

# Meeting Minutes

ZONING BOARD OF ADJUSTMENT MEETING

Early Childhood Learning Center

77 Ramsdell Lane

Barrington, NH

February 20, 2013

7:00PM

K. Forbes called the meeting to order at 7:00 p.m.

## **ROLL CALL**

### Members Present

Karyn Forbes, Chair

George Bailey

Raymond Desmarais

Ellen Conklin

### Members Absent

Gerard Gajewski Excused

**NOTE: THESE ARE SUMMARY ACTION MINUTES ONLY. A COMPLETE COPY OF THE MEETING AUDIO IS AVAILABLE THROUGH THE LAND USE DEPARTMENT.**

## MINUTES REVIEW AND APPROVAL

1. Approval of December 19, 2012 Regular Meeting Minutes.

**G. Bailey motioned to approve the Regular Meeting Minutes of December 19, 2012 E. Conklin seconded the motion which passed with a vote of three (4), to zero (0) in favor.**

2. Approval of January 16, 2013 Regular Meeting Minutes.

**G. Bailey motioned to approve the Regular Meeting Minutes of January 16, 2012 R. Desmarais seconded the motion which passed with a vote of four (4), to zero (0) in favor.**

## ACTION ITEMS

3. **269-11-RC-12-ZBA (Robert & Deborah Martin)** Request by applicant for a variance to build 30 x 40 residential garage within 100 feet from the centerline of Route 4 under Article 3 Section 3.3.5 no residential structures are permitted within five hundred (500) feet of the centerline of Route 125 and Route 4 on a 11.98 acre lot located in the Regional Commercial (RC) Zoning District at 314 Old Concord Turnpike. By: White Law Offices, PA; 44-0 Dover Point Road; Dover, NH 03820.

K. Forbes said that the board voted at the last meeting that this would be the final continuance granted by the board. A letter had been sent to the applicant stating that this would be the final continuance that would be granted.

**A motion was made by R. Desmarais and seconded by G. Bailey to dismiss the application without prejudice the motion which passed with a vote of four (4), to zero (0) in favor.**

4. [111-16-GR-13-ZBA \(Donna Sabin & Sandra Maxham Carpenito\)](#) Request by Owner & Applicant for a variance from Article 4, Sections 4.1, 4.2 & 4.2.1 house nonconforming to setback, 5.1.1. Development on Nonconforming Lots and Article 11.2 District Defined to construct a new 24 x 30 cottage with a 24 x 8' 6" front deck with a 4' side landing and to move the structure approximately 51.9' away from the lake to make the structure conforming to the 50' state shore land setback and more conforming to the town 75' setback on a .486 acre lot located in the General Residential (GR) Zoning District at 252 Flower Drive (Map 111, Lot 16). By: Fenton Groen, Groen Builders; 75 Chapman Drive; Rochester, NH 03839.

K. Forbes asked if applicant was present. She explained to the applicant that it would have to be at least 3 to 1 vote in order for the variance to be granted, they have the option to continue the case.

Fenton Groen representing the applicant said he has been working with Donna Sabin. The existing camp is 20' x 27' and is located 20' from the high water reference of the lake. Fenton Groen showed a plan removing the camp and pump house. The existing shed would remain. They would regrade and seed the area where the camp would be removed. The applicant would like to construct a 24' X 30' home with 1' side over hangs, 8' x 28' front decks, 4' side deck and a mudroom with a small entry porch roof with steps. The replacement home would be 31' further from the lake which would be over the state 50' setback for the state requirement but less than the town setback from the lake. Applicant will have a new well which would be 150' from the lake and a new septic which would be about 250' from the lake. Test pits were done and there are well draining soils. Crush stone will be added for the gutters on the new home.

G. Bailey spoke about Article 5.2.1 Permitted Expansion for Certain Nonconforming Structures that 15 feet remain between the exterior of the addition and the nearest lot line. G. Bailey asked if they could move the south side of the house 3 ½' to meet the 15'. Fenton Groen said that it could be done.

K Forbes addressed the letter from the abutter. The board discussed that the boundaries were done with the previous owner and that this has no bearing with what the applicant is requesting. The new home location is making this a more conforming lot.

K. Forbes addressed the letter from the Conservation Committee with no concerns.

***A motion was made by R. Desmarais and seconded by G. Bailey to grant the variance with the condition that the applicant submit a revised plans showing the house being moved 3 ½' on the south side before getting a building permit the motion which passed with a vote of four (4), to zero (0) in favor.***

ADJOURNMENT

*A motion was made by G. Bailey and seconded by R. Desmarais to adjourn at 7:22 p.m. The motion carried unanimously.*

Respectfully submitted,

Barbara Irvine  
Land Use Secretary