

**TOWN OF CHESTERFIELD  
ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
APRIL 9, 2019**

Kristin McKeon opened the Zoning Board of Adjustment meeting at 7:02 PM. In attendance were Kristin McKeon, Joe Hanzalik, Richard Aldrich and Susan Rigg. *McKeon made the motion to allow John Zannotti to join the meeting via Skype. Hanzalik seconded the motion and the vote was unanimous to allow Zannotti to join.*

**Public Hearing: Richard Wells requests a variance from Article V Section 503.1 Expansion to replace the existing garage with a new garage. The property is located at 88 North Shore Road Spofford, NH 03462 (Map 5C Lot C002) Spofford Lake District**

After reading the Public Hearing notice information McKeon advised the Applicant (Richard Wells) that he can opt to postpone the hearing until a full board is seated. Mr. Wells said he would like to proceed as scheduled. With that, he stated the existing building is unsafe and needs to be pulled down. This is a storage building, not a garage. He thinks the replacement will be more like the existing home and visually pleasing. The new shed will be adjusted to be parallel to the property line. The roof line will be a dormer instead of the existing shed type roof. The building is to store wave-runners and outdoor items.

Jim Larkin then spoke on behalf of Mr. Wells. He said there is no change to the lot coverage. The overhang on the existing roof structure is greater than the new shed to be built. This is very close to the property line, but that is how the structure exists now. The highest point of the existing is 9 feet and the lowest is about 7 feet with a 1.5 -1.8 roof pitch estimated. The new structure will have a gable roof with a 4 pitch and 7 foot doors. The interior space will be bigger but will not include an attic or storage above.

McKeon stressed the building is inside the setbacks and this makes the structure non compliant. That noncompliance and lot coverage of more than 10% make the cubic foot totals an issue.

Larkin said if they re-built the same structure the new building would be non-compliant because the roofs pitch is too low and would not accept the snow load in the area. So, due to the non-compliance issues he wants to build a better structure.

Aldrich stated the permeable coverage of the lot is at 42%. The structure has been there since 1982 but the Town is allowed to make the property come into compliance. Larkin stressed the updates would make the building more appealing, remove the safety issue, and move this away from the Property Line.

Theresa Clarkson – Abutter- spoke and told the Board she has lived next door since 1984. Mr. Wells has done a good job of making his property more attractive and she stated she would be pleased with the new structure.

Zannotti asked about the drainage issues and asked how the drainage affects the lot. Larkin said the runoff from the roof drains into heavy vegetation in the rear. The new gable roof will drain half toward the neighbor and the half toward the Wells house. Either way, the water will not create ditches or gullies, said Larkin. He believes this will improve drainage as water will run to the perimeter drain and finally into a dry well. Larkin said this is a well functioning lot in regard to water and drainage.

Catherine Findlay addressed the Board. She said she is an abutter, and this seems to be an improvement to the property. After clarifying the exact lot, she stated she has no issue with the variance.

Jeff Scott asked if the square foot is the same on both buildings. Larkin stated the cubic footage will probably be a little less because the new slab will take up some interior space. The existing structure has some flooring and some dirt flooring.

Larkin said the new shed will be parallel to the home. They want to clean up the profile and use a gable roof, but the higher space at the peak will not be useable. The garage doors are 7 foot high and won't allow car parking. McKeon stated the plans provided use of the word "garage" and the State of NH defines a garage as a building for cars, truck, etc. Whereas, a shed, is to be used for boats, small equipment, etc. Larkin confirmed this will be a shed without car parking.

Kristin convened discussion amongst the Board. Zannotti said he does not think a site visit is required and this will replace the existing structure with a better structure at the same location. Hanzalik said he has seen the premises and the building will be within the same footprint but shifted. He is not concerned with the roof line as no loft space or second floor will be added.

Aldrich asked why this can't be relocated to meet the 20 foot setbacks. Larkin said that will infringe on the existing stair case. He said this is a very steep lot and Larkin does not want to disturb the existing asphalt. Aldrich stated the property is out of regulation but does not see a problem with what they want to do, currently.

McKeon then asked for further Public Comment. *Being none, Hanzalik made a motion to close the Public Hearing. Zannotti seconded the motion and it was approved unanimously by roll call vote.*

*Zannotti made a motion to approve the Richard Wells 3.19.19 variance application on 88 North Shore Rd as presented, to demolish the existing shed and the building of a new shed to plan. Plans dated 11.9.18 and signed by Richard Bell, and the Larkin revision dated 3.17.19, but that plan needs to be signed upon approval of the variance application. McKeon seconded the motion.*

Discussion followed as McKeon stated item #5 on the criteria should have more information regarding the difficult topography and that the applicant is trying to make the situation better, given the limited ability to improve the lot. *McKeon made a motion to amend the Zannotti motion to include a statement that the Applicant is trying to comply with little and difficult space, which this makes the granting of the variance reasonable. Aldrich seconded amending the motion. The motion to amend was approved unanimously by roll call vote.*

Aldrich stated the plans state this is a garage, whereas the discussion has been about a shed. *McKeon made a motion to further amend the Zannotti motion to state anywhere in the variance criteria where it states "garage" it should be replaced with "shed". Zannotti seconded the motion to amend and it was approved unanimously by roll call vote.*

*The motion was reviewed and a vote was called:*

- *Zannotti: Yes*
- *Hanzalik: Yes*
- *Aldrich: Yes*
- *McKeon: Yes*

The motion was unanimously approved. McKeon advised Mr. Wells that the Variance is approved and there is a 30 day timeline for appeals. Wells thanked the Board for their time.

**Minutes:** After much discussion it was agreed that Susan will review the long and short version of notes for the December 11, 2018 minutes and come up with minutes for review next month. The notes for are not in minute form and need to be made readable.

Next the minutes from January 8, 2019 were reviewed. Aldrich made a motion to approve the January 8, 2019 as amended. Hanzalik seconded the motion and it was approved by unanimous roll call vote.

Next the minutes from March 11, 2019 were reviewed. Hanzalik made a motion to approve the minutes as amended. McKeon seconded the motion and it was approved unanimously by roll call vote.

**Zoning Board Application** The Board reviewed the sample updated Zoning application which McKeon provided. The hyperlinks will be added when the application is final and uploaded to the Town website. McKeon will add a section to the application which states prior decisions made on the property are to be provided. This is acceptable to the Board members. On Page 6 there is a reference to money, but McKeon said this has to go before the Selectboard because it different than how this was done in the past.

Aldrich said the version of the application he provided is more clear and understandable. He wants the abutter instructions to be easier to understand. He also thinks the plot plan provided is not a good version and would like to substitute his own version. He believes the versions he provided are easier to understand and believes the information the town provides should match up to the diagram in the zoning board packet.

Zannotti said the way it is presented was acceptable in the past and he is not in favor of changing the abutter information. McKeon also thinks the current version addresses the RSA and makes it understandable to the applicant.

After much discussion it was agreed that Aldrich would submit his version of the site plan and the abutter information via email to McKeon. It will then be distributed by email by Rigg along with the corrections agreed to. This will be reviewed and re-visited at the next meeting. Zannotti had several corrections to grammar and punctuation which he also reviewed and these will be included with the update for next month.

**OTHER BUSINESS:** McKeon would like to assign email addresses to ZBA members to be used exclusively for Zoning Board business. She will review options and report back next month.

**ADJOURN:** Hanzalik made a motion to adjourn at 9:25PM; McKeon seconded the motion and it was unanimously approved.

Respectfully submitted,

Susan Rigg, Secretary to the ZBA

APPROVED:  \_\_\_\_\_ Date: 

Kristin McKeon, Chair

Date: