

Zoning Board of Adjustment  
Minutes  
May 7, 2015

**Members Present:** Wayne Flynn, Tom Dyar, Steve Roy and Lenny Knowles (Alt)

**Members Excused:** Rick Eichler and Keith Roberge

**Members of the Public:** Claude Lebel, James & Sandra Mullins, Laurier Letarte and John Scarinza (Code Enforcement)

**Call to Order:** Meeting was called to order at 7:15 by Vice Chairman Dyar

**Appointment:** Chairman Dyar appointed Lenny Knowles to replace PJ Cyr

**Board Vacancy/Election of Officers** – The board discussed a vacancy on the board due to PJ Cyr's resignation as well as reorganization of the board as he was the Chairman. Lenny Knowles made a motion to elect Wayne Flynn as Chairman which received a second from Steve Roy. All members voted in favor. The board then discussed filling the vacancy on the board left by Mr. Cyr. Mr. Roberge is not interested at this time in being a full time member. Mr. Knowles is unable to accept a full time appointment at this time. The Chairman asked the secretary to notify the Board of Selectmen to find someone to appoint to the board to fill the vacancy.

**Review and Accept Minutes of April 30, 2015** – The secretary asked the board to pass over the minutes at this time. The board agreed to add this to their next agenda.

**Case #02-2015 - Lebel – Variance - Continuation**

The chairman read a letter from EMS Director Miller regarding means of egress. Mr. Miller stated that as long as the primary and maintained means of egress is built to the standards of Section R311 of the 2012 International Residential Code, he had no concerns. Code Enforcement Officer Scarinza presented the board with pictures of the mobile home in question showing how far the mobile home was from the street which appears to be approximately 11'. He also provided pictures of an egress as discussed in EMS Director Millers letter. He also explained that in order for a means of egress to meet code, it needs to be as wide as the door opening and at least 36" long. Mr. Lebel presented a letter from Mrs. Laroche who owns a mobile home in the park as well, in support of the application. The board reviewed the approved Site Plan for the park so they could have a better understanding of how the mobile home park is laid out as well as seeing where the setbacks for each mobile home are. The concrete pads that the mobile home, carport and shed occupies effectively take up all the buildable area meaning anything on the opposite side of the mobile home will be completely within the setbacks. Mr. Letarte spoke in support of the application. He is the maintenance person for the park and does all the snow plowing. He has a large snow thrower as opposed to a plow so he can place the snow just about anywhere meaning there shouldn't be any snowbanks to interfere with Mr. Lebel's deck. As there was no one else in attendance to speak in opposition, the chairman closed the public input section at 7:36. Chairman Flynn explained that the owner of the property (Clermont Drouin) was advised during the Site Plan Review stage with the Planning Board, to inform any potential tenants to the park to have the mobile homes

constructed with both doors on one side as opposed to opposite sides. Unfortunately, the mobile home owners were not informed of this. The chairman completed the finding of facts: 1) The request to build a deck does encroach into the setbacks, 2) The existing mobile homes were purchased with the 2<sup>nd</sup> exit on the opposite of the mobile home from the primary exit, 3) The applicant was not informed of the setback situation nor the boards request of the park owner to inform the mobile home owners of the request to have both doors on one side, 4) Primary entrance meets code but is inside the carport, 5) Proposed deck meets section R311 of the 2012 IRC, 6) EMS Director Miller sited the 2012 IRC but the State of NH is currently using the 2009 IRC. However, the code is still the same, 7) Snow removal will not interfere with the decks as Mr. Letarte snow blows the road. Tom Dyar made a motion to grant the application for a 6' x 8' deck as requested on the building permit. The motion received a second from Steve Roy. All members voted in favor. The applicant was informed that there was a 30 day appeal period during which the applicant could proceed with construction. However, if the board's decision was appealed and reversed, he would have to remove any new construction at his cost.

#### **Case #03-2015 – Mullins – Variance – Continuation**

The chairman asked the applicant to present their case. The applicant would like to build an 8' x 16' deck as another means of egress. The deck will not encroach on the street setback but abuts another mobile home's carport. Lenny Knowles questioned if the applicant would consider building a 6' x 16 deck instead. The issues are the same as Case #02-2015. The letter in support of Mr. Lebel's deck is also in favor of this proposal. The Chairman asked that all letters, pictures and finding of facts presented for Case #02-2015 be copied for this case as they apply to both. As there was no one in attendance to speak in favor or against the proposal, the chairman closed the public input portion at 7:54 pm. Code Enforcement Officer Scarinza suggested allowing only a 6' wide deck to be consistent throughout the park. Steve Roy made a motion to grant the appeal with the condition that the measurement of the deck be 6' x 16'. The motion received a second from Tom Dyar. All members voted in favor. The applicant was informed of the 30 day appeal period.

**New Business** – None

**Old Business** – None

**Public Comment** - Code Enforcement Officer Scarinza suggested the board send the minutes to the Planning Board recommending the Planning board send a letter to Mr. Drouin (Mobile Home park Owner) reminding him of the discussion during Site Plan Review where he indicated he would inform all potential tenants that they need to have both doors on one side.

**Adjourn** – On a motion from Lenny Knowles with a second from Tom Dyar, the board adjourned at 8:10 pm

Respectfully submitted

Michelle M. Lutz  
Zoning Board Secretary  
May 8, 2015