

**APPROVED**

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**MINUTES OF THE NEW CASTLE ZONING BOARD OF ADJUSTMENT  
Tuesday, October 17<sup>th</sup>, 2018 – 7:00 p.m. (Town Hall)**

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

**Members Absent:** None.

**Others Present:** Stephen Eldred, 180 Portsmouth Ave., New Castle, NH; Peter Rice, 11 Atkinson St., New Castle, NH; Attorney Keriann Roman, Counsel for the Town of New Castle; Andy and Deborah Schulte, 107 Main St., New Castle, NH.

Chair Baker called the meeting to order at 7:00 p.m. and asked attendees to sign in.

**Continued Case #2018 – 09 filed by Ellen and Randolph Bryan, owners of 34 Wentworth Road, Map #18, Lot #64, requesting a variance to Article 4, Section 4.2 Table 1 in order to permit construction of attached two-car garage within the setback.**

Mr. Fitzpatrick moved to continue Case #2018 – 09 to next month's Zoning Board meeting, per the Applicants' request. Mr. Gardner seconded. The motion carried unanimously.

**Continued Case #2018 – 10 Filed by David Severance and Michelle Mancherje, owners of 24 Elm Court, Map #18, Lot #17-43, requesting a variance to Article 4, Section 4.2 Table 1 and Article 7, Section 7.5.1 in order to permit an addition within the setback.**

Ms. Goldberg moved to continue Case #2018 – 10 to next month's Zoning Board meeting, per the Applicants' request. Mr. Fitzpatrick seconded. The motion carried unanimously.

**Case #2018 – 11 Filed by Edward J. Wilson and Barbara A. Wilson, Trustees, Beach Hill 99 Trust, owners of 99 Beach Hill Road, Map #10, Lot #28, requesting a variance to Article 4, Section 4.2 Table 1 in order to permit exterior modification/expansion of existing home; interior expansion.**

Ms. Sofio moved to continue Case #2018 – 11 to next month's Zoning Board meeting, per the Applicants' request. Mr. Gardner seconded. The motion carried unanimously.

**Request for Rehearing of Case #2018 – 5. Applicant Stephen Eldred, of 180 Portsmouth Avenue, has requested that the Board rehear his application for a variance that was denied August 30, 2018. At this meeting, the ZBA will decide whether to rehear the case, which rehearing would occur at a future date.**

Attorney Timothy Phoenix submitted a Memorandum on behalf of the Applicant outlining areas in which he felt that the Zoning Board erred in its unanimous decision to deny Mr. Eldred's

application. Specifically, Attorney Phoenix felt that the Board was focused on the use of the proposed structure as opposed to strictly the five criteria needed for zoning relief.

Chair Baker commented that he would be happy to hear the Applicant's points. Mr. Gardner had no issue with rehearing the case, but noted that he believed the Board was clear in its reasons for denying the application.

Mr. Gardner moved to permit the rehearing of Case #2018 – 5 as requested by the Applicant. Mr. Fitzpatrick seconded. The motion carried unanimously.

## **2. Approve Minutes.**

Mr. Lannon moved to accept the September 2018 minutes as submitted. Ms. Goldberg seconded. The motion carried unanimously.

Mr. Lannon moved to accept the August 2018 minutes as submitted. Mr. Gardner 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, November 27<sup>th</sup> at 7:00 p.m.

## **4. Adjournment.**

There being no further business, Mr. Fitzpatrick moved to adjourn the public meeting. Mr. Gardner seconded. The motion carried, unanimously, and the meeting adjourned at 7:17 p.m.

Respectfully Submitted,

Meghan Rumph  
*Secretary*