

Town of Enfield  
Zoning Board of Adjustment  
Craig Daniels, Chairman  
January 10, 2012  
7 p.m.

PRESENT: Celie Aufiero, Phil Neily-Zoning Administrator, Craig Daniels-Chairman, Bob Cavalieri, Terry Finsterbush, and Paula Rowe-Recorder.

Approval of Minutes:

Celie Aufiero made a motion to accept the minutes of October 11, 2011, with a second from Craig Daniels and carried.

Public Hearing:

I. Dr. Gregory L. Baker, owner of property located on Smith Pond Road, Map 7, Lot 9, will request a Variance from the terms of the Enfield Zoning Ordinance, Article IV, Section 402, Sub Section K. They are seeking this Variance to construct a 96 square foot addition to an existing seasonal camp; this addition will house a bathroom connecting to a State approved Septic System. The property is located in the Conservation Zoning District.

Presentation showed an outbuilding approximately 250 feet from Smith Pond. This cottage has solar power for electricity and will have water. The existing cottage which is 24 x 24, was built 7 years ago, replacing a building using existing footprint, and has an accompanying outhouse facility. The outhouse will be discontinued upon connection to the septic system. A septic designer had provided a design that has been approved by the State of NH. Since then two more designs have been submitted to blend with the landscape and a final approval given. The cottage appeared to be leaning and presented an urgency, whereas, they had to raise the cottage and provide an accommodating foundation for strength and stability. Placing the cottage back on the foundation twisted the structure and more repairs were needed, including replacing 5 windows. The 96 square foot addition could ideally be a bathroom and eliminate the outhouse, although it is within the 300-foot setback and in the conservation district. The structure and septic are more than 50 feet from the wetland boundary.

Questions from the Board: Celie asked why couldn't a compost toilet be built within the 24 x 24. How high is this house? Bob asked aren't the setbacks 50 feet? Is this building grandfathered?

Dr. Baker informed Celie that he has rebuilt the dams and provides trails for the public to enjoy Smith Pond; photos were shown of this process

Chairman Daniels read into the minutes an e-mail from neighbor – Jeff Reed, who supports Dr. Baker’s request for a variance. No other abutters were present.

Chairman Daniels read the 5 criteria aloud for the boards consideration.

Contrary to the publics interest – 4 no.

The spirit of the ordinance is observed – 4 yes.

Substantial justice is done – 4 yes.

Value of surrounding properties diminished- 4 no.

Unnecessary hardship to the property – 4 yes.

Motion came forward to approve this variance as presented came forward from Celie with a second from Bob. All were in favor.

Next Meeting:

TUESDAY, FEBRUARY 14, 2012 – No hearings scheduled at this time.

Adjournment:

Motion to adjourn came at 7:50 p.m. with a second from Bob Cavalieri and carried.