

This month's meeting was called to order by the Chairman, Mike Iafolla, at 7:35 p.m. Those attending were: Mike Iafolla, Chair, Russ Jeppesen, Bob Field, Mark Johnson, Alan Brandt, Paul Charron, Building Inspector and Tina Kinsman, Recording Secretary. The Chairman then reviewed the rules and procedures of the meeting.

Mr. Fields stated that he believed that the meeting was not properly noticed; and the Chairman instructed the Recording Secretary to determine if there was proper notice given. Mr. Fields stated that the Zoning Board requires a 7-day legal notice prior to the meeting, not including the date of the meeting. The North Hampton Zoning Ordinance states that 7-day notice is required for appeals to the Board, the New Hampshire RSAs state that a 5-day notice is required, not including the date of the meeting or the day of the posting. The Recording Secretary checked the legal notice posting and there was appropriate notice given; therefore the meeting was legally noticed.

**Case 99:16 – Doug & Karin Nelson, 25 West Road**, Map 20, Lot 1 for Variance to Article 4 Section 406.2, request for new home construction on a lot that does not meet current zoning. Mr. Ernie Cote presented the case and stated that this lot was only 16,000 square feet short of having the required amount of frontage. There were questions from the Board regarding the use of the property: Mr. Cote stated that it would be used for residential construction only. There was further discussion regarding the driveway, and Mr. Jeppesen made the motion to approve the request with the following conditions, this motion was seconded by Mr. Johnson, passed 4-1. Conditions: *1. Owners apply to Rye and North Hampton for the driveway permit, 2. That the lot only be used as a residential building lot, 3. The driveway be used to access this residence only.*

**Case 2000:03 – Dave Freitas, 28 Ocean Boulevard**, Map 1, Lot 44, for a variance to Article 4 Section 409.9 for putting an emergency exit within 75 feet of wetlands. There was discussion among Board members that Mr. Freitas had been before them before, was referred back to the Little Boar's Head Zoning Board, and had received their approval, dated March 2, 2000, along with approved plans which are available at the Town Office dated February 29, 2000. The motion to approve was made by Mr. Field, seconded by Mr. Brandt, motion passed 5-0.

**Case 2000:07 : John Kimball**, 68 Lafayette Road, requesting a waiver under the terms of RSA 674:33a asking that said terms be waived to permit an existing building (Ken's Garage) to remain where a current survey shows 8' to the property line. The Chairman suggested that the Board hear the two cases together. The Chair discussed the terms of the lease with Mr. Kimball: he stated that he would be leasing the property for ten (10) years with the option to buy, but there was no fixed dollar amount. Ted Turchan stated that this was an existing nonconforming lot, that the Board did not need to approve this variance. Mr. Field stated that the property owner should be here to present the case and answer questions, not the applicant. Mr. Kimball then decided to withdraw this case.

**Case 2000:08: John Kimball**, 68 Lafayette Road, requests a variance to Article IV, Section 406.8 for an existing 8' strip where the ordinance requires 10'. There was further discussion relating to 68 Lafayette Road: that the proposed lease line divides the lot into two lots, did this qualify as a subdivision. Mr. Turchan stated that the Planning Board had decided not to review his Site Plan as a subdivision. This subject was debated back and forth with no resolution. There was a motion made by Mr. Brandt to table this case to a time and date certain, April 19, 2000, the next Zoning Board meeting, and that Mr. Kimball should provide the Board with a copy of the lease, and also should have written approval from the property owner to present the case. Mr. Brandt made the motion to amend the first motion to include this information, seconded by Mr. Jeppesen.

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Mr. Charron looked at the application, and it was decided that the property owner had signed the application and had, in fact, given the applicant authorization to act in his behalf. There was then an amended motion by Mr. Brandt to provide the Board with a copy of the lease, and to have an interpretation by Town Counsel on land use, seconded by Mr. Field, passed 5-0.

The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Tina Kinsman  
Recording Secretary