

BOARD OF ADJUSTMENT

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

July 12, 2005

Chris Doyle – Chairman
Rob Gustafson – Vice-Chairman
Tony Pellegrini – Secretary
Georges Roy – Member
Mark Samsel – Member (Excused)
Al Souma – Alternate
Tom Murray – Alternate

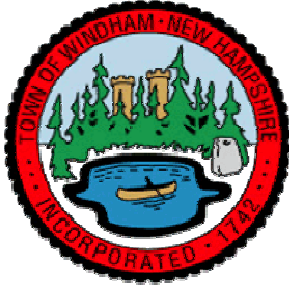
The Chairman appointed Mr. Souma to replace Mr. Samsel for this meeting.

Lot #17-M-15, Case #31-2005

Applicant – Donald & Mary Ellen Bielinski
Owner – Donald & Mary Ellen Bielinski
Location – 31 Armstrong Road
Zone – Residential A

A variance is requested from Section 702 Appendix A-1 of the Zoning Ordinance to permit the construction of second floor living space (master bath and walk-in closet) within 10-feet of the lake where 50-feet is required.

Mr. Pellegrini read the case into the record. Mr. Bielinski presented his case and read the supporting facts into the record. Mr. Bielinski presented a photo of the existing house. Mr. Bielinski explained that he would like to remove the shed roof and add a second floor in order to add a closet and master bathroom. Mr. Gustafson questioned the deck shown on the proposed second floor plan. Mr. Bielinski explained that he did not add the deck to his request because he meets the side setbacks and when he spoke with the Shoreland Protection Control they did not have a problem with the deck. If he needs to get another variance for the deck Mr. Bielinski will do so. The deck will be off of the master bedroom. Mr. Gustafson asked Mr. Prebble, Building Inspector, if Mr. Bielinski builds the deck will he need a variance. Mr. Prebble said that this is a *gray area*. It should be built now as he is doing the addition because it is an integral part of the house. Stairs, eaves etc. do not count in regard to setbacks. Mr. Prebble said this deck does not enlarge the footprint or add living space. Mr. Pellegrini said that the deck should be included to the building permit application. Mr. Gustafson asked if the deck was addressed in the permit denial. Mr. Prebble answered that it was not included in the denial. The Chairman closed the public portion of this case. Mr. Gustafson motioned and Mr. Pellegrini seconded the motion to go into Deliberative Session. Passed unanimously 5-0.



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Deliberative Session, Case #31-2005

Mr. Gustafson motioned and Mr. Roy seconded the motion to grant Case #31-2005 to allow the increase in volume over the existing footprint per the plan submitted. Passed unanimously 5-0.

Minutes

Mr. Gustafson motioned and Mr. Pellegrini seconded the motion to approve the June 14, 2005 minutes. Passed unanimously 5-0.

Other Business

Mr. Gustafson advised the Members that he left a message for David Sullivan, Town Manager, regarding the memo sent to the Selectmen regarding the ZBA vote to extend Mr. Roy's and Mr. Doyle's terms through March 15, 2006. Mr. Gustafson has not received a response.

Mr. Doyle spoke with the Members about procedures used at the Salem, NH ZBA meetings.

Mrs. Kovolyan advised the Members that Attorney Campbell requested to meet with them on July 26, 2005 at 7:00 PM. The Members agreed to that date and time. Mrs. Kovolyan will forward the response to Attorney Campbell.

Mail

- June 2005 issue of *Town and City*.
- American Planning Association to subscribe to *Zoning Practice*.
- NH Housing study regarding Housing & School Enrollment in NH.

Mr. Roy motioned and Mr. Gustafson seconded the motion to adjourn at 8:00 PM. Passed unanimously 5-0.

The next meeting of the Zoning Board of Adjustment is scheduled for July 26, 2005 at 7:30 PM in the Planning & Development office.

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