



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Zoning Board of Adjustment

Approved Minutes

June 24, 2014 at 7:30 PM

Board Members:

Mark Samsel, Chairman – Present

Mike Scholz, Vice-Chairman – Present

Heath Partington, Secretary – Present

Jay Yennaco, Member – Present

Jim Tierney, Member – Present

Mike Mazalewski, Alternate – Present

Kevin Hughes, Alternate – Present

Staff:

Dick Gregory, Code Enforcement Administrator

Laura Accaputo, ZBA Minute Taker

The Chair called the meeting to order at 7:30pm, introduced the Board and Staff, and explained the meeting process.

The Chair introduced Dick Gregory, the new Code Enforcement Officer.

Public Hearings

Mr. Partington read Case #26-2014 into the record along with the abutter list.

Lot 22- R Lot 509, Case #26-2014

Applicant/Owner – Matthew & Maria Bowers

Location – 12 Cristy Road

Zone – Residential RD

Variance from the following section of the Zoning Ordinance is requested to allow for the installation of a 280 square foot shed 15 feet from the side lot line where a 30 foot setback is required: **Section 702 & Appendix A-1 Windham Zoning Ordinance.**

Matthew Bowers addressed the Board. He explained he is requesting to build a shed and requires a variance because of the proposed location. He stated the shed will match the style, color, and roof shingles of the home.

Questions/Comments from the Board

- The Chair asked if the shed would be in the WWPD or abut it and Mr. Bowers answered he wasn't sure.
- Mr. Partington asked how far from the driveway the shed would be and Mr. Bowers answered roughly 5 ft.
- Mr. Partington asked if the size of the shed changed from 280 sq ft to 192 sq ft and Mr. Bowers replied the proposed shed will be 12 X 16, 192 sq ft.
- Mr. Bowers then read the 5 criteria into the record.

- Mr. Scholz asked if it was possible to move the shed closer to the driveway and Mr. Bowers replied because of the angle of the property line moving up to the edge of the driveway moving it closer will not change it much. The Chair stated Ms. Scott did not mention WWPDP in her letter and if it is WWPDP they will have to come back for a variance.
- Mr. Tierney stated his concern of not having a full plan and asked if Staff would check the file for the plan.

The Chair called a 5 minute recess while Staff looked for the plan at 7:49pm. The meeting was called back to order at 7:54pm.

- Ms. Scott gave a copy of the plan to the Board.
- Mr. Bowers clarified that the location of the driveway was modified from this plan and is not encroaching on the do not cut buffer.

The Chair opened the hearing to the public at 7:55pm and hearing none the public portion was closed.

Mr. Partington read a letter of support into the record which was submitted by six different abutters; Robert and Susanna Griffith, 10 Cristy Road; David and Vicki Edwards, 14 Cristy Road; Thomas and Tamantha Walters, 15 Cristy Road; Thomas and Karin Gelinis, 11 Cristy Road; Keith and Jacquelyn Byron, 9 Cristy Road; and Robin Frake, 17 Settlers Ridge Road.

Mr. Scholz motioned to go into Deliberative Session, seconded by Mr. Partington. Motion passed: 5-0.

- Mr. Partington stated regarding contrary to public interest and spirit and intent of the ordinance there is no change in character or threat to health and safety; substantial justice is met because there is benefit to the owner and little negative impact to the public as was demonstrated by the letters of support; he stated there will be no diminishment to property values and the location of the driveway combined with the slope in the back of the house is the uniqueness. The Board agreed.

Mr. Scholz motioned for Case #26-2014, Lot 22-R Lot-509, to grant relief from Section 702 & Appendix A-1 and allow the installation of a 192 square foot shed 15 feet from the side lot line where 30 feet is required, seconded by Mr. Partington. Motion passed: 5-0.

The Chair advised of the 30 day appeal period.

The Chair introduced Alex Jensen from Boy Scout Troop 266 who attended the meeting to earn his Communication Merit Badge.

Review and Approval of Draft Meeting Minutes –
May 27

The Board made edits and asked the changes be sent to them before the next meeting.

June 10, 2014

Mr. Partington motioned to approve the June 10, 2014 minutes as amended, seconded by Mr. Tierney. Motion passed: 5-0.

Old/New Business:

- a. Planning Board invite; Master Plan update meeting July 9th.

The Chair read a letter from Ms. Scott inviting the ZBA to attend a Planning Board Master Plan Workshop. He stated he does not believe this is the purpose of the ZBA but encouraged members to attend as citizens.

The Chair informed the Board there will not be a meeting on July 8th as there are no cases.

Mr. Scholz asked Staff to have files and plans available for ZBA meetings and to remind substitute minute takers to apply the draft watermark to the draft minutes.

Mr. Partington motioned to adjourn the June 24, 2014 Zoning Board of Adjustment meeting at 8:20pm, seconded by Mr. Yennaco. Motion passed: 5-0.

These minutes are respectfully submitted by Laura Accaputo, ZBA Minute Taker.

Next Meeting: July 8, 2014 at 7:30 PM