

ZONING BOARD OF ADJUSTMENT

Wednesday, March 28, 2007
Belmont Corner Meeting House
Belmont, N.H.03220

Members Present: Chairman P. Harris; N. Patten, P. Oberhausen, L. Couture and J. Bennett.
Alternates Absent: E. Hawkins (E).
Staff: C. Daigle and E. Murphy.

The chairman opened the meeting at 7p.m. and congratulated J. Bennett and L. Couture for signing up and getting elected to the Zoning Board of Adjustment.

Abutters' Hearing – Ronald & Elaina Shuten: Request for a Variance of Article 5 Table 2 of the Zoning Ordinance to construct a 25' x 30' garage closer (25') to the property line than allowed (50'). Property is located at 80 Farrarville Road in an "R" Zone, Tax Lot 224-031, ZBA # 1007.

P. Harris explained that Mr. & Mrs. Shuten have requested that the application be Tabled to the April 25, 2007 meeting.

BOARD ACTION – RONALD & ELAINA SHUTEN:

MOTION: N. Patten moved at the applicants request to Table the Variance of Article 5 Table 2 of the Zoning Ordinance to construct a 25' x 30' garage closer (25') to the property line than allowed (50') to the April 25, 2007 meeting.

The motion was seconded by P. Oberhausen and carried. (5-0)

Abutters' Hearing – Sandra & Edward Boissy: Request for a Special Exception of Article 10.A.3.c. of the Zoning Ordinance to add useable space, dormers, closer (46.9') to the front property line than allowed (50') but not closer than existing structure. Property is located at 641 South Road in an "R" Zone, Tax Lot 245-010, ZBA # 0907.

At least three members have viewed the site.

Mr. Russell Downing presented the application.

Mr. Downing explained the proposal is to build two "A" style dormers on the front of the house. The dormers will be 3' back from the roof edge. They are doing this for more light and to add aesthetic

value to the house. The house is 46.9' from the front property line and the dormers will be 49.9' from the property line.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

L. Couture stated that the dormers are not encroaching more than the house. They are sitting further back than the existing footprint.

P. Harris wanted to know if they are adding more bedrooms. Mr. Downing stated that the bedrooms will remain the same just getting bigger.

P. Oberhausen wanted the applicant aware of the Fire Department's requirement for hard wire smoke detectors. Mr. Downing stated that he is aware of the requirement. There will be a hardwired smoke detector in each room.

BOARD ACTION – SANDRA & EDWARD BOISSY:

MOTION: P. Oberhausen moved to grant a Special Exception of Article 10.A.3.c. of the Zoning Ordinance to add useable space, dormers, closer (46.9') to the front property line than allowed (50') but not closer than the existing structure as it meets all the criteria.

- granted.
1. The use is allowed in the district
 2. The Ordinance specifically allows the use when a Special Exception is granted.
 3. The specific site is appropriate for the use.
 4. No factual evidence is found that property values in the district will be reduced.
 5. There is no valid objection from abutters based on fact.
 6. No nuisance or hazard is involved.
 7. Adequate and appropriate facilities will be provided.
 8. There is adequate sewage disposal.
 9. Structures must otherwise meet all dimensional requirements of the Ordinance.
 10. No structures or additions that do not meet setback, except for those approved herein are allowed.

The motion was seconded by J. Bennett and carried. (5-0)

OTHER BUSINESS:

BOARD'S ACTION - MINUTES:

P. Oberhausen made a motion to approve the minutes of January 25, 2007. N. Patten seconded. Carried (5-0)

ANNUAL ELECTION CHAIRMAN & APPOINT ALTERNATES.

MOTION: N. Patten moved to appoint P. Harris as chairman of the Zoning Board of Adjustment. L. Couture seconded.

P. Harris stated that he is willing to be the chairman but explained that he would be unable to attend summer meetings because of scheduling conflict. The Board discussed changing the meeting nights for the summer to accommodate P. Harris schedule. P. Harris suggested that they appoint P. Oberhausen as a vice-chairman as he has chaired meetings when the chairman was absent. It was the consensus of the Board to elect a vice-chairman.

The motion carried (4-0-1) P. Harris abstained.

MOTION: N. Patten moved to appoint P. Oberhausen as vice-chairman of the Zoning Board of Adjustment. L. Couture seconded. (4-0-1) P. Oberhausen abstained.

MOTION: N. Patten moved to appoint E. Hawkins as an alternate member to the 2010 term. P. Oberhausen seconded. Carried. (5- 0)

The Board signed the appointment certificate for E. Hawkins.

The Board asked staff to contact Mr. Bennett Hayes to see if he is interested in being an alternate member of the Zoning Board of Adjustment.

STAFF REPORT:

HANDOUTS:

The members received the 2007 Land Use Regulation Book. They also received copies of the 2007 Zoning Ordinances.

TOWN BROCHURE:

The Board received copies of the 1998 & 2001 town brochures. C. Daigle explained that it is time to update the brochures. She asked the Board to review the draft brochure and to forward their input to her for the new version.

OTHER BUSINESS:

The Board discussed the conversion of seasonal units to full time residency. They discussed the small size of lots and the frequent requests that come before the Board to convert a seasonal site to a permanent one. This tends to result in larger and multiple buildings on small sites because when the site

becomes the permanent residence more storage and living space is needed. Their concern is the congestion that could occur if sites are over developed. Fire safety becomes an issue. They referred to the zoning ordinance which requires 20' between unrelated structures in a manufactured home park and condominiums. When they look at proposals they should consider what is on the abutting lots. This may help them determine if reducing the setbacks will create a safety issue.

ADJOURNMENT:

MOTION: On a motion by P. Oberhausen, seconded by L. Couture, it was voted unanimously to adjourn at 7:25p.m.(5-0).

Respectfully submitted,

Elaine M. Murphy