

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

**SITE MEETING MINUTES
May 10, 2007**

Present: Chairman Burt Riendeau, Andy Cay, John Perkowski, Alternates Lucky Evans and Jim Larkin.

The Zoning Board of Adjustment met at 6:00 PM on site for the following applications.

1. The continuation of **Jason Bafundi's** request for a Variance from Article 205.5 Section B, Side Setback to permit a 10 x 16 ft garden shed within the side setback. The property is located at 563 North Shore Rd, Spofford (Map 6A Lot C6) Village district.

The Board walked the property.

Perkowski moved to approve the application as submitted. The Board finds hardship in the land and no other practical place to locate the shed. The hardship is the topography of the land, the location of the well and septic. This variance permits a 10 x 16 ft one story saltbox type shed one foot off the property line including the overhangs.

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*

*The motion was seconded and carried by majority vote. (3-Yes: Perkowski, Larkin & Evans
2-No: Cay & Riendeau)*

2. The Board then proceeded to **Cory Shepherd's** property to continue the hearing on his request for a Variance from Article 203.4 Section C, Coverage, to permit a 760 sq ft garage addition to replace 700 sq ft of decks and sheds to be removed. The property is located at 535 North Shore Rd, Spofford (Map 5J Lot E7) Residential district.

The Board viewed the property.

Cay moved to grant relief under a variance for the construction of a 24 x 32 ft addition to the house and that we understand there is some uncertainty of the square footage of the lot.

The Board's best guess is that either a variance isn't required or if a variance is required it is a small amount of sq footage above the 10% allowed for a building. We are granting relief in order to allow that 24 x 32 ft addition as it has been presented to the Board. We find that it is consistent with the Boccia analysis and meets the other criteria for a variance. As proposed the height would be less than the existing peak and as proposed the shed building will be removed and approximately 2/3 of the pavement will be removed in the turn around area.

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*

Evans seconded the motion, which carried unanimously.

Adjournment: The Board adjourned at 7:00 pm.

The motions were taken from the tape recording made at the site visits.
Respectfully submitted,

Carol Ross
Secretary

Approved:

Burton Riendeau
Chairman
Zoning Board of Adjustment

Date:_____