



Meeting Minutes
Zoning Board of Adjustment (ZBA)
(Approved July 20, 2022)
June 15, 2022 at 7:00p.m.

1. CALL TO ORDER

T. Hardekopf called the meeting to order at 7:00 p.m.

2. ROLL CALL

Members Present: Tracy Hardekopf, George Bailey, Andre Laprade, Paul Thibodeau, Cheryl Huckins

Staff Present: Town Planner: Vanessa Price, Code Enforcement Officer: John Huckins

3. ACTION ITEMS CONTINUED FROM May 18, 2022

- A. [121-30-GR-22-Var \(Owner: Richard Townsend\)](#) Request by applicant for a variance from Article 4, Section 4.1.1 Table 2 to allow setbacks from two road frontages 18.7' and 27.3' from Hall Road and 27.3' and 21.8' from Rosemary Lane where 40' is required and 23.2' from the side where 30' required on a .24-acre lot in the General Residential Zoning District.

Applicant (R. Townsend) emailed Town staff to request continuance to settle boundary line dispute.

A motion was made by G. Bailey and seconded by C. Huckins to continue the application for Richard Townsend to July 20, 2022. The motion carried unanimously.

Roll Call:

C. Huckins-Aye
A. Laprade-Aye
P. Thibodeau-Aye
G. Bailey-Aye
T. Hardekopf-Aye

T. Hardekopf appointed A. Laprade from an alternate to a full Board member.

A motion was made by T. Hardekopf a seconded by G. Bailey to appoint A. Laprade as a full Board member. Vote 4/1abstained

Roll Call:

C. Huckins-Aye
A. Laprade-abstain
P. Thibodeau-Aye
G. Bailey-Aye
T. Hardekopf-Aye

4. ACTION ITEM

A. 115-11-GR-22-ZBAVar (Owners: The ELAR Realty Trust, George & Sara Grumbles) Request by applicant for a variance from Article 4, Section 4.1.1 Table 2- Table of Dimensional Standards to allow 13.7 and 19.1 from the front setback where 40' is required at 55 Cottage Lane (Map 115, Lot 11) on a .36-acre lot in the General Residential Zoning District. BY: N.H. Land Consultants; 683C First NH Turnpike; Northwood, NH 03261.

T. Hardekopf gave a brief description of the application.

Scott Frankiewicz from N.H. Land Consultants and Dwayne Watson from Unified Builders, Inc represented George and Sara Grumble. S. Frankiewicz presented a plan to the Board that the left shows existing conditions and on the right side was the proposed conditions. S. Frankiewicz explained that they supplied photos, Cottage Lane maintenance agreement signed by Mr. Grumbles and a letter of authorization from Mr. Stillwagon to allow Cottage Lane to be upgraded. S. Frankiewicz explained to the reason was because Cottage Lane was on Stillwagon's property. S. Frankiewicz explained that they also supplied a cost estimate from K.J. Fisher and Sons, LLC for the upgrades of the road along with an approved plan from Robert Lenzi (2014) showing the Cottage Lane right of way to access this lot. S. Frankiewicz explained that the Grumbles lot was .36-acre lot they are proposing a two-car garage with living space above the garage. S. Frankiewicz explained the reason for the addition was they are moving here full time and he has medical needs for a garage for his needs for access to the house its more ADA complaint than it was currently. S. Frankiewicz explained the conditions of the road as it exist and would be hard for a vehicle to turn around. S. Frankiewicz explained that D. Watson has reviewed this with Chief Walker.

D. Watson explained that they have had public safety vehicles a couple of times to get side by side.

S. Frankiewicz explained that the cost to cut the tree would cost more than upgrading the road. S. Frankiewicz explained that they need to submit a shorelands permit and explained that there was 15,011 s.f. on the west side of Cottage Lane and only 165 s.f. of impact on the right side of Cottage Lane to upgrade it.

S. Frankiewicz explained they are before the Board for Article 4 Dimensional Requirements, 4.1.1 Minimum Standards and showed the dimensions on the plan. S. Frankiewicz explained that they assumed that Cottage Lane was the front setback so that would be the 40' setback and they are asking for a variance to 13.7 on the southerly corner and 19.1 on the northerly corner of the garage they meet the setbacks for the north and south boundary. S. Frankiewicz explained what they were asked for setback relief.

G. Bailey made a motion to continue the application. No second.

The Board had a lengthy discussion about the plan.

The Board voted to go into non-public.

Roll Call:

C. Huckins-Aye

A. Laprade-Aye

P. Thibodeau-Aye

G. Bailey-Aye

T. Hardekopf-Aye

The Board went into non-public session with the Town Attorney.

G. Bailey rescind his motion for continuance.

S. Frankiewicz read the five criteria for the variance:

PART IV – If this is a JUSTIFICATION FOR VARIANCE

The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.

- ☐ 1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

The existing parcel is accessed by a private road, known as Cottage Lane. The parcel is 0.36 acres, and uniquely shaped which leaves very little buildable area or area to expand the small existing house.

- ☐ 2. Granting the variance would be consistent with the spirit of the Ordinance.

The reduced setbacks and the improvements to Cottage Lane will improve the access to the neighborhood by fire/rescue and not impede any movement around the house or affect the abutting properties.

- ☐ 3. Granting the variance will not result in diminution of surrounding property values.

Granting the variance will allow the owner to utilize the property as their primary residence and increase the value of the property. The improvements proposed to Cottage Lane will add value and safety to the neighbor

- ☐ 4. Granting of the variance would do substantial justice.

Granting the variance will allow the owner to utilize the property as primary residence and improve the access, not only to the subject property, but also the adjacent property located on Tax Map 115 Lot 12.

- ☐ 5. Granting of the variance would not be contrary to the public interest.

The variance would not be contrary to the public interest as the general public will not be effected by this variance, but the improvements to Cottage Lane will improve safety not only the subject property, but the neighborhood as a whole.

A motion was made by C. Huckins and seconded by P. Thibodeau to grant the variance for 55 Cottage Lane. The motion carried unanimously.

Roll Call:

C. Huckins-Aye
A. Laprade-Aye
P. Thibodeau-Aye
G. Bailey-Aye
T. Hardekopf-Aye

5. REVIEW AND APPROVAL OF MINUTES

A motion was made by P. Thibodeau and seconded by T. Hardekopf to approve the meeting minutes of April 20, 2022, as written.

Roll Call:

P. Thibodeau-Aye
T. Hardekopf-Aye

G. Bailey-Aye

6. ADJOURN

A motion was made by T. Hardekopf and seconded by P. Thibodeau to adjourn the meeting at 7:46 p.m.

Roll Call:

C. Huckins-Aye

A. Laprade-Aye

P. Thibodeau-Aye

G. Bailey-Aye

T. Hardekopf-Aye

The next meeting will be held July 20, 2022, at 7:00 p.m. at the ECLC 77 Ramsdell Lane.

**** Please note that all votes that are taken during this meeting shall be done by Roll Call vote. ****

Visitor Orientation to the Zoning Board of Adjustment Meeting

Welcome to this evening's Zoning Board of Adjustment meeting.

Copies of agendas and a sign-in sheet are available for visitors.

Meeting Access

In-Person

Early Childhood Learning Center (ECLC)

Multi-Purpose Room

77 Ramsdell Lane, Barrington, NH 03825

Remote Meeting Participation

Video: barrington.nh.gov/zbmeeting

Call in: [+1 603-664-0240](tel:+16036640240) and Conference ID:

874 769 462#

Meeting Materials

Additional details regarding each agenda item and all supporting documentation can be found online at <https://www.barrington.nh.gov/zoning-board-adjustment>. Please contact the Land Use department with any questions via phone at (603) 664-5798 or email at planning@barrington.nh.gov. Files on the applications and items, above, including the full text of any proposed ordinances, regulations, or other initiatives are available for inspection in the Land Use Department Office, Monday through Thursday from 8:00 a.m. to 3:00 p.m.

Special Accommodations

The Town of Barrington requires 48 hours' notice if the meeting must be modified for your participation or if special communication aides are needed. Please submit requests to the Land Use Department office via phone at (603) 664-5798 or email at planning@barrington.nh.gov.