

MEETING MINUTES
ZONING BOARD OF ADJUSTMENT MEETING

Barrington Annex Building
(next to Elementary School)
(NEW LOCATION) 572 Calef Highway

Barrington, NH
September 18, 2013
7:00PM

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

The meeting was called to order by the chair at 7:08 p.m.

ROLL CALL

Members Present

Karyn Forbes, Chair
David Vincent
George Schmalz - Alternate

Members Absent

George Bailey
Raymond Desmarais
Gerard Gajewski
Dawn Hatch Ex-officio-Alt
Meri Schmalz

MINUTES REVIEW AND APPROVAL

1. Approval of August 21, 2013 Regular Meeting Minutes.

*A motion by G. Schmalz and seconded by D. Vincent to approve the August 21, 2013 meeting minutes.
The motion carried*

ACTION ITEMS

2. **115-48-GR-13-ZBA (Kevin Roy & Carrie Vaich)** Request by Owner/Applicant for a variance from Article 4, Sections 4.1, 4.2 & 4.2.1 nonconforming to setback, 5.1.1 Development on Nonconforming Lots and Article 11.2 District Defined, to construct a 20' x 20' addition and raise the existing home 7' by installing an 8" poured concrete foundation, the structure located approximately 66' away from the lake where a 75' setback is required on a .34 acre lot located in the General Residential (GR) Zoning District at 39 Knowles Drive (Map 115, Lot 48).

Kevin Roy presented revised plans and packet of information for the board.

K. Forbes expressed the proposed structure had been moved back 66' from 63'

Kevin Roy expressed the 75' from the lake was the largest relief he was seeking. The kitchen, living room was now one room. The kitchen is 8'X8'. He expressed concern with the roof valley, which would be created. He moved the maximum he could without changing everything already completed inside.

K. Forbes closed the public hearing portion.

D. Vincent explained they would need to revise the plan to show the 1' overhang 65.6' and 11.9'

K. Forbes expressed it is a small lot and he has pushed it back as far as possible.

D. Vincent expressed the applicant was replacing the foundation.

G. Schmaltz motion to grant the five variances D. Vincent seconded the motion carried 3-0.

A motion was made by G. Schmaltz and seconded by D. Vincent to grant the five variances. The motion carried 3-0

3. [216-20-GR-13-ZBA \(Todd Calitri\)](#) Request by applicant for a variance from Article 11, Section 11.2 (2) for the 100' Isinglass River Overlay Zone, to construct a 722 s.f. ground floor and a 1027 s.f. second level addition on a 13.7 acre lot located in the General Residential (GR) Zoning District at 267 Parker Mountain Road (Map 216, Lot 20) By: Jason Pohopek; Pohopek Land Surveyors & Septic Design, LLC; 42 Flagg Road; Rochester, NH 03839.

Jason Pohopek represented the applicant. Mr. Pohopek presented revised plans which showed the addition to the rear of the structure. The existing structure would be removed and the footprint used for the new structure. Architectural rendering were presented.

D. Vincent asked where they were in the Shoreland Permit process.

Mr. Pohopek explained they were seeking the setback relief first.

K. Forbes asked for clarification of the articles they were asking for.

Mr. Pohopek stated 11.2 & 9.5.2

K. Forbes asked for the impact.

Mr. Pohopek 1348 s.f for the first floor, 1065 s.f. for the second floor.

D. Vincent asked when the lot was created.

Mr. Pohopek explained revisions had occurred.

Mr. Pohopek was also an abutter and spoke in favor of the application.

K. Forbes closed the public session.

D. Vincent expressed that the applicant had worked with the board to address the concerns.

G. Schmaltz expressed the applicant had worked to address concerns.

K. Forbes read the requirements.

A motion was made by D. Vincent and seconded by G. Schmaltz to grant a variance from 9.5. of the Zoning Ordinance. The motion carried 3-0

A motion was made by D. Vincent and seconded by G. Schmaltz for a variance from 11.2 of the Zoning Ordinance. The motion carried 3-0

The setbacks are to be added to the final plan by Mr. Pohopek.

4. [114-30-GR-13-ZBA \(Jenny & Mark Wilson\)](#) Request by applicant for a variance from Article 4, Sections 4.1, 4.1.1& 4.2.1 nonconforming to setback, Article 5 Section 5.1.1 Development on Nonconforming Lots, to construct a 14 x 16 storage building located 6' +/- from the side where 30' is required and 22' +/- from the front setback where 40' is required on a 1.1 acre lot located in the General Residential (GR) Zoning District at 34 Edgewater Drive (Map 114, Lot 30)

Mr. Wilson provided revised plans. He explained that there was no place where he would not need a setback. The pin he was trying to stay away from was buried in the wooded area well away from Edgewater Drive.

K. Forbes clarified that the structure had been narrowed by 3' but was still 9' off the property line.

Mr. Wilson agreed.

D. Vincent expressed taking the proposed structure back 40' would put it right in front of the house.

Mr. Wilson explained that he was trying to make it as diminutive as possible.

D. Vincent asked if it would be on a slab.

Mr. Wilson stated yes

K. Forbes closed the public portion.

D. Vincent expressed it was 22' from the existing home. To make it more conforming would require more disturbance of the site.

A motion was made by G. Schmaltz and seconded by D. Vincent to approve the variance request. The motion carried 3-0 A foundation certification is required.

5. [219-72-GR-13-ZBA \(Timothy & Susan Estes\)](#) Request by applicant for a variance from Article 4, Sections 4.1, 4.1.1 & 4.2.1 nonconforming to setbacks, to construct a 24' x 24' garage located 19.5' and 23.4' from easterly front where 40' is required on a 5.44 acre lot located in the General Residential (GR) Zoning District at 156 Greenhill Road (Map 219, Lot 72) By: Kerry Fox, Fox Survey Company; PO Box 489; Sanbornville, NH 03872

Kerry Fox represented the applicant. He distributed new plans.

D. Vincent asked about the presence of fill.

Kerry Fox explained where they believed the septic line was located. Mr. Estes had spoken with Mr. Abbott in Code Enforcement and there was concern over the fill. Mr. Estes did not want to go beyond the fill line. Mrs. Estes is disabled.

K. Forbes stated she had driven by a couple of times and it was very steep. There was concern about the fill.

D. Vincent expressed that there was less room on the other side of the house.

K. Forbes closed the public portion.

D. Vincent agreed that the fill was a structural issue.

A motion was made by D. Vincent and seconded by G. Schmaltz to grant the variance based on the new information indicating there was no other place to put the garage. The motion carried 3-0

A foundation certification will need to be done.

6. [102-93, 94-GR13-ZBA \(Wilma Smith\)](#) Request by applicant for a variance from Article 4, Sections 4.1, 4.1.1 & 4.2.1 nonconforming to setbacks, Article 5 Section 5.1.1 Development on Nonconforming Lots, to place a manufactured home located 15.7' from the side and 17.3' from the side where 30' is

required on a .3 and .2 acre lots located in the General Residential (GR) Zoning District at Long Shores Drive (Map102, Lots 93 & 94)

Request by applicant for a 90 day extension to December 18, 2013

The board agreed to the 90 day extension to December 18, 2013

7. Review the Zoning Board of Adjustment order of business.

K. Forbes provided a hard copy of the ZBA By - Laws to M. Gasses.

ADJOURNMENT

D. Vincent made a motion and G. Schmaltz to adjourn. The motion carried 3-0