adjustment will meet on December 16, 2009 at 7:00 PM in the Meeting Room at the Town Administrative Building to hear the following Cases:

Continued Cases

Case # ZB 09/665 – Swain’s Lake Association – R. Achmakjian Pres. - Map 120, Lot 68

Cases # ZB 09/666 & ZB 09/667– Charles Therriault – Map 103, Lot 25

Case # ZB 09/668 – Long Shores Association – Map 103, Lot 26

Case # ZB 09/669 – Scamman Family Camp Trust - 119, Lot 2

New Cases

Case # ZB 09/670 – Franklin Resources Group, LLC

550 Province Road – Map 227, Lot 20

Request for Area Variance – Article 4, Section 4.1 Dimensional Requirements – Minimum Standards

The applicant proposes to build a 30’ by 30’ addition to the Nippo Lake Club House that would not meet the front setback of 40 feet. The actual setback would be 22.4 feet

Case # ZB 09/671 – Daniel Ayer

Rte. 4 Map 269, Lot 11, Plot 2

Request for a Use Variance – Article 17 – Definition – Accessory Dwelling Unit

The applicant proposes to change the use of a space within a commercial building that would not be above the first floor as required by the definition

Case # ZB 09/672 – Cynthia Scamman, Trustee of the Scamman Family Camp

Swain’s Lake, Calef Island - Map 119, Lot 2

Request for a Use Variance – Article 11, Section 11.2 = Shoreland Protection District Overlay

The applicant has built a deck that is less than 75 feet from the shores of Calef Island.

Case # ZB 09/673 – Stanley Oliver

91 Province Road - Map 121, Lot 11

Request for an Area Variance –Article 9, Section 5 Wetlands Protection District Overlay

Article 4, Section 2 – Dimensional Requirements

The applicant proposes to construct a residential home that would not meet the setbacks or the 50 foot wetland buffer or the setbacks

Karyn Forbes, Chair.
Zoning Board of Adjustment

