

Zoning Board of Adjustments Meeting
November 28, 2001

The meeting was called to order at 7:30 PM. In attendance: Mike Iafolla, Chairman, Russell McCann (Alternate), Craig Kelleher (Alternate), Chuck Gordon (Special Alternate), Roland Neves (Special Alternate). Mike Iafolla is the only regular member in attendance. The Special Alternates were elected by a majority of the Selectmen.

Statement to the petitioners from Mike Iafolla:

There has been a glitch in the administrative apparatus with the town office that supports this board. Usually sent to all regular Board Members and regular Alternates are the minutes of the last meeting and the next agenda, this was not done this month. Unfortunately the regular members and alternates have made plans that they were not able to change. We did the best to cob together a board. If anyone doesn't feel comfortable with the board you may withdraw without prejudice. The Town of North Hampton will pay for all re-advertising and hear your case at the next scheduled meeting.

Letters to Larry Miller and Jerry Lambinan to do with minutes of the last meeting. No one has seen the minutes and cant confirm them. Is there a discrepancy? Send the minutes to the regular members.

Case 2001:41 – Richard Seban, 31 Squier Drive: Requests a variance to Article IV, Section 409.9 for pavement where the ordinance requires a permeable surface for a portion of the driveway that is in the wetlands. Mrs. Seban had with her a map to propose new plantings to protect the wetland from the runoff. Mr. Gove signed the maps off. Mr. Iafolla explained that with the new technology the water will be directed to safe drainage areas. There will be bolder to help direct the water and the dense vegetation will clean and filter the water prior to it being reintroduced into the wetlands. No one else spoke for the petition, no one spoke against it.

Motion made by Mr. Neves to grant variance, seconded by Mr. Kelleher.
Vote: 4-0 in favor.

Case 2001:43 – Vince Vettrano & Rose Ciesla, 64 Mill Road, Requests a variance to Article VI, Section 406 for the construction of a detached garage, where the setback will be less than the 15' requirement.

Mr. Vettrano appeared before the board with pictures of the property and a sketch of where the new building will be constructed. Mr. Vettrano would like to build the front of the structure 5' from the property line, the back of the structure will be 15' from the property line. The board would like the structure to be 7.5' from the property line to accommodate a vehicle by. No one spoke for the petition, no one spoke against it.

Motion made by Mr. Gordon to allow the construction 7.5' from the property line, seconded by Mr. Neves.
Vote: 4-0

Case 2001:45 – Jurgen Demisch, 2 Appledore Avenue, Request for a variance to Article VI, Section 406 & 406.1 where a front yard of 35' is required and 31' can be provided. LBH ZBA on 10/25/01 has approved this same request. Peter Gordon, Gordon Construction, for the petitioner. The new garage is locked in by a leach field behind the beach and can not be moved. The petitioner would like to turn the existing garage into living space. No one spoke for the petitioner, no one spoke against.

Motion by Mr. McCann to allow variance, seconded by Mr. Kelleher.
Vote: 3-0

Case 2001:46 – 4 Post Road, Pobama Trust, Request for a variance to Article IV, Section 409.9 where a 50' buffer is required and 40' is proposed.

Case 2001:47 – 4 Post Road, Pobama Trust, Request for a variance to Article IV, Section 406 where less than the required 175' frontage can be provided.

The petitioner may not have known about the meeting. The Board will reschedule for the next meeting and pay all re-advertising costs.

Case 2001:48 – 116 Exeter Road, Request for a Special Exception as provided in Article V Section 507 for a Home Occupation that sells through phone and Internet called PomExpress.

Cheryl Rand, for the petition, would like to have a home occupation to sell merchandise over the phone and Internet. There are two (2) employees working for her, a bookkeeper and an order taker. There is no actual merchandise being manufactured on the property. Mrs. Rand states that she will be sending out samples to her customers, the manufacturer will drop ship all the order to the customers address. Mrs. Rand will be receiving packages from UPS but sending out through the regular mail usually. She will also secure a PO box. Craig Sinclair spoke for the petitioner. Mr. Sinclair states there are far more active business than this will be. He believes Mrs. Rand wants to start a quiet business at home. No one spoke against the petitioner.

Conditions:

- 1) No more than two (2) employees
- 2) Parking supplied in the owner/operators driveway, no street parking.

Motion by Mr. Gordon to allow the Special Exception with conditions stated below, seconded by Mr. Kelleher.

Case 2001:50 – 119 Exeter Road, Dalton, Request for a variance to Article IV, Section 406, where an addition is proposed that will be less than the 35' setback required. Mr. Dalton brought to the meeting pictures and an architectural depiction of what the attached garage will look like when complete. There is only 20' between the proposed garage and the property line. Mr. Dalton also brought up a private agreement between the abutter and himself regarding any rain water runoff damage. Per Mr. Dalton, he will repair any and all damage done because of the proposed garage. The Board has some concerns regarding it's responsibility if any in regards to the private agreement. Mr. Iafolla states that this agreement will be a civil matter not to be upheld by this board. No one spoke for the petition, no one spoke against.

Motion by Mr. Kelleher to grant the variance of no less then 20' from the property line, seconded by Mr. Gordon.

Case 2001:49 – 203 Lafayette Road, Storage Building, Request for a Special Exception to Article IV, Section 405 allowing the construction of a storage building. John Chagnon, Ambit Engineering, for the petitioner. The new construction will be on the back of the other buildings and be only one (1) bay wide. There will be a vegetation screen between the property lines. The leach field will be relocated to allow for the new construction. This case is to go before the Planning Board at a later date.

Motion by Mr. Kelleher to allow Special Exception, seconded by Mr. Neves.

The ZBA typically doesn't have a meeting in December.

Motion by Mr. McCann to postpone meeting until January 2002, seconded by Mr. Kelleher.

Minutes submitted by Krista Tischendorf, Planning and Zoning Board Secretary.