



TOWN OF WAKEFIELD, NEW HAMPSHIRE
LAND USE DEPARTMENT

2 HIGH STREET
SANBORNVILLE, NEW HAMPSHIRE 03872
TELEPHONE 603.522.6205 x308 FAX 603.522.2295

MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING
18 May 2015

Approved
21 March 2016

MEMBERS		ALTERNATES		OTHERS	
John Napekoski, Chairman	S H	George Frothingham		Nathan Fogg, Land Use Clerk & Code Enforcement Officer	S H
Sharon Theiling, Vice Chairman	S H	Doug Stewart	S H		
Ceily Arnone	S H	Steve Brown	S H		
John Crowell		Judi DesRoches	S H		
				S= Site Walk, H= Hearing	

Also present were: Donna Martin (videographer), John Creighton.

SITE WALK

1. J Napekoski called the meeting to order at 6:30 pm. The ZBA was joined by John Creighton who gave a tour of the existing encroachment of the deck and lights and also showed the ZBA the proposed to be removed from his property and added to the Farrin property.
2. The ZBA reviewed the site and copies of the plan while on site. Mr Creighton noted that he had previously attempted to do an equal area exchange between the parcels; however, he did not have cooperation from the Farrins. He wishes to resolve the encroachment to make it easier for him to sell his property.
3. The site walk was adjourned at 6:39 pm.

CALL TO ORDER

4. J Napekoski called the meeting to order at 7:04 pm following the pledge of allegiance. Judi DesRoches was seated for J Crowell.

BOARD BUSINESS

5. N Fogg noted that the ZBA needed to elect officers for the coming year.

MOTION: To elect John Napekoski as chair of the ZBA.
Made by: Sharon Theiling
Seconded by: Judi DesRoches
Discussion: None.

Vote: 4-0-1 in favor of the motion, with J Napekoski abstaining.

MOTION: To elect Sharon Theiling as vice-chair of the ZBA.

Made by: John Napekoski

Seconded by: Ceily Arnone

Discussion: None.

Vote: 5-0 in favor of the motion.

6. J Napekoski had the ZBA introduce themselves to the attendees. He then reviewed the procedure to be followed for the hearing and asked for a motion to accept the application.

MOTION: To accept the Creighton Variance Application as complete.

Made by: Ceily Arnone

Seconded by: Judi DesRoches

Discussion: None.

Vote: 5-0 in favor of the motion.

7. John Creighton came forward and explained the need for the reduction in land area was to eliminate an encroachment on his property by his neighbors the Farrins. Eliminate the encroachment will eliminate a cloud on his property that would likely effect the salability of his property. Allowing a small reduction in the size of his non-conforming parcel. His parcel is approximately 0.60 acres. The Farrins are unwilling to do an equal area exchange of land which is the normal course of action for this type of problem.
8. Approving this variance will allow the Creightons and Farrins to have a boundary line adjustment approved by the planning board. N Fogg does not feel that any problems would be created by this course of action and it solves an existing problem. N Fogg cautioned the members that if they are so inclined to approve the variance this evening that they are careful in their wording in case Fox Survey comes up with a slight difference in the area of the triangle being potentially removed from the Creighton's parcel. Mr Creighton told the ZBA the he had been trying to resolve this issue for many years and he hopes to put it behind him once and for all.
9. J Napekoski asked if there was any public input. D Stewart noted that it was resolving an issue between neighbors and would not have a significant impact on either parcel. J Napekoski closed the public input portion of the hearing.
10. J Napekoski asked if the ZBA preferred to consider each of the five criteria together or separately.

MOTION: To consider all five criteria together.

Made by: Sharon Theiling

Seconded by: Ceily Arnone

Discussion: None.

Vote: 5-0 in favor of the motion.

11. S Brown asked if the town could do anything to resolve the issue for the Creightons. N Fogg noted that this is a civil issue that would be resolved between the two parties involved. S

Brown asked if a permit had been pulled to construct the stairs and deck on the Farrin's property. N Fogg did not know the answer.

MOTION: To approve the Creighton Variance Application as complete.
Made by: Steve Brown
Seconded by: Sharon Theiling
Discussion: None.
Vote: 5-0 in favor of the motion.

12. J Napekoski noted to Mr Creighton that any aggrieved party has 30 days to appeal the decision and that any action he takes, such as hiring a surveyor to prepare the boundary line adjustment plan would be done so at the Creighton's own risk.

APPROVAL OF MINUTES

13. Minutes from April 20th were reviewed.

MOTION: To approve the minutes from April 20th 2015 as printed.
Made by: Steve Brown
Seconded by: John Napekoski
Discussion: None.
Vote: 5-0 in favor of the motion.

BOARD BUSINESS

14. J Napekoski asked what else was going on. N Fogg responded that he is working to correct several zoning map issues, the Meyer's will have a site plan review in front of the planning board, and there will be a conceptual hearing to replace the Sanborn House with a general retail store. N Fogg expects that to be well attended due to the historic nature of the Sanborn House.

ADJOURNMENT

MOTION: To adjourn the meeting at 7:28pm.
Made by: Steve Brown
Seconded by: Judi DesRoches
Discussion: None
Vote: 5-0 in favor of the motion.

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