



BOARD OF ADJUSTMENT

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

Zoning Board of Adjustment Minutes March 9, 2010

Board Members:

Mark Samsel – Chairman
Jim Tierney – Vice-Chairman
Dianna Fallon – Secretary
John Alosso – Member
Tom Murray – Member
Bruce Richardson – Alternate
Elizabeth Dunn – Alternate

Staff:

Michael McGuire – Building Inspector
Patricia Kovolyan – Administrative Assistant

Seat Alternates

The Chairman appointed Mr. Richardson to replace Mr. Murray for Case #7-2010.

Lot #17-M-5, Case # 7-2010

Applicant – Edward N Herbert Associates Inc.
Owner – Dennis & Sharon Rogers
Location – 17 Armstrong Rd
Zone – Residential A

A variance is requested from Section(s) 401, 405.2, 405.5 & 702 & Appendix A-1 of the Zoning Ordinance to permit the owner to raze and reconstruct a year round pre-existing non-conforming structure on a pre-existing non-conforming lot with a larger dwelling which does not meet frontage, area, front, side and rear setback requirements. The proposed dwelling is to be 30 feet from Armstrong Rd., 10 feet from the northeasterly side line, 18 feet from the southwesterly side lot line. A deck and stairway is proposed which will be 14 feet from the southwesterly side lot line. The lot has 73.80 feet of frontage on Armstrong Rd. a public way.

Mrs. Fallon read the case into the record. Mr. Peter Zohdi of Herbert Associates representing the owner, submitted packets to the Board, displayed plans and presented the case. Mr. Zohdi showed on the displayed plans the location of the existing septic system, house, garage and leach bed that will be removed. He also showed where the proposed house and garage will be located. A new enviro septic system is proposed. Mr. Zohdi presented this plan to the Conservation Commission on February 25, 2010. Mrs. Fallon read into the record a letter from the Conservation Commission dated March 4, 2010. The letter states ... *The Commission is pleased that pervious pavement and a drywell to collect roof water are proposed for this site... The*



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Commission voted unanimously that they are not opposed to the presented plan. The footprint of the proposed house is 2064 square feet and that results in an 18.79% lot coverage. Mr. Zohdi went thru the packet he submitted. The packet contained the following items:

- Application to Zoning Board.
- Permit Denial.
- Letters of Authorization.
- List of Abutters.
- Mailing Labels.
- Deed.
- Zoning Sections Pertaining to this application.
- Existing Site Photos.
- Architectural Plans.
- Copy of Plans.

Mr. Zohdi showed on the displayed plans the elevations for the proposed house. The elevations are in “tune” with other homes in the neighborhood. A Shoreland Permit Applications was submitted to the NH Department of Environmental Services Wetlands Bureau. Mr. Zohdi read the supporting facts into the record.

Mr. Joseph Leonard of 19 Armstrong Road spoke in support of this request.

Mr. Alosso motioned and Mrs. Fallon seconded the motion to go into Deliberative Session.

Motion Passed 5-0.

Deliberative Session, Case #7-2010

Mr. Richardson mentioned that he is in favor of the dry well set up. Mr. Alosso said that the enviro septic system would be a benefit. Mr. Tierney spoke about the unique shape of the lot. Mr. Tierney motioned and Mr. Alosso seconded the motion to grant a variance for Case #7-2010 per the plan submitted and dated January 2010. **Motion passed 5-0.**

The Chairman replaced Mr. Richardson with Mr. Murray for the balance of this meeting.

The Chairman appointed Mr. Richardson to replace Mr. Alosso for Case #3-2010.



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Lot #9-A-400, Case #3-2010

Applicant – Steven A. Clark for Marc Sneider

Owner – Brian Bauchman

Location – 120 Haverhill Road

Zone – Rural

A rehearing is requested regarding the decision made by the Zoning Board of Adjustment on January 26, 2010.

The Members discussed continuing the rehearing in order to have more time to review the request. It was suggested that the case be moved to the March 23, 2010 meeting but Mr. Marc Sneider, the applicant, said he did not have a problem moving the case to the April 13, 2010 meeting. Mr. Tierney motioned and Mr. Murray seconded the motion to continue the rehearing request of Case 3-2010 to the April 13, 2010 meeting subject to receiving a letter from the applicant. **Motion passed 5-0.** Mr. Sneider submitted a letter requesting to be put on the April 13, 2010 agenda.

The Chairman replaced Mr. Richardson with Mr. Alosso for the balance of this meeting.

Approval of February 23, 2010 Minutes

The February 23, 2010 minutes will be reviewed at the March 23, 2010 meeting.

Miscellaneous Board Business

Support for CTAP Grant Funding – Laura Scott

Mr. Tierney motioned and Mr. Alosso seconded the motion to support CTAP Grant Funding.

Motion passed 5-0.

Correspondence

- Memo from Laura Scott regarding the 2010 Planning Board Work List.
- February 2010 Issue of *NH Town and City*.
- NH Office of Energy & Planning 17th Annual Spring Planning & Zoning Conference scheduled for May 8, 2010.

Mr. Alosso motioned and Mr. Tierney seconded the motion to adjourn. Motion passed 5-0.

The next meeting of the Zoning Board of Adjustment is scheduled for March 23, 2010 at 7:30 PM at the Town Hall.

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