

DRAFT MINUTES

NEW DURHAM ZONING BOARD OF ADJUSTMENT

AUGUST 13, 2008

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

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

Others Present: Tom Lyons, Carolyn Smith

Chair Terry Jarvis added election of a Vice-Chair to the agenda.

Lyons: Chair Jarvis asked Helen Wellman to sit for Bill McGrew. She noted that Mr. McGrew would have recused himself from this application as a friend of the applicant. She told Mr. Lyons that there were only four board members present and he needed three votes to approve his application. She said he had a right to a full Board of five members and asked if he wanted to wait for a full board or proceed. He said he would proceed.

Ms. Jarvis said the application appeared to be complete. She confirmed with Mr. Allen that proper notification was given to abutters and with public notice. She invited Mr. Lyons to present his request.

Mr. Lyons described his desire to place an 8 x 10' shed on his lot for storing a snow blower, and described the limitations of the lot. He said there is only one viable location, and that is within the 15' side property setback and less than 75' from the shorefront. He noted that the shed would sit on the apron of the existing driveway and therefore would not increase the impermeable surface on the lot. He also gave the Board a letter from Mr. John Cronin, his abutter, saying he had no objection to the shed.

Helen Wellman asked if lived in the home year round. Mr. Lyons said he is there most weekends year round and will live there full time when he retires in a few years. She asked him to describe the precise location where the shed will be. Chair Jarvis closed public comment at 7:15 PM.

Ms. Jarvis noted the following facts in the case:

1. There is no shed at this time;
2. The proposed shed is a maximum of 80 square feet in size;

3. The shed will be set back at least 50.1' from the high water mark, so it will not require a variance from NH Department of Environmental Services;
4. The shed will be within the 75' Town of New Durham shore front setback;
5. The shed will be within the 15' side property setback on the east side of the lot;
6. The abutter to the east has given consent in writing for the shed to be so close to the property line; and
7. There will be no increase in the amount of impervious surface on the lot because the shed will be placed on the existing driveway apron surface.

Helen Wellman moved to grant a variance for Mr. Thomas Lyons, xx North Shore Road (Map 38, Lot 19) to place an 8' x 10' shed within the 15' side setback on the east side of the lot, and less than 75' from the shore front with the condition that the shed be at least 50.1' from the shore front so that a state shore land variance is not required. Larry Prelli seconded. Unanimous with no abstentions.

Election of Vice-Chair: Terry Jarvis moved to elect Larry Prelli as Vice-Chair of the ZBA for 2008. Helen Wellman seconded. The vote was three in favor, with Mr. Prelli abstaining. Elected.

Minutes: Chair Jarvis asked Mr. Allen to email the June 11 minutes to board members, and asked them to review the minutes and email corrections to Mr. Allen.

The Board agreed to schedule their next meeting for 7:30 PM, August 27 at the Public Library.

Larry Prelli moved to adjourn at 7:21 PM. Helen Wellman seconded. Unanimous with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant

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