

Moultonborough Zoning Board of Adjustment
P.O. Box 139
Moultonborough, NH 03254

Regular Meeting

July 6, 2011

Minutes

Present: Members: Bob Stephens, Russell Nolin, Ray Heal, Jerry Hopkins
 Alternate: Joseph Crowe
Excused: Member: Nicol Roseberry
 Alternate: Robert Zewski

I. Call to Order

Mr. Stephens called the meeting to order at 7:30 PM and introduced the members of the board to the public. Mr. Stephens appointed Mr. Crowe to sit on the board with full voting privileges in place of Ms. Roseberry.

II. Pledge of Allegiance

III. Approval of Minutes

Motion: Mr. Heal moved to approve the Zoning Board of Adjustment Minutes of June 15, 2011 as written, seconded by Mr. Stephens, carried unanimously.

IV. Hearings

1. Continuation of Public Hearing M. Christine Jacobs (243-32)(50 Ruppert Road)
 Variance – Article III (B)(3)

Mr. Stephens stated this was an application for a variance for M. Christine Jacobs. It was noted for the record that Dan Ellis of Ames Associates was presenting this evening representing the applicant.

Mr. Ellis stated that this is a variance to completely remove and rebuild the garage because it is on a floating slab foundation, no frost walls. Structurally in order to add space above it is necessary to install proper footers and frost walls. The plan is to rebuild the garage in exactly the same footprint, no expansion of the footprint only a slight increase in height. The height increase will include dormers and going up one (1) full story. Mr. Tim Cahoon mentioned that there will only be one dormer not two.

Mr. Ellis stated the reason that they can't move the foundation is because the existing driveway is configured just so with the garage the way that it is. The current driveway is tight the way it is now so sliding the garage even if it's only three (3) feet would cause an issue with access. If they were to slide the foundation three (3) feet to meet the setbacks it would require extensive reworking of the driveway, including some underground utilities for lighting. Mr. Ellis also stated that some pretty significant landscaping as well would need to be moved.

Mr. Ellis stated that the abutter, Mr. Berger has expressed his support for the project as had a couple of other neighbors.

Mr. Stephens stated that they had copies of the abutter letters, two (2) that were signed and one (1) that was unsigned.

Mr. Ellis stated that the only change is to the height of the garage and that they do have a Shoreland Permit approved.

Mr. Stephens asked Mr. Cahoon if the pitch was being altered to add the additional living space above the garage. Mr. Cahoon stated the yes the pitch now is a 6 pitch and basically they want to the front would have a 12 pitch with a single dormer and a full shed dormer on the back. Mr. Stephens asked Salt box look with a dormer on the front.

Mr. Stephens next question was about the added bedroom space to the garage and how that effected the septic design.

Mr. Ellis stated that the existing approval is for 5 bedrooms in the residence. The owner's plan is to change one of those existing rooms that does not have a closet into an office. No net increase in bedrooms.

Mr. Stephens asked Mr. Cahoon if this was a year round residence. Mr. Cahoon stated that the house is year round but the garage would only be use occasionally.

Mr. Stephens asked if there were any questions, it was noted there was none. The board went into deliberative session to discuss each of the criteria for granting the variance at 7:45 PM and came out at 7:50 PM. There was no further input from the board or public.

Motion: Mr. Hopkins moved to direct staff and chair to write up a Notice of Decision to approve the application for **M. Christine Jacobs (50 Ruppert Road)(243-32)** and to continue this Public Hearing to July 20, 2011, seconded by Mr. Stephens, carried unanimously.

2. Hamek Associates (29-4)(Brown Point Road)
Variance – Article III (B)(3)

Mr. Stephens stated that this hearing for an application for a variance. Mr. Dan Ellis of Ames Associates presented this variance on behalf of the applicant.

Mr. Ellis stated that the proposed variance is to add additional space to an existing kitchen. Which is shared by all the family members on this property.

Mr. Stephens as if the Trust was all one family. Mr. Ellis stated that they are all individual owner's but within the same family. Mr. Ellis's understanding is that Hamek Associates is made up of numerous family members.

Mr. Stephens asked if there is a separate road or a driveway that goes from one lot to the next lot. Mr. Ellis stated that it's a private driveway. It's not on a public road.

Mr. Ellis showed how the kitchen and bunkhouse were built right up against each other with the lot line passing right between them. Mr. Ellis stated that the reason for the expansion is that the kitchen is too small when everyone comes up during the summer.

Mr. Ellis stated that the alternative to meet the setback requirements would be to move the kitchen between the 50' setback and to 20' sidelines. That would involve disturbance to the green hatched area which is fairly wooded. The desire is not to cut trees but it would also impact the nature

wood buffer that is the 150' zone to the lake per the State Rules. It would also require reconfiguration of how this kitchen utilizes the septic system. It could involve significant additional expense because there is ledge to deal with on this lot.

Mr. Stephens asked if he is correct in assuming that the current kitchen is on piers and that the addition would also be on piers. Mr. Ellis answered yes that was correct and the addition would also be on piers.

Mr. Crowe asked if the other buildings on the lot have building permits since they are so close to the boundary line. Mr. Stephens stated that they were built so long ago that they most likely are grandfathered.

Mr. Ellis stated that they do not have an approved Shoreland Permit yet but that they are working on it.

Mr. Stephens asked if there were any questions, it was noted there was none. The board went into deliberative session to discuss each of the criteria for granting the variance at 8:02 PM and came out at 8:08 PM. There was no further input from the board or public.

Motion: Mr. Hopkins moved to direct staff and chair to draft a Notice of Decision to approve the variance for **Hamek Associates (29-4)** and to continue the Public Hearing to July 20, 2011, seconded by Mr. Stephens, passed by a vote of four (4) in favor, one (1) opposed and (0) abstentions.

VI. Correspondence

VII. Unfinished Business

VII. Adjournment

Motion: Mr. Stephens made the motion to adjourn at 8:10 PM, seconded by Mr. Nolin, carried unanimously.

Respectfully Submitted,
Alison G. Kepple
Office Secretary