



TOWN OF WAKEFIELD, NEW HAMPSHIRE
LAND USE DEPARTMENT

2 HIGH STREET
SANBORNVILLE, NEW HAMPSHIRE 03872
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MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING
20 October 2014

Approved
15 December 2014

MEMBERS		ALTERNATES		OTHERS	
John Napekoski, Chairman		George Frothingham	X	Nathan Fogg, Land Use Clerk & Code Enforcement Officer	X
Sharon Theiling, Vice Chairman	X	Doug Stewart	X		
Ceily Arnone	X	Steve Brown	X		
Judy Sjostrom		Judi DesRoches	X		
John Crowell					

Also present were: Donna Martin (videographer), Attorney Stan Hawthorne, Robert (Tom) Turner.

CALL TO ORDER

1. S Theiling called the meeting to order at 7:00 pm following the pledge of allegiance. The ZBA introduced themselves to everyone present. G Frothingham, D Stewart, & Judi DesRoches were seated for members not in attendance.

PUBLIC HEARING

2. S Theiling opened the **public hearing for Robert & Maura Turner, TM 94-4, 106 Cove Road for a Variance to the Street Setback** and asked if the application was complete. N Fogg confirmed that there was a complete application package that had been properly noticed, fees paid, and that the case could move forward.

MOTION: To accept the Turner Variance Application.
Made by: Ceily Arnone
Seconded by: George Frothingham
Discussion: None.
Vote: 5-0 in favor of the motion.

3. S Theiling asked the applicant and their counsel to explain the variance request application.
4. Stan Hawthorne introduced the property owner Tom (Robert) Turner explained the need for the variance to allow an addition to the existing structure. He noted that the proposed addition would be setback further from the street than the existing building (10.4 feet verses the existing 8.1 feet.) He noted that the best use of the property is a residential use and that the parcel was unique because of the configuration of the lot, the existing structure, and the steep slope down to the water. The only possible area to add onto the structure is the side where

they propose to add on. They are not only adding onto the building, but renovating the existing building also which will in turn increase their property value. Tom Turner added that when they started planning for an addition, they assumed that the retaining wall and hedge row along the road was their property line. Upon finding out where the actual property line was located, the only way to not impact the street setback would have been to demolish the entire building and start over. They love the area and this house was the second house on the cove, built in the 1960's. They want to keep the existing and add on to make the building more usable. They would greatly prefer to extend the existing building rather than start over again.

5. D Stewart asked what the size of the addition would be and if the setback reduction would allow for an overhang on the addition. N Fogg noted that it was impossible to tell whether the double line shown on the plan represented the width of the foundation or the building and the overhang. Tom Turner noted that they were fine with the 10.4 feet noted on the plan as the minimum allowed to the overhang.
6. S Brown asked what was going under the addition. Tom Turner noted that the proposed addition would have foundation and full basement to match the existing building. S Brown asked what Best Management Practices would be required to protect the slope and the lake from erosion. N Fogg noted that the Shoreland permit would note that adequate erosion protection would be required to protect the slope from erosion and that furthermore, the Town requires a Drip Line Trench (or equivalent) under all new roof lines. Tom Turner also noted that there are railroad ties that help hold back the existing slope currently.
7. N Fogg noted that the proximity to the sideline setback will require a foundation certification plan by a licensed land surveyor. This will ensure that the proposed addition will meet whatever setbacks reduction might be granted by the ZBA this evening.
8. S Theiling noted that there were no members of the public present and opened and closed the public input portion of the hearing. She asked if the ZBA had any comments on the application.
9. D Stewart noted that the application makes sense considering the existing conditions on the property. The additional would be more conforming than the existing structure, and he does not see any problem granting the requested variance.
10. C Arnone agreed with D Stewart and added that this variance would a reasonable use of the property. G Frothingham agreed with D Stewart.
11. S Theiling asked if the ZBA wanted to address the 5 criteria separately or as a whole.
12. D Stewart noted that the ZBA had considered all five criteria while considering the application as the ZBA has done in previous applications.

MOTION: To consider the 5 criteria as a whole rather than individually.
Made by: Doug Stewart
Seconded by: Ceily Arnone
Discussion: None.
Vote: 5-0 in favor of the motion.

13. The ZBA noted that they felt that the 5 criteria were adequately addressed by the applicant and agent.

MOTION: To approve the Variance for the reduced street setback based upon the plan by DMC Surveyors, dated 11/29/2012 to 10.4 feet, including roof overhang without conditions.
Made by: Doug Stewart
Seconded by: George Frothingham
Discussion: None.
Vote: 5-0 in favor of the motion.

14. N Fogg noted that the variance application had been approved and that any aggrieved party had 30 days to appeal the variance approval.

APPROVAL OF MINUTES

15. Minutes from September 15th and October 18th were tabled until the next meeting because members that sat at the previous hearing were not in attendance this evening.

BOARD BUSINESS

16. N Fogg noted that there is one potential Use-Variance Application that may come forward.

17. No further board business was discussed.

ADJOURNMENT

MOTION: To adjourn the meeting at 7:20pm.
Made by: Ceily Arnone
Seconded by: George Frothingham
Discussion: None
Vote: 5-0 in favor of the motion.

Respectfully submitted,
Nathan Fogg
Town of Wakefield NH
Code Enforcement Officer
Land Use Clerk