

Nottingham Zoning Board of Adjustment Meeting
Date: Tuesday, October 17, 2023
Official Minutes

1 **Members Present:** Teresa Bascom; Chair, Terry Bonser; Vice-Chair, Bonnie Winona MacKinnon;
2 Member, Kathy Mayo; Member, Robert Desrosiers, Alternate

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4 **Members Absent:** Romeo Danais; Member, Kevin Bassett; Alternate

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6 **Others Present:** Dennis Stephens; Applicant, Cindy Stephens; Applicant, Shawn Dunphy; Attorney

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8 **Call To Order:** The meeting was called to order at 7:00 p.m.

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10 Mr. Desrosiers was seated and voting for Mr. Danais.

11
12 **Public Hearings**

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14 *Case # 23-014 VA Stephens – 36 White’s Grove Rd – App #2*

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16 *Application from Cindy A. and Dennis H. Stephens requesting a variance from Article II, Section*
17 *C.3.(a) of the Nottingham Zoning Ordinance to permit the building of a replacement residential*
18 *structure with less than the minimum 20 foot setback on three property lines. The proposed front*
19 *(east) setback is 7 ft., the proposed rear (west) setback is 15 ft., and the proposed right (north) setback*
20 *is 8 ft. The property is located at 36 White’s Grove Rd. in Nottingham, NH and is identified as Tax*
21 *Map #63, Lot #61.*

22
23 Mr. Dunphy, representing the Stephens, explained that they were requesting the variances for the new
24 home to replace the seasonal camp that was originally built in 1965. The property is on .11 acres on Lake
25 Pawtuckaway. The Stephens would like to update the home and make it more livable. The proposed
26 home will be two stories.

27
28 Mr. Dunphy went through the five criteria and explained how the new structure will satisfy them. He
29 stated there is little to no conflict with the basic zoning objectives. The overall character of the area
30 would not be changed. He stated that the new home would be further away from the lake. The new
31 home would have modern safety standards. The slight increase is only for 4 total feet. If denied, the
32 Stephens would be limited to the small cottage with no heat as is now. The new home will be visually
33 appealing. The surrounding property values would be minimally impacted and improved if anything.
34 There are only two abutters and neither are concerned about the property values. Town officials have
35 stated no safety concerns. The applicants have tried to comply with previous concerns from the first
36 application, which was withdrawn. The residential use is a reasonable one so that the family can get more
37 use out of it. The variance will allow for this reasonable use.

38
39 Mr. Stephens explained that when using the base of the house to measure distance from the lake, it is a
40 four foot difference. But, when measuring using the second floor bump out, there is basically no change.

41 He also explained that there is no issue with the septic placement.

42

43 Ms. Winona MacKinnon questioned Mr. Dunphy as to whether or not his statement regarding most
44 houses in the area not meeting the setbacks was a generalization or true fact.

45

46 Mr. Stephens explained that the two closest abutters in addition to the ones touching them, also do not
47 meet zoning requirements. This is what Mr. Dunphy was referring to.

48

49 Mrs. Bascom wanted the Applicant to clarify what the current setbacks are compared to what they are
50 requesting. Mr. Dunphy explained that the front (east) setback is thirteen (13) feet. The Applicant is
51 requesting to change that to seven (7) feet. The rear (west) setback is currently 13.65 feet. The Applicant
52 is requesting to change that to 15.65 feet. The south side is within the setback. The north side is
53 currently 7.98 feet. The Applicant is requesting to change that to eight (8) feet.

54

55 Ms. Winona MacKinnon asked what the proposed foundation dimensions are. Mr. Stephens explained
56 that the foundation dimensions of the existing house are thirty by thirty six (30 x 36) feet and the
57 proposed house is thirty by forty (30 x 40) feet. The total increase is only four square feet.

58

59 *Ms. Winona MacKinnon made the motion to approve Case # 23-014 VA Stephens – 36 White’s Grove*
60 *Rd – App #2. Mr. Bonser seconded the motion. The motion passed by a vote of 5-0-0.*

61

62 **No Public Comment**

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64 **Updates**

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66 Kathy Mayo is attending training on the upcoming Saturday.

67

68 **Approval Of Minutes:**

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70 The approval of minutes from the July 18th meeting was deferred to the next meeting due to two of the
71 members from that meeting being absent.

72

73 *Ms. Mayo made the motion to approve the minutes from September 12, 2023. Mr. Bonser seconded the*
74 *motion. The motion was approved by a vote of 5-0-0.*

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76 The meeting was adjourned at 7:32 p.m.

77

78 Transcribed per video.

79 Respectfully Submitted,

80 Alana J. Kenney