

Town of Sandown
Zoning Board of Adjustment
Minutes 10/28/10

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6 **Meeting Date:** October 28, 2010
7 **Type of Meeting:** Regularly Scheduled
8 **Method of Notification:** Public Posting ~ Sandown Town Hall & Sandown Post Office;
9 Website and the Eagle Tribune.
10 **Meeting Location:** Sandown Town Hall
11 **Members present:** Chairman Steve Meisner. Vice Chairman Doug Martin,
12 Alternate B.J. Richardson
13 **Absent:** Ken Sherwood, Curt Sweet, Steve Brown, Selectmen's Liaison
14 Administrative Aide Bette Patterson
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17 **Chairman Meisner opened the meeting at 7:04 p.m.**

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19 **Chairman Meisner announced that there are three board members present for this**
20 **evening's hearings. An affirmative vote by all three board members is required in order**
21 **for a Special Exception or Variance request to be granted. Any applicant may request a**
22 **continuation in order to have their case heard by a five member board.**

23 **Continued Hearing: CASE 093010- 02** An application from James Ryder for a Special
24 Exception as specified in the Sandown Zoning Ordinance Article V, Part D, Section 5. The
25 applicant is requesting permission add a one bedroom accessory apartment. The property is
26 shown on Map 5, Lot 22-3 on the Sandown Tax Map and is located at 1 Rowell Lane.

27 James Ryder and Brian Schofield came before the board to present a request for a Special
28 Exception.

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30 Chairman Meisner asked Mr. Ryder if he wished to move forward with the hearing with a three
31 member board.

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33 Mr. Ryder stated he would like to move ahead with the hearing. Mr. Ryder submitted a revised
34 set of plans as he was previously requested to do. He also submitted a copy of the septic
35 approval.

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37 Doug Martin stated that he visited the site and explained the accessory apartment is at the same
38 level as the original home. The entrance to the accessory apartment is in the back of the house
39 and the home does not have two front doors.

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41 The board viewed the plan and as shown, the accessory apartment is not larger than the main
42 home.

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44 Chairman Meisner stated that the board went through the criteria at the last hearing (09-30-10)
45 and the applicant provided answers at that time. Chairman Meisner read the following from the
46 Sandown Zoning Ordinance:

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Section 4 General Requirements for All Special Exceptions

A. The special exception requested must not bring about any detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood on account of the use, location or scale of the buildings or other structures, parking areas, access ways, dust or other pollutant, noise, glare, vehicles, odor, smoke, gas, or the unsightly outdoor storage of equipment or materials.

Chairman Meisner opened the hearing to the public. He invited abutters or interested parties to come forward and make comments in favor or against the request. He also stated that the plans were available for review on the front table.

Chairman Meisner stated that if the criteria for the Special Exception has been met the board is obligated to grant it.

Chairman Meisner noted the fact the no abutters or audience members came forward to speak. He stated the public hearing is still open for comments and invited audience members to come forward and speak in favor or against the request.

There being no comment or questions from abutters or audience members, Chairman Meisner closed the public portion of this hearing.

An audience member made a comment that he wanted to talk about the special exception granted in 2004 for an in-home business.

B.J. Richardson stated that the board already made that decision in 2004 and any issues relative to that should be directed to code enforcement or the planning board.

Chairman Meisner stated that he has closed the public portion of the hearing and the board members are in the process of deliberation.

B.J. Richardson stated the issues for the current application for a Special Exception for an accessory apartment have been addressed and the items we requested at the previous meeting have been submitted.

Doug Martin stated after visiting the property, he understands how the home looks and he has no issues with it.

Chairman Meisner stated the delineation of the home is on the plan and the requested items have been submitted. This meets the Special Exception Criteria.

90 MOTION: B.J. Richardson made a motion to GRANT James Ryder a Special Exception as
91 specified in the Sandown Zoning Ordinance Article V, Part D, Section 5 to add a one bedroom
92 accessory apartment. The property is shown on Map 5, Lot 22-3 on the Sandown Tax Map and
93 is located at 1 Rowell Lane. Doug Martin seconded. Steven Meisner, B.J. Richardson and Doug
94 Martin voted in favor of the motion. MOTION PASSED.

95 **CASE 102810-01** An application for a variance from Mark Falkenham from Article II Part B
96 Section 3 of the Sandown zoning Ordinance to permit creation of a lot that has 163.37 feet of
97 frontage where 200 feet is required and that does not have a minimum contiguous buildable tract
98 equal to 75 feet in width by 100 feet in length. The property is shown on Map 13, Lot 12, 144
99 Wells Village Road.

100 Mark Falkenham and David Jordon came before the board to request a variance.

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102 Chairman Meisner asked Mr. Falkenham if he wished to move forward with the hearing with a
103 three member board.

104 Mark Falkenham stated that after consideration of this matter, he would like to request a
105 continuation of this hearing to next month so that the application can be heard by a five member
106 board.

107 Chairman Meisner announced that Case 102810-01, an application for a variance from Mark
108 Falkenham from Article II Part B Section 3 of the Sandown Zoning Ordinance, is continued to
109 Thursday, November 18th, 2010 in the Sandown Town Hall beginning at 7:00 p.m. There shall
110 be no additional abutter notice by mail. This meeting will be posted in the Sandown Town Hall,
111 Post Office and at www.sandown.us .

112 **Adjournment**

113 MOTION: B.J. Richardson made a motion to adjourn. Doug Martin seconded. Voted
114 unanimously in the affirmative. MEETING ADJOURNED AT 7:42 P.M.

115 Respectfully submitted,

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117 Bette Patterson, Administrative Aide