

DRAFT MINUTES
NEW DURHAM ZONING BOARD OF
ADJUSTMENT
NOVEMBER 14, 2007

Chairperson Terry Jarvis called the meeting to order at 7:04 PM.

Roll Call: Terry Jarvis (Chair), Larry Prelli (Vice-Chair), Helen Wellman (Alternate), Bill McGrew, Mike Hoffman. **Excused Absence:** Wendy Anderson

Others Present: Barbara Magovern, Robert Magovern

Magovern: Chair Terry Jarvis asked Helen Wellman to sit for Wendy Anderson who was absent. Ms. Jarvis noted that the public notice for the meeting referred inaccurately to a request for a variance from Article VIII.E.2. In fact the variance that is needed is from Article VIII.D.2. Ms. Jarvis also pointed out that the text description of the variance request seems to be sufficient to provide a clear description to abutters or interested citizens.

Larry Prelli moved to declare the public notice as adequate on the basis of the text description of the variance request. Helen Wellman seconded. Unanimous with no abstentions.

Chair Terry Jarvis asked if any board member thought they might have a real or perceived conflict of interest in this case. None did. She then asked if any board member, or any member of the public, thought that any board member had a real or perceived conflict of interest in this case. None did.

Barbara Magovern explained their request. They own a house at 14 South Shore Road (Tax Map 28 , Lot 5). It is very small and they want to create more living space. The front of the house is 26' from the high water mark. It is impossible to create their needed space outside the 75' town setback. They have 3 bedrooms downstairs and a 3 bedroom septic. They will not be adding any more bedrooms.

They propose to raise the roof of the house slightly in order to construct a partial second floor on the house. One of the existing first floor bedrooms would be remodeled so that part of it becomes a half bath and part of it is added on to the downstairs living space.

The Magoverns shared a sketch of their proposal but did not have detailed plans with measurements. They were not able to say how high the new ridgeline of the roof would be, or how many square feet would be added to the house.

Terry Jarvis asked if they had submitted a variance application to the state and what the status of the application was. Mrs. Magovern said they had submitted it, but had no response or feedback yet from the NHDES.

Larry Prelli moved to continue the request for a variance until the applicants submit detailed plans with measurements, specifically including the new roof ridgeline height, and until the New Hampshire DES, Shoreland Protection Bureau has approved their request for a state variance. The plans can be from a contractor; a licensed architect is not required. Helen Wellman seconded. Unanimous with no abstentions.

2008 Budget: Chair Jarvis noted that the Town finance reports showed that the ZBA had spent only \$285 of its budgeted \$1600. She said she had a list of publications from the Local Government Center that would be valuable references, and she asked staff David Allen to order some of them with the remaining funds.

Minutes: Chair Jarvis asked Vice Chair Larry Prelli to chair the meeting to review the minutes of September 5 and October 10, 2007 as she was not present at the meetings.

Bill McGrew moved approval of the minutes of September 5, 2007. Larry Prelli seconded. Unanimous with Terry Jarvis abstaining.

Bill McGrew moved approval of the minutes of October 10, 2007 as amended. Larry Prelli seconded. Unanimous with Terry Jarvis and Helen Wellman abstaining.

Bill McGrew moved to adjourn at 8:20 PM. Larry Prelli seconded. Unanimous with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant