

MEETING MINUTES
ZONING BOARD OF ADJUSTMENT MEETING

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

Barrington, NH
October 16, 2013
7:00PM

ROLL CALL

Members Present

George Bailey
Raymond Desmarais
David Vincent

Members Absent

Karyn Forbes, Chair
Gerard Gajewski

Alternate Members Present

Dawn Hatch, Ex Officio

Alternate Members Absent

Meri Schmalz-Alt

MINUTES REVIEW AND APPROVAL

1. Approval of September 18, 2013 Regular Meeting Minutes.

The consensus of the board was to postpone approval of the September 18, 2013 meeting minutes to the next meeting.

Ray Desmarais sitting as chair explained there would only be three individuals sitting per case and the applicants had the option of continuing to the November 20, 2013 meeting. Three affirmative votes would be required for approval.

ACTION ITEMS

George Bailey sat as chair as Ray Desmarais had to recuse himself

2. **106-10-GR-13-ZBA (Shanin Sansoucie)** Request by applicant for a variance from Article 4, Sections 4.1, 4.1.1 & 4.2.1 nonconforming to setbacks, to construct a single family home located 14.2' from the front with a small staircase, 10.0' from the eastern

side, 14.4' from western side and 34.7 from Ayers Lake where 75' is required on a .12 acre lot located in the General Residential (GR) Zoning District at Heron Way (a/k/a Small Road) (Map 106, Lot 10). By: Daniel O'Lone, Project Manager; Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

Ken Berry, Berry Surveying and Engineering represented the applicant. Mr. Berry read the narrative submitted. He described the state permits need.

D. Vincent asked the class of road, and if a lot of record prior to 1989.

Mr. Berry explained it was a private road.

Mr. Berry described the septic system. He then read the five criteria for granting of a variance.

1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

Literal enforcement of the Ordinance would render this lot as non-buildable as it is only approximately 48 feet in width and the side setbacks are 30'.

2. Granting the variance would be consistent with the spirit of the Ordinance.

We are removing a large nonconformancy with the removal of the garage and it is in the spirit of the ordinance to remove such instances. The modest increase in the size of the house is due to placing the garage inside the house itself.

3. Granting the variance will not result in diminution of surrounding property values.

The existing house and garage are in ill repair and the replacement and rebuilding of a new modern home will not diminish the surrounding property values.

4. Granting the variance would do substantial justice.

Granting the variance would do substantial justice because it would allow for the building of a modern home of modest size and would allow the owner to adequately and safely enjoy their property.

5. Granting the variance would not be contrary to the public interest.

Granting this variance would be in the public's interest as there will be a removal of the garage from the road. The cleaning and beautification of the shore of Ayers Lake is also in the public's best interest.

Mr. Bailey asked whether anyone was living there.

Mr. Berry explained not within the last year.

D. Vincent expressed that the applicant was exempt under 11.3.1

D. Hatch expressed there was a great deal of improvement. She felt it was improvement.

The board took public comment.

Leonard Foye expressed that he felt the use had been continued.

Josh Leonard expressed he did not see how he was benefiting, having to look at a larger home and the blocking of their view.

Leonard Foye expressed it would not diminish the value of surrounding properties.

Josh Leonard was concerned because his wife and kids were still there and that he was not benefitting.

The chair closed public comment

G. Bailey explained there would be 14' on one side and 11'8" on the other side.

G. Bailey asked the height of the proposed building.

Mr. Berry expressed 22' to the ridge.

D. Vincent explained the other permits he needed to obtain.

D. Hatched expressed the applicant had done what they could to improve the situation.

Mr. Berry expressed he was comfortable with the board taking a vote.

A motion was made by D. Vincent and seconded by D. Hatch to approve the variances requested based on the plan dated September 24, 2013 and submitted to the Land Use Office on September 26, 2013. The motion carried unanimously.

Let the record show that R. Desmarais took the seat as chair.

D. Vincent recused himself.

3. [225-20.2-NR-13-ZBA \(Churchill Barn Woodshop\)](#) Request by applicant for a variance Article 4, Sections 4.1.1 Minimum Standards, 4.2.1 Standards for the GR and NR District to construct a 28' X 50' barn 10' from the right away when 40' is required on a 2.22 acre lot located in the Neighborhood Residential (NR) Zoning District at 142 Waterhouse Road (Map 225, Lot 20.2). By: Robert Churchill; Oyster River Woodworking; Barrington, NH 03825

Robert Churchill explained his application.

R. Desmarais explained that they needed a certified plot plan.

Mr. Churchill explained the option, which would cross the wetland.

R. Desmarais explained they would not vote without a certified plot plan.

R. Desmarais suggested they continue the application.

D. Hatch explained the need for access to a class V or better road to run a business, a waiver would be needed on a class VI road.

A motion was made by D. Hatch and seconded by G. Bailey to continue the application to November 20, 2013. The motion carried unanimously

4. [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)

Continued until December 18, 2013

ADJOURNMENT

A motion was made by G. Bailey and seconded D. Hatch to adjourn. The motion carried.

Respectfully submitted,

Marcia J. Gasses
Town Planner & Land Use Administrator