



BOARD OF ADJUSTMENT

PO Box 120
Windham, New Hampshire 03087
Telephone (603) 432-3806

June 24, 2003

Bruce Breton – Chairman
Chris Doyle – Vice-Chairman
Rob Gustafson – Secretary
Al Souma – Member
Georges Roy – Member
Tony Pellegrini –Alternate
Kara DiFruscia – Alternate (Excused)

Lot #16-O-207, Case #23-2003

C.V. Patrick Poore
17 Viau Road

A variance is requested from Section 702 of the Zoning Ordinance to permit the construction of an attached garage 12' 11" to the lot line where 30' is required and from Section 401 expansion of a nonconforming structure. Viau Road is not a town road; it is a private deeded right-of-way.

Mr. Gustafson read the case into the record. Mr. Poore presented his case. This is a year-round home. There will be no increase in the number of bedrooms or bathrooms. One corner of the proposed garage will be inside the 30-foot setback. The proposed addition to the existing structure would provide both an attached two-car garage and the ability to expand the existing second floor out over the garage, thus allowing the expansion of the children's bedrooms. The proposed garage would allow storage for vehicles and lawn equipment thus improving the aesthetics of the neighborhood. Viau Road is not a town owned road, it is a deeded right-of-way that is owned and maintained by the property owners. The proposed addition does not obstruct any neighbor's sight lines of the lake or restrict their sight lines down Viau Road. Lot size is .44 acre and with the proposed garage 9% of the total lot area will be covered. The home is setback 108-feet from the lake. Mr. Poore read the five supporting facts into the record. The Chairman closed the public portion of this case. Mr. Gustafson motioned and Mr. Doyle seconded the motion to go into Deliberative Session. Passed unanimously.

Deliberative Session, Case 23-2003

Mr. Doyle motioned to grant Case #23-2003 per plan submitted and to allow an encroachment of 17-feet 1-inch on the front setback. Mr. Gustafson seconded the motion. Mr. Roy, Mr. Souma, Mr. Doyle, Mr. Gustafson and Mr. Breton voted to grant this variance. Request granted 5-0.



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Lot #17-L-81B, Case #24-2003

Adam & Gina Suliveras
22 Horseshoe Road

A variance is requested from Section 702 of the Zoning Ordinance to permit the construction of a garage and family room 20-feet to the side lot line where 30-feet is required and 24-feet from the rear lot line where 30-feet is required.

Mr. Gustafson read the case into the record. Mr. Suliveras presented his case. There is an existing cracked 13' X 18' garage foundation that will be removed. The proposed addition will be 26' X 26'. Mr. Suliveras read the five supporting facts into the record. The Chairman closed the public portion of this case. Mr. Doyle motioned and Mr. Gustafson seconded the motion to go into Deliberative Session. Passed unanimously.

Deliberative Session, Case #24-2003

Mr. Gustafson motioned to grant Case #24-2003 per the plan submitted which would require no more than a 10-foot encroachment into the westerly side setback, no more than the existing 6-foot encroachment into the rear setback and no more than a 2-foot encroachment into the front setback. Mr. Doyle seconded the motion. Mr. Doyle, Mr. Gustafson, Mr. Roy, Mr. Souma and Mr. Breton voted to grant this variance. Request granted 5-0.

Minutes

Mr. Doyle motioned and Mr. Gustafson seconded the motion to approve the June 10, 2003 minutes as written. Passed unanimously.

Request for Rehearing, Lot #20-E-135, Case #12-2003

This case was originally heard on May 13, 2003

Applicant – Karl Dubay

Owner – Pesando NH Prop Trust

Location – On Right-of-Way between 19 + 23 Off Bear Hill Road

Zone – Rural

A variance was granted from Section 702 of the Zoning Ordinance to allow not more than two lots without frontage on a town-approved road subject to getting all the required approvals per RSA 674:41 and also getting the approval from the Selectmen for a driveway over the ROW and also subject to the proposed conservation easement and there shall be no further subdivision of these parcels.

Mr. Gustafson read Mr. Dean Smith's rehearing request into the record. Mr. Smith's application states that he is the fee owner of the fifty-foot right-of-way located at Bear Hill Road. Mr. Doyle motioned to rehear Case #12-2003 to review possible errors at the original hearing which may or may not include the town owning a right-of-way. Mr.



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Gustafson seconded the motion. Mr. Gustafson, Mr. Doyle and Mr. Breton voted to rehear Case #12-2003, Mr. Pellegrini voted not to rehear the case and Mr. Souma abstained. Request granted 3-1-1.

Mail

- June 11, 2003 Letter from Attorney Campbell regarding Terms of Office.
- Copy of June 2, 2003 Letter sent to Mr. Ross McLeod, Planning Board Chairman, regarding a letter from Martel Electronics to Mr. Carpenter, subject – Cobbetts Pond.

Mr. Gustafson motioned to adjourn at 8:52 PM. Mr. Doyle seconded the motion. Passed unanimously.

The next meeting of the Zoning Board of Adjustment is scheduled for July 22, 2003 at 7:30 PM in the Planning & Development Office.

These minutes are in draft form and are respectfully submitted for approval by Patricia Kovolyan.