

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
Thursday – April 7, 2011
356 Main Street - Farmington, NH**

Members Present: Elmer W. "Butch" Barron III, John David Aylard, Joe Pitre and Paul Parker.

Members Excused: Joanne Shompe (excused)

Town Staff Present: Town Planner Kathy Menici

Public Present: Ronald Gill, Susan Gill

Chairman Barron called the meeting to order at 7:04pm.

Business Before the Board:

- **Election of Officers:**

*John David Aylard nominated Butch Barron as Chairman, 2nd Joe Pitre.
Motion carried with all in favor.*

*Butch Barron nominated John David Aylard as Vice-Chairman, 2nd Joe Pitre.
Motion carried with all in favor.*

*Joe Pitre nominated Joanne Shompe as Secretary, 2nd Paul Parker. Motion
carried with all in favor.*

- **Review and approve the Meeting Minutes of 2-3-10:**

*Joe Pitre motioned to accept the minutes of 2-3-11 as written, 2nd Butch
Barron. Motion carried with Paul Parker and John David Aylard abstaining.*

CONTINUED CASES:

- **Application for Variance Approval By: Elaine Blaney (Tax Map R20, Lot 010): To allow for mixed Commercial & Residential use in the Commercial Business (CB) Zoning District. Parcel is located at 359 NH Route 11.**

Ms. Blaney sent a letter to the Board stating she was withdrawing her application for a variance. Kathy explained that at this time both a residential and commercial use are on that property and if the Board might want to set a time limit on how long the property should continue this way and have her come in for a site review. Butch replied the ZBA does not have this authority and the application has been withdrawn.

NEW CASES:

- **Application for Variance from Section 2 Table 2.01 (B) by: Ronald & Susan Gill (Tax Map R06, Lot 068): To allow the construction of a new deck that will encroach upon the building setback. The parcel is located at 250 Camelot Shore Drive in the Agricultural Residential District (AR).**

Ms. Gill explained that bought the home last fall and are renovating it. Within their renovations they would like to construct a deck on the front of the house and need a variance to do so. The corner of the house will be 28 feet to the road. The minimum lot area and front setback. Nearly all parcels located in the same subdivision are pre-existing non-conforming with regard to minimum lot area and front setback. The additional encroachment by the proposed deck is in keeping with other properties in the area. The proposed deck will comply with side and rear setback requirements.

The Board reviewed the application and felt the application met all five requirements. It was noted that the regulations was creating the hardship to enjoy and use the lot. Also, the original ordinance did not consider this subdivision that was already pre-existing. Chairman Barron opened the meeting to the public and hearing no comments he closed the public session.

Joe Pitre motioned to grant the Variance for Ronald & Susan Gill (Tax Map R06, lot 068), 2nd John David Aylard. Motion carried with all in favor.

- **Application for Variance from Table 2.07 (B) Space & Bulk Standards by: Bruce W. Vachon (Tax Map R60, Lot 009): To allow the subdivision of a 2-acre parcel to create two (2) 1 acre parcels where a 2-acre minimum is required and to allow lesser setbacks than required. Located at 314 Spring Street and is in the Commercial Business (CB) Zoning District.**

Butch noted that he did some work for Mr. Vachon and is family over 20 years ago but noted he has no further relationship and the Board agreed they did not see a conflict of interest. Paul recused himself from the application as it will be heard at the Planning Board too. (Paul left the meeting at 7:59pm.)

There is a single family residence on the subject parcel and a second single family residence will be constructed on the second lot if this variance is approved. The parcel recently re-zoned as Commercial Business with the rezoning of Rte 11 and 1000 feet from Rte. 11. The existing character of the neighborhood is residential.

The Board reviewed the application and found it met all five requirements of the variance. Butch opened the hearing to the public and since there were no comments he closed the public hearing. *Joe Pitre motioned to approve the variance request from 2.07B (Space & Bulk Standards) by Bruce Vachon (Tax Map R60, Lot 009) with the condition that the setbacks meet the requirements*

of the Rural Residential District, 2nd John David Aylard. Motion carried with all in favor.

Application for Variance from Table of Permitted Uses by: Bruce W. Vachon (Tax Map R60, Lot 009): To allow a residential use in the Commercial Business (CB) Zoning District. Located at 314 Spring St.

The Board reviewed the application and was satisfied the application met all five requirements for granting a variance. Butch opened the public hearing and hearing no comments closed the public hearing. John asked if it is reasonable to restrict the two lots to remain residential and the Board agreed this would be a good idea. **John David Aylard motioned to grant the variance from the Table of Permitted Uses by: Bruce W. Vachon (Tax Map R60, Lot 009) with the conditions that use of the parent parcel (both parcels created) will remain residential and the Rural Residential setbacks will be met, 2nd Joe Pitre. Motion carried with all in favor.**

Joe Pitre motioned to adjourn, 2nd John David Aylard. Motion carried with all in favor at 8:24pm.

Chairman Barron adjourned the meeting.

Respectfully Submitted,
Brandy Sanger
Recording Secretary

Elmer W. "Butch" Barron III, Chairman
Zoning Board of Adjustment

Date