



Town of Enfield

Zoning Board of Adjustment Meeting Minutes

June 12, 2018

DRAFT

1
2 Present: Mike Diehn - Chairman, Kurt Gotthardt; Ed McLaughlin, Tom Blodgett, Tim Lenihan

3 Regrets:

4
5 Guests: Scott Osgood-Town Planner/Zoning Administrator, Denise Shibles (Recording Secretary), Jim
6 Bonner (videographer), Jay Shepard, Simonne Shepard, Maureen Foley, Paul Currier, Gabriel Currier, Rod
7 Finley, Sarah Finley, David Hazelton, Susan Hazelton, Nate Stearns, Jonathan Putnam

8
9 CALL TO ORDER - 7:00 pm.

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11 I. CITIZENS FORUM – None requested

12
13 II. PUBLIC HEARINGS

14
15 **1. Jonathan and Joy Putnam will request a Variance from Article IV Section 401.3 L,**
16 **setback requirements, to move a shed on Parcel 50-024 at 115 Lewin Road in the R5 District to a**
17 **less non-conforming location in accordance with Article V, Section 505 of the Enfield Zoning**
18 **Ordinance**

19
20 Mr. Putnam gave a short explanation of his plans and answered a few questions from the Board.

21
22 Findings of Fact:

- 23 1. Shed on the water's edge
- 24 2. Will move it eight feet back from edge and so will be less nonconforming.
- 25 3. Has NHDES approval, permit in the application.
- 26 4. No new foundation to be built. He plans to use pressure treated members under shed.
- 27 5. Moving away from shore is better for the environment.
- 28 6. The lot is approx.. 15'x120' and there is no space out of setbacks.

29
30 Jay Shephard expressed some concerns about people changing the shores and adding sand but
31 was assured that is not happening here.

32
33 Ed moved to approve the request of a variance from Article IV Section 401.3 L, setback requirements,
34 to move a shed on Parcel 50-024 at 115 Lewin Road in the R5 District to a less non-conforming
35 location in accordance with Article V, Section 505 of the Enfield Zoning Ordinance and in accordance
36 with his DES permit. Tim seconded. The vote was unanimous in favor of the motion, 5-0.

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38
39 **2. Maureen Foley will request a Variance from Article IV, Section 401.2 L, setback**
40 **requirements, to allow construction of a single family residence on Parcel 44-036 on 12 Rollins**
41 **Point Road in the R3 District in accordance with Article V, Section 505 of the Enfield Zoning**
42 **Ordinance.**

1 Rod Finley, from Pathways Consulting, was representing Ms. Foley. He made a presentation
2 explaining this is the second time they've been in front of the Board. He showed the Board the changes
3 since the last visit when their request was denied.
4

5 Nate Stearns, an attorney representing the Hazelton's and Currier's, spoke about the Fisher
6 Doctrine and how it pertains to this request.
7

8 It was decided, based on the facts presented and references to the Fisher Doctrine, and after a
9 spirited discussion that the Board needs to refer to Town Counsel to determine if the Board should
10 hear this variance request.
11

12 Mike moved this matter be continued to the next regular meeting in order to give the Board time
13 to consult with Town Counsel. It was seconded by Ed. The vote was unanimous in favor of the
14 motion, 5-0. The next regularly scheduled meeting is on July 10, 2018.
15

16 The Board asked that all documents pertaining to this request be given to them tonight or as soon
17 as possible.
18

19 Mike asked that everyone take time to read the Hazelton's papers before the July meeting.
20

21 THE BOARD TOOK A BREAK FROM 8:20-8:30.
22

23 III. COMMUNICATION AND MISCELLANEOUS

24 IV. NEW BUSINESS

25 Scott presented an appeal to a Planning Board decision coming in that needs to be addressed as
26 soon as possible. A date of June 26, 2018.
27

28 V. APPROVAL OF MINUTES
29

30 **May 8, 2018**

31 The Board asked that the following changes be made:

32 Pg 1. Replace the semicolon with a comma after Kurt Gotthart's name

33 Pg 1. Add the name of Shawn Lacey to the guest list

34 Pg 1. Last paragraph: Add "e" to Livingston

35 Pg 2. Add new paragraph after motion at top of page, "Kurt read Enfield Zoning Regulations
36 regarding expansion of a nonconforming use."
37
38

39 Tim motioned to approve the minutes as amended with Ed seconding. The vote was in favor of
40 the motion, 5-0.
41

42 VI. NEXT MEETING

43 Special Meeting is scheduled for Tuesday, June 26, 2018
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46 VII. ADJOURNMENT

47 Mike motioned to adjourn and Tim seconded. The meeting adjourned at 8:55pm.
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49

50 Respectfully submitted,

51
52 Denise D. Shibles
53 Recording Secretary