

DRAFT MINUTES
ZONING BOARD OF ADJUSTMENT PUBLIC MEETING
**MEETING LOCATION—EARLY CHILDHOOD LEARNING
CENTER**

77 RAMSDELL LANE

Barrington, NH

May 16, 2018

7:00PM

**NOTE: THESE ARE SUMMARY ACTION MINUTES ONLY. A COMPLETE COPY OF
THE MEETING AUDIO IS AVAILABLE AT THE LAND USE DEPARTMENT.**

Members Present

Meri Schmalz

Cheryl Huckins

Raymond Desmarais, Vice Chair

Dawn Hatch

Member Absent

Karyn Forbes, Chair

Alternate Member Present

George Schmalz

Alternate Member Absent

George Bailey

ACTION ITEMS

1. **251-9.2- GR-18-ZBA Var (Owners: Tyler & Katie Rand)** Request by applicant for a variance from Article 4, Section 4.1.1, Table 2 for the front setback proposed to be 37.6' where the requirement is 40' to build a replacement addition on a 4.17 acre lot located at 132 Ham Road (Map 251, Lot 9.2) in the General Residential (GR) Zoning District.

The applicant Tyler Rand represented himself. He explained they were requesting to tear down an existing addition on the back side of their house and replace it with a new structure with no deck. The structure would remain a single family home. Mr. Rand read the justification for the Variance.

Justification for Variance:

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 1790 era primary structure was built with the back of the house 37.6 feet away from the current right of way as shown in the ZBA Plan Map. To alter the current addition requires Zoning Board variance as stated in the Zoning Ordinance Article 4.1.1. The current addition was built well prior to current building standards. Literal compliance

with Article 4.1.1 will prevent unnecessary hardship due to not being able to alter/update the structure to current building standards in regards to both construction, electrical and insulation.

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

Granting the variance will allow for the replacement of the current addition and is consistent with the spirit of the ordinance. The replacement addition will have the same current use, which is a single family dwelling. The proposed addition will not encroach any closer on the setback requirements. The addition would be on the side away from the road and right of way.

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

Granting the variance will allow for greater property value for both this property (132 Ham Road) and the abutting property. The addition construction will be updated to current building standards. The energy efficiency and insulation will be increased drastically. Electrical wiring and heating will comply with all current building requirements. Windows and doors will be new.

4. Granting of the variance would do substantial justice.

Granting the variance will do substantial justice by allowing for modernizing this property to current building requirements.

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

Granting of the variance will not be contrary to the public interest. The replacement addition will be entirely on the side of the house away from the road. There will be less impact to public view as the proposed addition is shorter than current addition thus when looked at from the side, it will not extend as far into the back of the house. The increase of size is only about 93 sq.ft.

A motion was made by M. Schmalz and second by C. Huckins to approve the application for the reasons stated. The motion carried unanimously.

MINUTES REVIEW AND APPROVAL

2. Approval of March 21, 2018.

A motion was made by M. Schmalz and seconded by D. Hatch to approve the March 21, 2018 meeting minutes. The motion carried unanimously

ADJOURNMENT

A motion was made by M. Schmalz and seconded by D. Hatch to adjourn at 7:09 p.m. The motion carried unanimously.

Respectfully submitted,

Marcia J. Gasses
Town Planner and Land Use Administrator