

Nottingham Zoning Board of Adjustment Meeting
Date: Tuesday, April 16, 2024
Un-Official Minutes

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

3
4 **Members Absent:** Romeo Danais; Member, Robert Desrosiers, Alternate

5
6 **Others Present:** Alana Kenney; Land Use Clerk, Matthew Brady; Applicant, Peter Landry;
7 Surveyor, William Gillespie; Applicant, Leslie DeJesus; Abutter, Mike DeJesus; Abutter

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

10
11 Mr. Bassett was seated and voting for Mr. Danais.

12
13 **Public Hearings**

14
15 **Case # 24-003 VA Gillespie – 5 Kenison Pond Rd**

16
17 *Application from William and Donna Gillespie requesting a variance from Article II, Sections*
18 *C.2.(b,c,and e) of the Nottingham Zoning Ordinances in order to permit the building of a single*
19 *family home. The proposed road frontage is 45 feet where 200 feet is required by the ordinance.*
20 *The proposed driveway would serve three (3) residences where the maximum is stated to be two*
21 *(2) in the ordinance. The proposed lot does not have an approved septic yet. The property is*
22 *located at 5 Kenison Pond Rd in Nottingham, NH and is identified as Tax Map #32, Lot #4.*

23
24 Mr. Gillespie, of 30 Forest Street in Rowley, MA, explained that he was looking to purchase the
25 property at hand but before doing so, needed to make sure he had a variance for the frontage of the
26 lot since there was only 45 feet of frontage. He also wanted to make sure he would be able to build
27 a third house on the driveway since normally only two are allowed. He explained that he had
28 permission from the owner, Mrs. Linda Hodgkins, to come in front of the Board.

29
30 Mr. Gillespie explained that he had already applied for a driveway permit and was waiting for the
31 reply. There was discussion about the type of road the houses were on and it was agreed that it
32 was a private road and not a Town road.

33
34 Mr. Gillespie explained that the house on the lake at the end of the road is only used as a seasonal
35 camp. It had building permits pulled in 2013 so it has been updated and used. The current owner
36 of the road allows passage for those owners but does not plow or take care of the road for them.
37 He did not plan to do so either and was not planning to upgrade the road.

38
39 Mr. Gillespie read his responses to the five criteria while explaining that he only wanted to put one
40 home on the 22 acres of property.

41
42 Mrs. Bascom opened the Public Hearing at 7:26 p.m. There were no comments. She closed the
43 Public Hearing at 7:26 p.m.

44
45 ***Bonnie Winona MacKinnon made the motion to accept Case # 24-003 VA Gillespie – 5 Kenison***
46 ***Pond Rd. Terry Bonser seconded the motion. The motion passed by a vote of 4-0-1.***

47
48 Ms. Winona MacKinnon explained that the findings of fact were that the case meets the five
49 criteria required, that it was of reasonable use, and that it falls within Nottingham’s guidelines for
50 back-lots.

51
52 Mr. Bassett chose not to vote due to a request for more information.

53
54 **Case # 24-004 VA Brady – 28 Case Rd**

55
56 *Application from Matthew Brady requesting a variance from Article II, Sections C.2.(b) of the*
57 *Nottingham Zoning Ordinances in order to permit a lot with less than the required road frontage.*
58 *The proposed frontage would be 159.18 feet where 200 feet is required in the ordinance. The*
59 *property is located at 28 Case Rd and Robinhood Drive in Nottingham, NH and is identified as*
60 *Tax Map #9, Lot #2.*

61
62 Mr. Bonser offered to recuse himself from the case since he is an abutter of the property. The
63 applicant agreed that he could stay seated.

64
65 Mr. Landry, the Surveyor, introduced himself and Matthew Brady, who is the owner’s nephew
66 looking to build a house on the land. He explained that they were looking for a variance to build
67 on a lot with less than 200 feet of frontage. He stated that the plans he presented were not exact
68 due to the fact that the land has not been properly surveyed yet. Mr. Landry explained that since
69 the land is in the Aquifer District, he understands that the lot will need to be three (3) acres.

70
71 Some members of the Board had trouble finding the location of the property since they were
72 looking on Case Road. The future proposed driveway would actually be on Robinhood Drive.

73
74 Mr. Landry read the five criteria and responses. He stated that he understands that there are special
75 conditions on the property including wetlands, that it is located in the Aquifer Protection District,
76 and it is possibly on a flood zone boundary. He explained that the driveway would be better on
77 Robinhood Drive than Case Road since it would have to go through wetlands if it was put on Case
78 Rd. It is better for the environment if put on Robinhood Drive.

79
80 The applicant has chosen not to pursue a Lot Line Adjustment with a neighbor in order to get the
81 actual amount of required frontage. They chose to go with a variance instead.

82
83 Mrs. Bascom opened the Public Hearing at 7:59 p.m. There were no comments. Mrs. Bascom
84 made sure the abutters from 21 Case Road did not want to make a comment. They stated that they
85 were just there to observe out of curiosity and had no problem with the case. The Public Hearing
86 was closed at 8:01 p.m.

87
88 ***Kathy Mayo made the motion to approve Case # 24-004 VA Brady – 28 Case Rd with less than***
89 ***200 feet of frontage. Bonnie Winona MacKinnon seconded the motion.***

90
91 Mrs. Bascom asked if there was any further discussion.

92
93 ***Mr. Bassett made the motion to amend the original motion, adding that the case be approved***
94 ***with the condition that the frontage on the final survey was no less than 10% of what was***
95 ***presented, which would create a minimum of 144 feet. There was no second to this motion and***
96 ***therefore, the amendment failed.***

97
98 ***There was a vote on the original motion, which passed 4-1-0.***

99
100 Mrs. Bascom reminded the applicant of the 30 days for anyone to appeal the decision.

101
102 **No Public Comment**

103
104 **No Updates**

105
106 Mrs. Bascom asked Ms. Kenney about the upcoming Office of Planning and Development
107 workshop. Ms. Kenney stated that she would have to look into that further.

108
109 **Approval Of Minutes: 03/19/24**

110
111 ***Kevin Bassett made the motion to approve the minutes March 19th, 2024. Mr. Bonser seconded***
112 ***the motion. The motion passed by a vote of 5-0-0.***

113
114 The meeting was adjourned at 8:11 p.m.

115
116 Respectfully Submitted,
117 Alana J. Kenney