

Zoning Board of Adjustment
June 2, 2020

Members Present: Chris Stafford, Jason Holder, John Russo, Walter Baird

Members participating remotely: Roger Whitehouse

Others Present: Gail Turilli, Susan Carragher, Janet Denison-via conferencing app

Chris stated that the meeting was being held consistent with the governor's order that remote participation is permissible. A roll call was taken of the members participating and the phone number was given for anyone with technical difficulty.

Case #2020-2:

Susan Carragher was invited to the table. She lives at 28 Crestwood Drive and is proposing to build a garage within 30' of the road setback. The application with a marked-up drawing was presented. She presented photos that would be similar to what she is proposing.

She gave a brief overview of her situation. Her husband passed away five years ago and she is now in a situation that makes shoveling snow difficult. An independent contractor, Norm Collins, walked the property with her to see where the garage could be placed and the location she is proposing is the only location where it would logically fit. If placed in the rear of the house, the driveway would have to wrap around the other end of the house to avoid the septic and leach field. It would also attach to the bedroom area of the house rather than the living/kitchen area. There are also wetlands that will be avoided if it is placed where she proposes. The septic and leach field require the garage to be closer to the road to avoid driving over the field.

The proposed garage will be detached, 20x18, and the rear wall will be in line with the front of the house. It will attach to an existing porch.

Chris said he drove by the house and asked about a large tree in that area. Mrs. Carragher said the tree will likely be removed. There was a short discussion about placing the garage closer to the house. The Board members and Mrs. Carragher discussed shoveling snow and where snow could be deposited, including from a plow service. Jason stated the location as proposed seems ideal for getting into the house with the least amount of shoveling.

The five criteria as presented in the application were reviewed. Mrs. Carragher stated she does not want to have a large garage since she has only one vehicle, but she is thinking of resale value and a two-car garage may be more attractive for potential buyers. The proposed placement reduces the need to expand the length of a driveway. There did not seem to be another available place due to the wetlands and leach field. Mrs. Carragher confirmed this will be a garage only and not used for a home business nor have room for an ADU.

The Board briefly discussed the plans which state the house location is proposed. This may indicate the septic location could be slightly different than what is shown on the plans. Mrs. Carragher said she may have someone try to find the exact location of the leach field which may allow her to bring the garage closer to conforming with the zoning requirements. There were no more questions from the applicant. The public portion of the meeting was closed.

Roger asked about the encroachment into the setback. The setback is 30' from the road and the proposed location will put it 25' from the road. It was mentioned that this still leaves room for a vehicle to maneuver. Jason suggested expanding the porch to meet the garage.

The Board reviewed the criteria for voting. Each point was unanimously agreed in the affirmative through a roll call vote:

- The proposed is not contrary to the public interest,
- The spirit of the ordinance is observed,
- Substantial justice will be preserved,
- Surrounding property values will not be affected,
- There appears to be a hardship appurtenant with the layout of the parcel
- The proposed use is reasonable.

With the Board having unanimously voted on each point in favor of granting the variance, the notice of decision letter will be sent to the applicant. She can present this to the Building Inspector and proceed with obtaining a building permit.

Other Business:

There was a short discussion about the recent revision in the RSAs allowing 45 days rather than 30 days of receipt of an application to hold a public hearing. Although it has not been difficult to meet the 30-day requirement, it was agreed that it doesn't hurt to have the extra time. Walter made and John seconded a motion to increase the time frame to 45 rather than 30. The motion passed unanimously. This will need to be ratified during the next meeting.

The upcoming meeting schedule was reviewed. There are two variances to be discussed on June 16. The application dealing with the wetland setback was forwarded to the Conservation Commission for their input. The Board will discuss and appeal from an administrative decision on June 23. The applicant's attorney agreed to provide five copies of a notebook to the Board members ahead of time for their review.

One other application has been submitted for an accessory dwelling unit. This came to the office as a special exception. Upon review, the applicant was asked to revise it to a variance. The 30th is open for a meeting, if the applicant submits it in a timely manner.

Officer Election:

An alternate position is open. The Board members were advised to let Chris now if they know of a resident who could serve as an alternate.

John made and Walter seconded a **motion to nominate Chris as Chairman**. Chris abstained. The motion **passed**. Chris accepted the nomination.

John made and Jason seconded a **motion to nominate Walter as vice-chairman**. Walter abstained. The motion **passed**. Walter accepted the nomination.

Several members were asked to have paper copies of the 2020 Zoning Ordinance.

96 At 8:35pm, Roger made and Walter seconded a **motion to adjourn**. The motion **passed** unanimously.
97
98 Respectfully submitted,
99 Janet S. Denison

