

**Town of Enfield**  
**Zoning Board of Adjustment**  
*Craig Daniels, Chairman*  
**May 14, 2013**  
**7 p.m.**

**PRESENT:** Celie Aufiero, John Pellerin, Ken May, Phil Neily-Zoning Administrator, Ed Scovner, Craig Daniels and Paula Rowe-Recorder.

Guests: Rod Finley of Pathways, Atty Barry Schuster and Greg Coates from Blue 4.

**Election of Officers:**

John Pellerin nominated Craig Daniels for Chairman, Celie Aufiero second this.

Celie Aufiero nominated Vice Chairman to be Ed Scover, John Pellerin second this.

Motions passed unanimously, with abstentions from Craig and Ed on voting for themselves.

**Approval of Minutes:**

Motion to approve the minutes of December 11, 2012 came from John Pellerin, with a second from Craig Daniels. Motion passed with abstentions from those who are new to the board: Ken May and Ed Scover.

**Public Hearing:**

- I. Edward Shulkin and Linda Mauriello, by their agent, Pathways Consulting, are requesting a Variance from Article IV Section 401.1-M of the Enfield Zoning Ordinance. They are requesting to permit a structure to be located less than the required 50 feet from the seasonal high water line of a stream. This property is located at 17 Foster Circle, Map 22, Lot 18, in the (R1) Residential District.

Rod Finley from Pathways represented. Shulkin and Mauriello have chosen to retire on this land by building a new residence. They would like to remain in the current house while construction is going on, and then remove once construction is completed. New septic will be put in to meet the setback from the stream (75 feet, per the State). Two rain gardens are planned for run off. They will keep the existing garage. Mr. Finley explained that they do not want to disturb the current pine tree line, which bounds the neighbors, this would occur if they moved the house further to the south.

Mr. Scovner asked how many feet encroach with the new dwelling. Mr. Finley said 16 ½ feet. The existing building encroaches 6 feet. The current lot size is 1.3 acres. Mr. Scovner acknowledged that the property would have a swale that prevents runoff to the

stream. This swale goes around to the front of the new structure and into a designed rain garden.

Celie questioned that the tax map looks like there is a lot between the new dwelling and the lake. Neily said that the lot is 1.3 acres in one parcel according to town records.

Chairman Daniels read the criteria aloud and surveyed the members:

No diminution of value of surrounding properties: 4 to 1

Granting Variance would be of public interest: 4 to 1

Denial would result in unnecessary hardship to owner: 4 to 1

Granting would do substantial justice: 5

Use would not be contrary to the spirit of the ordinance : 4 to 1.

Ken May made a motion to accept the variance as presented. Craig Daniels seconds this. 4 to 1 the variance is granted. The 4 – Ken May, Craig Daniels, Ed Scovner, John Pellerin in favor. 1 voted no – Celie Aufiero, who feels that this design is crowding the property with encroachments.

### **New Business:**

Ed Scovner made a motion for Curtis Payne to sit on this board as an alternate for three years. Celie Aufiero seconds this. The Board was in agreement.

The town has hired a new part-time Planning Administrator. Scott Osgood from Henniker, NH. Thanks were expressed to Nate Miller for his hard work over the passed 2 ½ years.

### **Next Meeting:**

Scheduled for June 11, 2013, however, there are no hearings scheduled at this time.

### **Adjournment:**

John Pellerin made a motion to adjourn at 7:50 p.m. with a second from Ed Scovner and carried.