

Nottingham Zoning Board
April 8, 2014

Accepted: 4/22/2014

Members Present: Michael Russo, Chair; Bonnie Winona MacKinnon, Vice- Chair; Robert Davidson, Secretary; Terry Bonser

Members Absent: Kevin Bassett, Alternate; Romeo Danais; Alternate

Others Present: JoAnna Arendarczyk, Land Use Clerk; John Terninko, Applicant; John Thomas, Abutter

Call to order at: 7:00pm

Case 14-003-VA Application from John Terninko Trust for a Request for Variance from Article II Section C.2 of the Zoning Ordinance, building distance within the set back. Tax Map 10 (*correction Tax Map 9. Mr. Terninko owns both Map 9&10*) Lots 8&9. 62 Case Road, Nottingham, NH.

Article II Zoning Districts and District Regulations

C. Residential - Agricultural District

This zoning district shall encompass most of the Town of Nottingham as shown on the Zoning Map, as amended. It shall be a zone of low density residential and agricultural uses consistent with the Vision of the Master Plan to retain Nottingham's rural landscape.

2. *There shall be between the property line, water's edge ("reference line" as described in RSA 483-B:4 XVII), and any building, a minimum distance of fifty (50') feet, twenty (20') feet for grandfathered non-conforming lots of less than two (2) acres, as of the date of passage (03/08/94), in all directions. Special exceptions to this ordinance may be granted by the Zoning Board of Adjustment based on weighing of the following considerations, but in no case shall less than twenty (20') feet be permitted for habitable structures or nonhabitable structures of fifty (50') square feet in area or greater:*
 - a) *whether the goal set forth in N.H. RSA 674:17 I. will be infringed by granting such special exception;*
 - b) *whether the terrain or configuration of the lot make it more appropriate than not for such a special exception to be granted; and*
 - c) *whether the granting of such special exception would adversely impact neighboring parcels or rural character of the Town.*

Mr. Terninko chose to continue presenting his case although there was not a full quorum present. Mr. Terninko stated the Tax Map number listed on page one of the application should be Tax Map 9 not Tax Map 10 (*noted above*)

Mr. Terninko explained that he wants to adjust the lot line to the left of his barn to add to the 80 acres thus giving him more frontage to put up for a Wetland Easement with Joe Falzone. The lot has 24 Vernal Pools, 200-300 year old Black Gum. Celia Abrams (a Conservation Commission member) found several endangered species on the lot as well. Mr. Terninko added; the more frontage he has on the lot, the more money he receives.

John Thomas, the abutter in attendance stated that he has no questions or comments.

Motion: Mr. Davidson made a motion to accept the case as written with an amendment to the Tax Map number being Map 9 vs Map10.

Nottingham Zoning Board
April 8, 2014

Second: Made by Ms. Winona MacKinnon

Vote: 4-0-0 motion passed

Mr. Davidson advised Mr. Terninko that the other abutters have 30 days to appeal the decision.

Mr. Chairman Closed the Public hearing at 7:18

The Board Members filled out the Findings of Facts sheets (*included in the file*)

Minutes

February 11, 2014

Motion: Mr. Davidson made a motion to accept the minutes as presented.

Second: Made by Mr. Bonser

Vote: 3-0-1 (Mr. Russo abstained) motion passed

February 25, 2014

Motion: Mr. Davidson made a motion to accept the minutes as amended. (place the Alternate's names after the Board Member's)

Second: Made by Mr. Bonser

Vote: 3-0-1 (Mr. Russo was not present for that meeting) motion passed

March 25, 2014

Motion: Mr. Russo made a motion to accept the minutes as presented

Second: Made by Mr. Davidson

Vote: 3-0-1 (Mr. Bonser abstained) motion passed

New Business

By-Law Review

The Board members reviewed the By-Laws and Rules of Procedure and signed a document stating they agree with the document as read.

Motion: Mr. Russo made a motion to accept the By-laws and Rules of Procedure as read.

Second: Made by Mr. Davidson

Vote: 4-0-0 motion passed

Election of Officers for 2014

Chairman:

Motion: Mr. Davidson made a motion to elect Mr. Russo as Chairman.

Second: Made by Ms. Winona-MacKinnon.

Vote: 4-0-0 motion passed

Vice- Chair:

Motion: Mr. Davidson made a motion to elect Ms. Winona-MacKinnon as Vice-Chair.

Second: Made by Mr. Russo.

Vote: 4-0-0 motion passed

Secretary:

Motion: Mr. Russo made a motion to elect Mr. Davidson as Secretary.

Second: Made by Ms. Winona MacKinnon.

Nottingham Zoning Board
April 8, 2014

Vote: 4-0-0 motion passed

Other Information

Next hearing April 22, 2014

Mrs. Arendarczyk informed the Board Members and television viewers of the retirement celebration for the Town Administrator, Charles Brown and Town office Bookkeeper, Marge Carlson to be held Monday April 21, 2014 3pm-6pm at the Community Center.

Adjournment

Motion: Made by Mr. Chairman

Second: Made by Mr. Davies

Vote: 3-0-0

Adjourn at 7:40

Respectfully Submitted,

JoAnna Arendarczyk