

**TOWN OF CHESTERFIELD, NH
ZONING BOARD OF ADJUSTMENT**

**MINUTES
March 15, 2006**

Present: Chairman Burt Riendeau, Andy Cay, John Perkowski, Harriet Davenport, Alternate Carol Ross and Selectmen's Representative Jon McKeon.

The Zoning Board of Adjustment met at the Chesterfield Town Office on March 15, 2006 at 7:30 PM. Riendeau introduced the Board and explained the evening's procedures. The following items were covered:

1. Wanda & Michael Kirker request a Variance from Article 204.5 Section C, Rear Setback to allow an addition within the rear setback. The property is located at 31 Cady Ln, Spofford (Map 8 Lot B7) Rural/Agricultural zone.

Mrs. Kirker advised that the existing stairway to the second story is unsafe and not to code. The addition would correct this situation. The proposed addition is a single story. There is currently 15 sq ft of the house in the rear setback and the proposal adds 59 sq ft for a total of 74 sq ft within the rear setback. The house was built in 1978. The driveway comes off Cady Ln and goes uphill to the house built on a plateau. A portion of the existing garage is also within the setback.

The Kirkers presented pictures showing the house and the slope of the land. They advised that the lot behind them goes up a hill is landlocked with no structure. The Board asked if any neighbors could see their house. Kirker advised that the neighbor to the north, Quintillio, would be able to see it. She pointed out the approximate location of his house on the map. There were no abutters present and no calls or notes from abutters had been received.

Perkowski moved to close the public portion. Davenport seconded the motion, which carried unanimously.

Davenport noted the hardship in the land due to the slope.

Cay moved to approve the application as presented. The Board finds that the application of the Boccia analysis for an area variance is needed to enable the applicant the proposed use. The benefit sought cannot be achieved by some other method; specifically there is an existing dwelling there and this is the logical place to put the expansion they have proposed. There doesn't appear to have any negative impact on abutters. The nature of the land is such that it slopes and has limitations for expansion in other directions. The Board finds the request to be sensible and reasonable and meets the 5 points for a variance.

Criteria for approval:

A. Denial of the variance would result in unnecessary hardship for the property owner seeking it. Yes

- B. The granting of the variance would not be contrary to the spirit and intent of the ordinance. Yes*
- C. The variance is in the public interest. Yes*
- D. Denial of the variance would result in injustice. Yes*
- E. The variance will not diminish the values of surrounding properties. Yes*

Perkowski seconded the motion, which carried unanimously.

2. Doris Hauert requests a Special Exception for Article 300.4 Section C to extend the permitted use of the temporary mobile home until completion of renovation in the house. The property is located at 64 Merrifield Rd, W Chesterfield (Map 24 Lot A6) Rural/Agricultural Zone

Fran Hauert advised they were approximately 70% complete. He believes the 6-month extension would be sufficient to complete the project. His building permit expires August 2006. Ross advised that Greenwood has inspected the progress on the site and said it was going well. No abutters were present.

Perkowski moved to close the public portion. Cay seconded the motion, which carried unanimously.

Cay moved to grant the request as applied for to renew the use of the mobile home for another 6 months.

Criteria:

- A. The special exception is specifically authorized by Article II of this ordinance. Yes*
- B. The proposed use will not be injurious or detrimental to the neighborhood. Yes*
- C. Any special conditions required by Article II, Article III or Article V will be complied with. Yes*
- D. The proposed use will not make an excessive demand on municipal services. Yes*
- E. The proposed use will not generate traffic volumes that will overburden existing roads and streets. Yes*
- F. The proposed use will not have an adverse impact on the natural environment. Yes*

Perkowski seconded the motion, which carried unanimously.

3. Other

- **NHOEP Planning & Zoning Conference info – Saturday, April 1, 2006**
- Cay updated the Board regarding the Camp Spofford v. Town of Chesterfield.

4. Review Meeting Minutes

- **2/14/06 Meeting Minutes** – Cay moved to approve the amended minutes. Perkowski seconded the motion, which carried unanimously.
- **2/18/06 Site visit minutes** – Cay moved to approve the minutes. Perkowski seconded the motion, which carried unanimously.

5. Adjournment: The Board adjourned at 9:45 PM.

Respectfully submitted,
Carol Ross
Secretary

Approved:

Burton Riendeau
Chairman
Zoning Board of Adjustment

Date: _____