

**Town of Enfield
Zoning Board of Adjustment
Craig Daniels, Chairman
September 10, 2013
7 p.m.**

Present: Craig Daniels-Chairman, Phil Neily-Zoning Administrator, Ed Scovner, Ken May, Celie Aufiero, and Paula Rowe-Recorder.

Guests: Sheila Cimis of 644 Methodist Hill Road, Jim Mitchell – 1 Lakeview Rd, Hanover, Tom Morrill of 413 Lockehaven Road.

Approval of the August 13th, 2013 Minutes:

Celie Aufiero made a motion to approve the Minutes, with a second from Ed Scovner. Motion carried unanimously.

Public Hearings:

- I. Thomas Morrill is requesting a Variance from Article IV, Section 401.2, Sub section L. of the Enfield Zoning Ordinance. Mr. Morrill is requesting to build a structure within the required 30 feet set back from the street. This property is located at 413 Lockehaven Road, Map 1, Lot 11 in the R3 Zoning District.

Thomas Morrill presented. He and his family would like to build a porch on the home to increase the property value and aesthetics. This will allow the porch to run along the entire front of the home, the roadside end is where the variance is required.

Ed Scovner made a motion to accept this variance as presented. Ken May second this. Motion passed unanimously. (The criteria was not read and voted on separately).

- II. Global Kayoss LLC, by their agent, Jim Mitchell, are requesting a Variance from Article IV, Section 401.3, Sub section K. of the Enfield Zoning Ordinance. They are requesting this Variance from the required lot size. This property is located at Whaleback Mountain Road, Map 6, Lot 25. This property is located in the CI and R5 Zoning Districts.

Jim Mitchell presented. There are 4 parcels of land on Hathorn Drive/Whaleback Mountain Road. They would like to subdivide the parcel – 2 acre and 3.2 acre. The land has not been surveyed at this point, there were some questions as to the actual lot sizes. They need a variance because of the lot size requirement. Part of the 3.2 acre parcel is beyond the I-89 right of way and considered part of the R5 district. If this is approved they will be able to go before the Planning Board for the sub division process.

Celie felt that the land use was poor. The lot is pie shaped and should be avoided. There is a definite slope in the back and unusable. Access to the new lot was discussed, concern was raised about the use of the property in the future and if 3.2 acres with the amount that will be usable area would be sufficient.

Chairman Daniels read through the criteria.

Not Contrary to the public interest – May, Daniels = yes; Aufiero, Scovner = no.

Spirit of the Ordinance observed- Daniels, May = yes; Aufiero, Scovner – no.

Substantial Justice Done - Daniels = yes; Scovner - = abstain; May = incomplete vote.

Value of surrounding property diminished – Daniels, Scovner, Aufiero, May, = yes.

Hardship – Scovner, May, Daniels = yes. Aufiero = no.

Craig Daniels made the motion that the board does not grant the variance as presented. It does not receive majority vote for three of the five criteria: The variance will not be contrary to public interest, spirit of the ordinance is observed and substantial justice is done. Ed Scovner seconded this. Motion carried unanimously.

Next Meeting:

October 8, 2013

Adjournment:

Ken May made a motion to adjourn at 8:15 p.m. with a second from Craig Daniels. Motion carried.