

**APPROVED**

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**MINUTES OF THE NEW CASTLE ZONING BOARD OF ADJUSTMENT  
Tuesday, June 19<sup>th</sup>, 2018 – 7:00 p.m. (Town Hall)**

**Members Present:** Todd Baker, Chair, John Fitzpatrick, Rebecca Goldberg, Ben Lannon, Margaret Sofio.

**Members Absent:** Mark Gardner.

**Others Present:** Beth Barnhorst, 14 Pit Lane, New Castle, NH; John Bosen, Bosen & Associates, PLLC, 266 Middle St., Portsmouth, NH; Stephen Eldred, 180 Portsmouth Ave., New Castle, NH; Darcy Horgan, 70 Little Harbor Rd., New Castle, NH; Charles Hoyt, Charles Hoyt Designs, 893 Ocean Blvd., Rye, NH; Peter Hunt, 14 Pit Lane, New Castle, NH; Marc Jacobs, Certified Wetland and Soil Scientist, P.O. Box 417, Greenland, NH; Ann and Michael McAndrew, 27 Steamboat Lane, New Castle, NH; Ron Pascale, 41 Locke Rd., New Castle, NH; Adele Pulitzer, 68 Wentworth Rd., New Castle, NH; James Rini, 47 Ducks Head, New Castle, NH; Alex Ross, Ross Engineering, 1167 South St., Portsmouth, NH; Conni White, 54 Neals Lane, New Castle, NH; Jim Zuckerman, 63 Beach Hill Rd., New Castle, NH.

Chair Baker called the meeting to order at 7:06 p.m. and asked attendees to sign in.

**CASE #2018 - 03 filed by Stephen and Katie Eldred, owners of 180 Portsmouth Avenue, Map #15, Lot #5, requesting a variance from Article 7, Section 7.3, in order to permit reconstruction of a boathouse on existing footprint raised vertically to meet FEMA requirements.**

Attorney John Bosen was present for Attorney Bernie Pelech, who has changed law firms effective June 1st, 2018 and was unable to attend tonight's meeting. Attorney Bosen dispersed copies of Applicants Stephen and Katie Eldred's Narrative regarding the proposed reconstruction of the existing boathouse, as well as copies of a letter in support of the approval of Case #2018-03 from abutter Michael Traister. Copies of plans from Charles Hoyt Designs and Ross Engineering were also distributed. Chair Baker read a text message received from New Castle resident Jane Finn, in which Ms. Finn voiced her opposition to the renovation of the boathouse.

Attorney Bosen noted that the boathouse has been at the property since the early 1960s, thus predating Town zoning and wetlands ordinances and Federal Emergency Management Agency (FEMA) regulations. The proposed boathouse would be the same size and on the same existing footprint, with the first floor elevation being raised from 9.46 feet to 13 feet in elevation. According to the Applicants' Narrative, two variances are being requested: "from Article 7, Section 7.3.1 to expand a nonconforming structure, the nonconformity being the structure's location within the 100' tidal buffer zone and its nonconforming front yard setback" and "from the provisions of Article IV, Table 4.2 to allow construction of the replacement structure within the 20' front yard setback". These two variances corresponded with the two variances listed as being required by Building Inspector Donald Graves in a letter dated April 27, 2018. However, only relief to New Castle Zoning Ordinance Article 7 Section 7.3.1 was on the agenda for tonight's meeting.

Confusion arose as to whether or not the Eldreds would indeed need to apply for zoning relief from Article 4, Table 1 Dimensional Regulations 4.2. Attorney Bosen requested a recess at 7:23 p.m., which was granted by Chair Baker. After a brief discussion with the interested parties he was representing, Attorney Bosen concluded that the Eldreds would re-submit an amended application, and therefore would like to table their application for 30 days until the next scheduled ZBA meeting. Chair Baker granted this request at 7:31 p.m.

## **2. Approve Minutes.**

Mr. Fitzpatrick moved to accept the draft of April 2018 minutes as submitted. Mr. Goldberg seconded. The motion carried unanimously.

## **3. Set Date of Next Meeting.**

Chair Baker announced that the next Zoning Board of Adjustment meeting will be held on Tuesday, July 17, 2018 at 7:00 p.m.

## **4. Adjournment.**

There being no further business, Chair Baker moved to adjourn the public meeting. Mr. Fitzpatrick seconded. The motion carried, unanimously, and the meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Meghan Rumph  
*Secretary*