

BOARD OF ADJUSTMENT
DEERFIELD, NEW HAMPSHIRE
JULY 23, 2013

MINUTES OF MEETING

PRESENT: Board members Joshua Freed, Anthony DiMauro, Katherine Alexander, Jonathan Leer. Alternate member Peter Viar. Also present secretary Jane Boucher.

7:15PM Chair Joshua Freed called the meeting to order and appointed Peter Viar as a voting member.

ELECTION

Joshua Freed moved to appoint Anthony DiMauro as clerk. Katherine Alexander seconded. Voted in favor.

Anthony DiMauro moved and Jonathan Leer seconded to appoint George Thompson as Vice Chair. Voted in favor.

BY LAWS

It was agreed to take no action on the By Laws at this meeting.

APPROVAL OF MINUTES

Anthony DiMauro moved to approve the minutes of June 25, 2013. Katherine Alexander seconded.

The following corrections were made to the minutes:

Page 3: Paragraph 5: Correct to read "...information provided to the Board.."

Page 4 Paragraph 5: Correct to read "Anthony DiMauro asked Mr. Reed where the helicopter was now. Mr. Reed replied "Why do you need to know? Mr. DiMauro responded that at the last meeting the helicopter was in Texas. Mr. Reed replied "Raymond".

Page 5: Paragraph 3: Correct to read "...her horse to her Mountain Road home someday..."

Page 6: Paragraph 3: Correct to read "...and Diane Vescei.

Page 6: Paragraph 9: correct to read " Diane Vescei said that...."

Chair Freed called for a vote on the motion. Voted in favor with Peter Viar abstaining.

7:25 The meeting was recessed for five minutes.

7:30PM CASE 13-06 PAUL GINGUES

Clerk Anthony DiMauro read the notice of public hearing by which Paul Gingues has applied for a variance from Article IV, Section 204.1 to construct a dwelling on a lot without adequate frontage. (Map 405 Lot60)

Paul Gingués, Laurette Gingués, Diane Vesce, Jeanne Menard, Sharon Williams, David Hartigen and Joseph Lemieux were present.

Chair Freed noted that Mr. Gingués submitted a new application indicating that the owner of the property was "Katharyne E. Williams trustee of the Katharyne Williams 1993 Trust".

Katharine Alexander moved to accept Case # 13-06. Jonathan Leer seconded. Voted in favor.

Paul Gingués, the applicant, said that his daughter will be building a house on the property which consists of 2.8 acres.

Chair Freed asked if anyone would like to speak in favor of the application. No one spoke.

Chair Freed asked if anyone would like to speak in opposition.

Abutter David Hartigen spoke saying that he does not want to see a house erected on the property. He would like to see it remain a field. He voiced concern regarding water, wildlife corridor, headlights, noise and quantities of snow on the property.

Mr. Gingués addressed Mr. Hartigen's concerns noting that it would be a single family dwelling and there would be no water problems.

Sharon Williams advised that her parents had purchased the property as an individual lot.

7:50PM The Board went into deliberative session and completed work sheets.

8:05PM Katherine Alexander moved to Grant a variance to Paul Gingués for property identified as Map 405 Lot 60. Jonathan Leer seconded. Voted in favor.

CASE # 13-07 KK & S DEVELOPMENT

Clerk Anthony DiMauro read the Notice of Public Hearing by which KK & S Development has applied for a variance from Article II, Section 204.1 and 207.1 to construct a dwelling on a pre existing lot with inadequate frontage. (Map 418 Lot 2)

Larry O'Neal, owner of the property, a representative of KK & S, Jeanne Menard and abutters Jody and Rene Perreault were present.

At this time Anthony DiMauro recused himself as a voting member.

Chair Freed advised the applicants that a four member board was seated and asked if they wished to continue. The applicants said they wish to proceed.

Jonathan Leer moved and Katherine Alexander seconded to accept Case # 13-07. Voted in favor.

The applicant, KK&S advised that they wish to construct a single family home on the property and use frontage on Mountain Road (60 feet). All setbacks can be met.

They advised that the property has frontage on Tandy Road, which is a discontinued road.

There was discussion regarding using frontage on Tandy Road, which the applicants felt would be difficult to construct and access.

Chair Freed asked if anyone would like to speak in favor. No one spoke.

Chair Freed asked if anyone would like to speak in opposition.

Anthony DiMauro voiced concern regarding safety and traffic on Mountain Road. He would like to see access on Tandy Road. He added that this application does not meet the spirit of the ordinance.

8:45PM The Board went into deliberative session at this time.

Board members discussed frontage on Tandy Road. Joshua Freed noted that a Driveway Permit will be needed and approved by the Road Agent who will clarify the requirement of safe sight distance.

Peter Viar said he does see a hardship with this application.

Katherine Alexander said that this will create an unsafe situation and is unconfoming.

Joshua Freed noted that he feels a hardship has been shown.

Board members completed work sheets.

Jonathan Leer moved and Peter Viar seconded to Grant a variance to KK&S Development for property identified as Tax Map 418 Lot 2. Voted in favor with Katherine Alexander opposed.

The meeting was adjourned at 9:15PM.

BOARD OF ADJUSTMENT 7/23/13

Recorded and transcribed by Jane Boucher
Pending Approval by the Board of Adjustment