

MEETING MINUTES
ZONING BOARD OF ADJUSTMENT PUBLIC MEETING
**NEW LOCATION—EARLY CHILDHOOD LEARNING
CENTER
77 RAMSDELL LANE**

Barrington, NH

(Approved March 15, 2017)

February 15, 2017

7:00PM

Members Present

Karyn Forbes, Chair

George Bailey

Meri Schmalz

Members Absent

Dawn Hatch

Raymond Desmarais

Alternate Members Present

George Schmalz

Cheryl Huckins

MINUTES REVIEW AND APPROVAL

1. Approval of January 18, 2017 Regular Meeting Minutes.

A motion was made by G. Bailey and seconded by M. Schmalz to approve the January 18, 2017 minutes as presented. The motion carried unanimously.

ACTION ITEMS continued from January 18, 2017

2. **104-15-GR-17-ZBA Variance (Owner: Kenneth Bolstridge)** Request by applicant from Article 4, Section 4.1.1 Minimum Standards Table 2 for the side setback where 30' is required to allow proposed 24 x 24 garage where the setback is 10' from the side at 639 Berry River Road on a .48 acre (Map 104, Lot 15) in the General Residential (GR) Zoning District.

Kenneth Bolstridge explained he had a workshop in Westbrook, ME but he lives in Barrington and needed the storage space.

K. Forbes expressed that Mr. Bolstridge had only added 3 inches from the prior setback proposed and switched the impact to the opposite side of the lot.

Mr. Bolstridge expressed that he was concerned with having a location for a septic if he should have to replace the current septic.

C. Huckins asked if the access was for timber.

G. Bailey asked why he could not move the proposed garage to where it was flat.

K. Forbes explained there goal was to get the structure as far away from the side as possible. The ordinance had to do with the land itself. The Board was looking for 15-18 feet.

K. Forbes expressed she wanted to see at least five more feet.

A motion was made by G. Bailey and seconded by M. Schmalz to continue the application to the March 15, 2017 meeting. The motion carried unanimously.

ACTION ITEMS

3. [238-7-TC/SDOA-17-ZBA Variance \(George Tsoukalas-Millo's Pizza\)](#) Request by applicant from Article 4, Section 4.1.1 Minimum Standards Table 2 to allow 40' where 50' from the front setback is required to enclose the existing concrete patio at 575 Franklin Pierce Highway on a 2.26 acre site (Map 238, Lot 7) in the Town Center (TC) and Stratified Drift Aquifer (SDOA) Zoning Districts.

Paige Dickey explained the original building had been constructed when there was a 20' front setback requirement. The current zoning on Route 9 called for a 50' front setback and they were asking for a 38.8' front setback. Ms. Dickey then read through the five criteria.

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

The existing site and building predate current zoning and the hardship would diminish the useable building s.f.

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

The addition would be no closer than the existing building.

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

The addition/enclosure would enhance the building addition aesthetics and usable building s.f.

4. Granting the variance would do substantial justice.

The addition would allow efficient use of the space available with no impact to the site.

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

The addition would maintain the existing building character.

K. Forbes asked how many sq. ft. of impact there would be.

Ms. Dickey stated 100 sq. ft.

S. Haight explained the current building was 31' from the front setback. The hardship was zoning induced, created by a change in the Zoning Ordinance after the building was built.

K. Forbes opened public comment.

No one spoke in favor or against the application.

K. Forbes closed public comment.

K. Forbes expressed the hardship was that the building had been built with most of the building in the current setback. The addition would be expensive to add to the parking lot side of the building.

C. Huckins expressed the patio that was being enclosed already existed.

A motion was made by G. Bailey and seconded by M. Schmalz to approve the variance. The motion carried unanimously