

Minutes of
Zoning Board of Adjustment
Held January 19, 2000

Present: Michael Iafolla, Chairman, Russell Jeppesen, Allen Brandt, Mark Johnson and Robert Field.

Iafolla called the meeting to order at 7:35 P.M. He introduced the members of the Board and explained the procedures of the meeting.

Field made the motion to accept the minutes and agenda, seconded by Jeppesen, motion passed.

Case 2000:01 – **Sharyl and Gerald Murphy**, requests a variance to Article 5, Section 507, for permission to start a home occupation in R1 zoning. They would be restoring an historic barn to house an antiques business, and removing a three car garage. Mr. Murphy stated that this business would meet the five (5) criteria stated in the Zoning Ordinance 507 regarding Home Occupations. After much discussion between Board members regarding the appearance of the property/business, a motion was made by Jeppesen, seconded by Johnson, that this be approved as a special exception as follows: 1. that the appearance of the property remain residential, and substantially as per the watercolor, 2. all five (5) requirements of Section 507 apply, 3. limit parking to four (4) vehicles for the home occupation, 4. limit additional paving to a 15' x 75' area. The motion passed 3-2.

Case 2000:02 – **Richard Luff** requested to withdraw.

Case 2000:03 - **Dave Freitas**, 28 Ocean Boulevard, requests a variance to Article 4 Section 409.9, for putting an emergency exit within 75 feet of wetlands for the second floor. Mr. Freitas made a presentation regarding 28 Ocean Boulevard, which has approval from Little Boar's Head for stairs and a landing (the size was 4x6), with stairs running northwest. The Board stated that they needed better, more explicit information. A motion was made by Brandt to table this to a time and date certain, the next Zoning Board meeting, on February 16, 2000. At this time, Mr. Freitas would have to present the Board with a plot plan including dimensions, setbacks to lot lines and wetlands and the proposed location of the stairs. This site plan must be signed by Little Boar's Head Zoning Board of Adjustment as conforming to the decision made by that Board on January 13, 2000. The motion passed 4-0.

Case 2000:04 – **J. Carl Merrill** – presented a plot plan by Mr. Ernie Cote, showing existing 8 units (6 buildings) along with a proposed lot zone relocation. When approved, it would result in units 5 & 6 being removed. Mr. Kimball proposed that in the spring he would be ready to go to the Planning Board for his addition, with a possible two year time frame. Brandt made the motion, seconded by Fields, that the variance be approved with the following conditions: 1. Units 5 & 6 be removed/demolished within 6 months, units 7,8, 9 be removed/demolished within 2 years. Motion passed 5-0.

Case 2000:05 : **Al's Seafood** – Mr. Nocas, representing Al Courchene, gave a brief summary of the meeting with the Planning Board held on January 4, 2000. There was discussion among the Board that the Planning Board was not an enforcing authority, that there was no basis for a vote because there was no application to the Planning Board, and that there was nothing in Town Regulations to prohibit the plastic enclosure. The motion was made by Fields, seconded by Brandt that the Building Inspector's referral to the Zoning Board was in error, the motion passed 3-1.

Case 2000:06 – **TSR Realty**, for property at 77 Lafayette Road, (Fish & Chips) – there was discussion among the Board, a motion was made by Fields, seconded by Johnson, that the exterior door must be flush with the premises, and approved the retaining wall to change the grade to the door to permit access.

The meeting adjourned at 11:45 P.M.

Respectfully submitted,

Tina Kinsman, Recording Secretary

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