

# NOTTINGHAM ZONING BOARD OF ADJUSTMENT

May 30, 2017

*Approved: October 10, 2017*

**Members Present:** Mike Russo, Chair; Bonnie Winona-MacKinnon, Vice- Chair; Teresa Bascom; Peter White; Terry Bonser

**Members Absent:** Kathy Bowse, Alternate; Kevin Bassett, Alternate

• **Others Present:** JoAnna Arendarczyk, Land Use Clerk; Paul Colby, Code Administrator; Dennis & Bertha Fowler, Applicants; Christopher Guida, Fieldstone Land Consultants, PLLC; Christopher Abbott

**Call to order:** 7:00pm

**Public Hearing**

**Public Hearing Opened:** 7:00pm

**Case 17-005-VA**

*Application from Bertha & Dennis Fowler requesting a Variance from Article II Section C.1.c of the Zoning Ordinance to permit a two (2) Lot Subdivision with the lot line placement resulting in less than 30,000 square feet of buildable area. The proposed subdivision can meet the requirement but would result in non-conforming building setbacks for the existing barn and/or the barn being on the new lot and not with the existing dwelling. The property is located at 50 Priest Road in Nottingham, NH and is identified as Tax Map 20 Lot 4*

Mr. Guida represented the applicant's case. Using the big screen provided by Mr. Colby as well as his colored plan he pointed to the wetland areas on the property. The property has 19 acres and approximately 850ft of frontage, much of the acreage is wetland. Due to the amount of wetland and the Town setback requirements they are not able to subdivide into three (3) lots as desired however, two (2) lots are feasible. The wetlands also prevented any other configuration. The buildable areas have good, well drained soils, very conducive to a septic system. The test pits were done during drought but were sandy, so even in wet conditions the soils are still very well drained. The proposed subdivision can support the setback and buildable area requirements but the current barn would then be on the new lot, not with the current house. The applicants seek relief to allow for the contiguous building are to be split with the proposed lot having less than the required 30,000 square feet in order to maintain ownership and use of the existing barn as part of the existing house. The proposed new lot line keeps the barn and house within the required setbacks. There is a small woodshed in back that encroaches slightly more on the line that can be relocated if necessary.

The Town owns some land abutting the property, including some in conservation.

The variance criteria responses were verbally summarized by Mr. Guida (file)

**Public Comment Opened:** 7:23pm

The one abutter present came out of curiosity

**Public Comment Closed:** 7:23pm

**Motion Made By:** Mrs. Bascom to "approve the request on **Case 17-005-VA** from Bertha & Dennis Fowler requesting a Variance from Article II Section C.1.c of the Zoning Ordinance to permit a two (2) Lot Subdivision with the lot line placement resulting in less than 30,000 square feet of buildable area. The property is located at 50 Priest Road in Nottingham, NH and is identified as Tax Map 20 Lot 4."

**Seconded By:** Mr. Bonser

**Vote:** 5-0-0 **Motion Passed**

**Public Hearing Closed:** 7:25pm

For the Nottingham Zoning Board of Adjustment  
JoAnna Arendarczyk; Land Use Clerk

**NOTTINGHAM ZONING BOARD OF ADJUSTMENT**  
**May 30, 2017**

45 **Minutes**

- 46     • May 2, 2017

47 **Motion Made By:** Mrs. Bascom to “accept the Zoning Board of Adjustment minutes for May 2,  
48 2017 as written and amended.”

49 **Seconded By:** Mr. White

50 **Vote:** 5-0-0 **Motion Passed**

51 Summary of Findings were filled out

52 **Adjournment**

53 **Motion Made By:** Mr. Russo

54 **Seconded By:** Mrs. Bascom

55 **Vote:** 5-0-0 **motion passed**

56 **Adjourn at:** 7:37pm

For the Nottingham Zoning Board of Adjustment  
JoAnna Arendarczyk; Land Use Clerk