

ZONING BOARD OF ADJUSTMENT MEETING
October 20, 2010 - 7:00 PM
Library, Elementary School
570 Calef Highway (formerly 347 Route 125)
Barrington, NH 03825

Members present: Chair Karyn Forbes
Ray Desmarais
George Bailey
Ellen Conklin
Gerald Gajewski (Alt)

The Zoning Board of Adjustment met on October 20, 2010 in the Library at the Elementary School. Chair Karyn Forbes called the meeting to order at 7:00 PM. The members were introduced. Ellen Conklin took the minutes in the absence of the Clerk. The first hearing was opened.

Case ZB 10/689 – Paul and Abby Aucella
24 Range Road
Map 228, Lot(s)16

Request by Applicant for a Special Exception from meeting the requirements of Article 4 – Dimensional Requirements – General Provisions, Section 4.1 (2) Access on Frontage – The side of a parcel used to satisfy the frontage requirement specified in the Table of Dimensional Standards, or other alternative standards, must be the size of the parcel used to provide vehicular access to the property.

Paul Aucella represented his case and presented the survey showing the proposed subdivision. Aucella stated that he wanted to continue use of the existing driveway over the Class VI portion of Range Road to serve the existing structure on Lot 16.

Bailey asked about going before the Selectmen for permission and was shown the Agreement and Release document from 1991 that was in the packet.

Forbes asked if anyone wanted to speak for or against the plan. No one spoke and no abutters were present. The informational portion of the hearing was closed.

Decision

The members discussed the case and agreed that the request was reasonable. Desmarais made a motion to grant the special exception seconded by Gajewski, all in favor. Forbes told the applicant the Special Exception had been granted.

Case ZB 10/690 – Philip and Patricia Hocter 233 Berry River Road Map 102, Lot 4

Request by Applicant for a Variance from meeting Article 4, Dimensional Requirements, Section 4.2, Minimum Lot Size, Table 2, front setback from front porch with overhang, a distance of 38 feet 2 inches and side setback of 26 feet 5 inches from an enclosed entrance on the side of the structure.

Philip and Patricia Hocter represented their case. Patricia Hocter said she had color photos and presented them to the board. Desmarais stated that the photos would be part of the documentation and turn them over to the clerk. Hocter said they had been on Berry River Road since 2001. They built these structures for safety purposes and now want a variance after the fact. Hocter then went through the 5 points for a variance. The structures are being used for residential use and allow family and others to enter the home safely. Prior to the structures being built it was treacherous to enter our second story back deck stairs and front steps especially in the winter when it was icy. They believe granting the variance would be in the public interest because of the safety issues.

Bailey asked if they had obtained a building permit, answer no, they are now trying to rectify town requirements. There were no additional comments or questions the informational portion of the hearing was closed.

Decision

Gajweski stated that the house was built on one lot and therefore close to the lot line. Joining the lots was good. The new structure was built in 2008 with no permits but they are trying to rectify with the town. Bailey said joining the lots was good. Desmarais stated that the safety aspect was important. The members agreed that the points had been met. Bailey made a motion to grant the variance, seconded by Desmarais, all in favor. Forbes announced the variance had been granted. The hearings were closed.

The Board moved to review the minutes of the previous meeting. Forbes had a correction on page 2 paragraph 3. “*was not considering the noise issue*” should read “*was not considering the use issue*”. The Board agreed

to the change. The minutes were accepted as corrected, motion by Desmarais, seconded by Gajweski, all in favor.

The meeting adjourned at 7:20 PM motion by Desmarais, seconded by Bailey.

Ellen Conklin