

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

**MINUTES  
January 9, 2007**

**Present:** Chairman Burt Riendeau, Andy Cay, Harriet Davenport, Alternates Tony Souza and Renee Fales, Select Board representative Dan Cotter and Code Enforcement Officers Chet Greenwood and Jeff Cunningham.

The Zoning Board of Adjustment met at the Chesterfield Town Office on January 9, 2007 at 7:30 PM. Riendeau introduced the Board and explained the evening's procedures. The following agenda items were heard.

**1. Frederick Jr & Carol Turner** request a Variance from Article 203.4 Section C, Coverage, to permit the replacement of existing garage with a garage connected to the house. The property is located on 159 North Shore Rd, Spofford (Map 5D Lot A19) Residential/Spofford Lake District.

Robin Turner was present representing her parents. She advised that the existing structure coverage is 10.45%. This would be increased to 13.57% with the attached garage but will not increase the living space. She stated that proposal is to replace the existing garage that is structurally unstable with a single story garage attached to the house. It meets all the setback requirements.

The Board reviewed the presented plans. The redesign is an attempt to meet the Town requirements by minimizing the impact. Turner stated the hardship is that the existing garage is too small to accommodate their vehicle. The proposed 21 x 24 ft garage would house their car and a boat. It has a flat roof design with a deck on the top and is built on the natural grade. The drainage plan for the garage roof would divert the water to the streambed at the rear of the property. The proposal would also replace the eyesore that is the existing garage and increase the surrounding property values.

The Board asked what the elevation of the proposed garage would be. Turner stated that the height of the garage would be 8 ½ ft with an inside height of 7 ½ ft to accommodate a door opener. The garage would be accessed from the basement of the house and a stairway from the back yard to the roof deck. The proposed garage would be shorter than the existing one because it has a flat roof and the existing has a standard pitch roof.

Turner advised that the rear stairs have been calculated into the coverage. Riendeau explained that the allowable structure coverage is 10% with a total impermeable coverage of 20%. Mr. Turner advised that the garage would take up part of the driveway. There would be no turn around coming out of the garage as they back into the driveway now.

There were no abutters present, however, the abutters' concerns of the previous meeting were replacing the older garage with a nicer looking structure and the drainage that would be caused by the new garage has been taken care of with this new plan.

Greenwood asked if there was any infringement on the setbacks. Turner advised that it would not and they are only asking for relief for coverage.

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

Board discussion: Fales stated that they have minimized the expansion from the previous application and addressed the Board's concerns of increasing the living space. Souza advised they have done a good job of changing the proposal and making less of an impact.

*Cay moved to approve the application as submitted. The Board finds that it meets the 5 criteria and is consistent with the Boccia analysis as it represents a reasonable use of the property and they have made good faith efforts to address the prior concerns of the Board and have come up with a design to minimize the impact and is consistent with Boccia.*

*Criteria for approval:*

A. *Denial of the variance would result in unnecessary hardship for the property owner seeking it. Boccia analysis for hardship:*

➤ *The special conditions of the property make an area variance necessary in order to allow the development as designed. Yes*

*And;*

➤ *The same benefit cannot be achieved by some other reasonable feasible method that would not impose an undue financial burden. 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*

*Fales seconded the motion, which carried unanimously.*

## **2. Review 12/12/06 Meeting Minutes**

*Cay moved to approve the 12/12/06 meeting minutes. Davenport seconded the motion, which carried unanimously. (Voting members: Riendeau, Cay, Davenport and Souza)*

## **3. Other**

Riendeau advised that the Zoning Board's request to the Planning Board regarding adding a Variance limitation ordinance to the Zoning Ordinances was approved by the Planning Board and will now go to Town Meeting for approval.

**4. Adjournment:** The Board adjourned at 7:58 PM.

Souza had taped the meeting and took notes.

Respectfully submitted,

Carol Ross  
Secretary

Approved:

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Burton Riendeau  
Chairman  
Zoning Board of Adjustment

Date: \_\_\_\_\_