

Town of Enfield
Zoning Board of Adjustment
Craig Daniels, Chairman
September 11, 2011
7 p.m.

Present: Phil Neily- Zoning Administrator, David Dow – Vice Chairman, Celie Aufiero, Johnny Pellerin, Bob Cavaliere, and Paula Rowe- Recorder, Richard A. Kimball, Ruth Riess, Simonne Shepard, Jay A. Shepard, Jim Bard, George Merrill, Patricia Merrill, John Downing, Erin Darrow, Deb Roberts, Richard Timmons, Jim Ward.

Approval of Minutes:

Minutes from June 12, 2012 were tabled as there were not enough present from that meeting for passage.

Public Hearings:

I. Richard Timmons, (DBA as R & L Auto) is requesting a Variance from Article 401.5, Section 2, Sub section G of the Enfield Zoning Ordinance to permit a structure (parking lot) be built less than the required 50 feet from the lot line contiguous to a street. This property is located at 218 Old Route 10, Map 3, Lot 1-1, in the (C1) Commercial Industrial District.

Mr. Ward presented for Mr. Timmons outlining the plans for the project and need for the Variance due to the nature of the lot. Board members asked questions regarding the request; there were no questions from the public. Vice Chairman Dow closed the hearing and read the criteria to the Board for consideration. All board members felt that all criteria were met and all voted in the affirmative.

Celie Aufiero made a motion to grant this variance of the setback from the right of way, with a second from Johnny Pellerin. Motion passed unanimously.

II. Richard Kimball is requesting a Variance from Article 401.1 Section L. of the Enfield Zoning Ordinance to permit a structure to be located less than 15 feet from the side or rear property line and less than 20 feet from lot line contiguous to a street. This property is located at 113 Algonquin Road, Map 42 Lot 2 in the (R1) Residential District.

The posting of this hearing contained errors. It should reflect Article 401.2,

and not 401.1. This is in the R 3 Zone, and not the R 1 Residential District Zone. This hearing will be re-posted and heard next month.

III. Right Angle Engineering for George and Patricia Merrill (DBA as Artech Ski) is requesting a Special Exception as specified in Article 401.1 Section L. of the Enfield Zoning Ordinance. An exception to the required 20-foot setback may be granted only where a new dwelling is constructed beside or between 2 dwellings with modest pre-zoning front setback. Here the minimum setback may be reduced to within 5 feet of the average setback. This property is located at 1088 NH Route 4A, Map 40, Lot 17 in the (R1) Residential District.

Administrator Neily briefed the board in regards to this having been filed as a Special Exception. After consulting the Towns Attorney who's interpretation was included in the boards packets, Neily felt that the board could precede with this hearing as a Special Exception. The next hearing applied for will not be heard if the board passes this as a Special Exception.

Erin Darrow represented Mr. And Mrs. Merrill informing that they would be providing an 11 foot setback, and not encroach on the brook in the back under 50 feet. The building will be closer to the property line on the south side; however, they are beyond the required setback needed and have stayed within the vision of the neighborhood. They have consulted with a landscape specialist to provide aesthetics to the property. The septic system will be protected from the trees. DES has provided them with the approval of the septic system on this date; it will be on the south side of the property. A rain garden will infiltrate the swale. This will address run off and plowing operations, treating the flow before it goes towards the Knox River behind the property.

The board was in agreement that this is definitely a Special Exception.

Vice Chairman Dow read the criteria for a Special Exception; all members felt the criteria were meet and all voted in the affirmative. No public input was heard and the hearing was closed.

Celie Aufiero made a motion to grant this Special Exception with a second from Johnny Pellerin. David Dow, Celie Aufiero, and John Pellerin approved. Bob Cavalieri abstained.

IV. Right Angle Engineering for George and Patricia Merrill (DBA as Artech Ski) is requesting a Variance from Article 401.1 Section L. of the Enfield Zoning Ordinance to permit a structure to be located less than 20 feet from

the lot line contiguous to a street. The property is located at 1088 NH Route 4A, Map 40, Lot 17 in the (R1) Residential District.

With the passage of the previous public hearing – this Variance is no longer needed.

V. Right Angle Engineering for George and Patricia Merrill (DBA as Artech Ski) is requesting a Variance from Article 409 Section 11 of the Enfield Zoning Ordinance to allow a reduction in the required number of parking spaces for a commercial building. This property is located at 1088 NH Route 4A, Map 40, 17 in the (R1) Residential District.

Erin Darrow presented for the Merrill's, this variance was requested due to the fact the parking area had moved from the plan presented previously. Vice Chairman Dow felt that this was the same that had been requested at a previous hearing and still meet the same criteria, all board members agreed that the criteria did not need to be read and was met. No public input was heard and the hearing was closed.

Celie Aufiero made a motion to accept this variance with a second from John Pellerin. David Dow, Celie Aufiero, and John Pellerin approved. Bob Cavalieri abstained.

Adjournment:

David Dow made a motion to adjourn at 8:15 p.m. with a second from John Pellerin and carried unanimously.