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6 **Stratham Zoning Board of Adjustment**
7 **Meeting Minutes**
8 **October 22, 2013**
9 **Municipal Center, Selectmen's Meeting Room**
10 **10 Bunker Hill Avenue**
11 **Time: 7:00 PM**
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14 **Members Present:** Arol Charbonneau, Chairman
15 Kirk Scamman, Full Time Member
16 Chris Brett, Full Time Member
17 Mike Smith, Alternate
18 Jim Elliott, Alternate
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20 **Members Absent:** Garrett Dolan, Full Time Member
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22 **Staff Present:** Terry Barnes, Building Inspector/Code Enforcement Officer
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24 **1. Call to Order/Roll Call.**

25 The Chairman took roll call and explained the rules of procedure.

26 **2. Approval of Minutes.**

27 a. September 10, 2013.

28 Mr. Brett made a motion to accept the minutes as written for the meeting of September 10,
29 2013. Motion seconded by Mr. Scamman. Motion carried unanimously.

30 **3. Public Hearing(s).**

31 a. **Case # 592: Ledge View Realty LLC, 1654 Massachusetts Avenue, Cambridge, MA**
32 **02138 for the property located at 42 Crestview, Stratham, NH, Tax Map 22, Lot 95,**
33 **within Residential/Agricultural Zoning District.** A request for an Equitable Waiver
34 pursuant to RSA 674.33-a, from the Stratham Zoning Ordinance, Section 4.2 to allow an
35 existing barn structure to remain within the twenty foot side property dimensional
36 setback.

37 Mr. Deschaine explained that there was some email correspondence this afternoon
38 between Lincoln Daley, Town Planner and Chris Guerin, attorney for the applicant. It
39 was initiated by a PDF map of the plot and structure. It was discovered that not only is

1 the barn within the setbacks, but is also across the property line. Mr. Deschaine said an
2 equitable waiver cannot be applied to this situation. As a result, Mr. Daley and Guerin
3 discussed that an alternative needs to be explored. As it was too late to put in another
4 type of application, Mr. Guerin sent an email to withdraw the application without
5 prejudice.

6 Mr. Scamman made a motion to withdraw case # 592 Colin Peddie, Manager Ledge
7 View Realty LLC, 1654 Massachusetts Avenue, Cambridge, MA, without prejudice.
8 Motion seconded by Chris Brett. Motion carried unanimously.

- 9 b. **George H. Anders, Trustee of the George H. Ander Revocable Trust, 6 Stoneybrook**
10 **Lane, Exeter NH.** Motion for Rehearing in relation to Zoning Board of Adjustment,
11 Case No. 591 - Sarnia Properties, Inc., 3 Portsmouth Avenue, Stratham, NH Tax Map 4,
12 Lots 2, 3, 4, 5, and 6 to a Variance application granted on August 27, 2013 from Article
13 XI. Wetlands Conservation District, Section 11.5.3 of the Stratham Zoning Ordinance to
14 allow grading work associated with the construction of a rain garden within twenty-five
15 feet of the non-disturbance buffer zone. (*REQUEST HAS BEEN WITHDRAWN*)

16 Mr. Charbonneau explained that a letter dated October 16, 2013 had been received from
17 the applicant's attorney, Mr. John Rattigan, stating that his client Mr. George H. Anders
18 wishes to withdraw his motion for rehearing effective immediately.

19 Mr. Scamman made a motion to withdraw case # 591 without prejudice for George H.
20 Ander Revocable Trust, 6 Stoneybrook Lane, Exeter NH for the rehearing. Motion
21 seconded by Mike Smith. Motion carried unanimously.

22 4. Miscellaneous.

23 There were no miscellaneous items to report.

24 5. Adjournment.

25 Mr. Smith made a motion to adjourn the meeting at 7:15 PM. Motion seconded by Mr.
26 Elliott. Motion carried unanimously.