

NOTTINGHAM ZONING BOARD OF ADJUSTMENT

May 16, 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; Roscoe Blaisdell, Surveyor; Matt Shramek, Applicant; Carolyn Kelley, Abutter; Astra Holmes, Abutter; Patricia & William Casson, Abutters; Sarah Evans, Applicant; Matthew Harvey, Abutter; Robert & Pamela Davies, Applicants

Call to order: 7:07pm

Public Hearing

Public Hearing Opened: 7:07pm

Case 17-003-VA

Application from Robert and Pamela Davies requesting a Variance from Article IV Section T.2.(a) of the Zoning Ordinance to permit a Backlot Subdivision of a lot of record after March 9, 1993. The property is located at 364 Stage Road in Nottingham, NH and is identified as Tax Map 32 Lot 23.

Mr. and Mrs. Davies presented their case and gave a brief history about their property. They described the existing conditions which were not entirely on the plan they presented. They had a survey of the property done in the past and used that plan with the proposed new lot line and updated the abutters, however their home wasn't on the plan which confused the members of the Board. After some discussion to clarify the current conditions and the applicant's intent Mr. Davies outlined the responses to the supporting information required in the application (file). Mr. Chairman then opened the discussion to the public.

Public Comment Opened: 7:22pm

William Casson, of 363 Stage Road expressed concern of a new home being built across the street from him. Mr. and Mrs. Davies replied that the house would likely be built further back from the road.

Public Comment Closed: 7:24pm

Motion Made By: Mr. Russo to approve Case 17-003-VA as written.

Seconded By: Mrs. Bascom

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

Public Hearing Closed: 7:25pm

Public Hearing Opened: 7:26pm

Case 17-002-VA

Application from Sarah Evans requesting a Variance from Article II Section C(a) of the Zoning Ordinance to permit a two (2) lot subdivision with one (1) lot having 195 feet of frontage where 200 feet is required. The property is located at 70 Ledge Farm Road in Nottingham, NH and is identified as Tax Map 58 Lot 6A.

Sarah Evens and Matthew Harvey presented the case. They explained that when they purchased the lot they were told they had about 406 feet of frontage but the recent survey results came back about five (5) feet short of the 400' needed to split the lot into two with both lots resulting in the required 200' of frontage. One lot would have 195 feet of frontage which they are requesting relief for.

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

NOTTINGHAM ZONING BOARD OF ADJUSTMENT

May 16, 2017

The plans presented to the Board were from a previous subdivision they did in the past which did not show just the lot they intend to subdivide currently. Ms. Evens indicated, on the larger plan she had with her, the lot she intended to subdivide and the Board requested the proposed new lot line be drawn on the plan to make the proposal clearer to them. Ms. Evens did so and the Board accepted the amendment to the plan.

Public Comment Opened: 7:35pm

There were no abutters present to speak to the case.

Motion Made By: Mr. Russo to accept Case 17-002-VA with the condition of the “as drawn” plan from the applicant showing the approximate boundary line.

Seconded By: Mrs. Bascom

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

Public Hearing Closed: 7:37pm

Public Hearing Opened: 7:38pm

Case 17-004-VA

Application from Matthew & Diane Shramek requesting a Variance from Article II Section C.2 of the Zoning Ordinance to permit a single family dwelling within 15’ where 50’ is required. The property is located at 35 Raymond Road in Nottingham, NH and is identified as Tax Map 53 Lot16.

Mr. Blaisdell explained that Mr. and Mrs. Shramek plan to demolish the existing “dilapidated” house and build a new one further off Raymond Road than the current house is. They location for the new home couldn’t meet the setback requirements for wetlands which led to the Variance request.

It was noted that the septic would be about 35’ off the road where 50’ is required (Mr. Blaisdell was unaware of the change to this setback requirement in our Zoning Ordinance). The Board considered requiring a separate hearing for this so it could be posted and the abutters would be notified or allow the request to be added as an amendment to the current hearing. With the understanding that there are 30 days after the Notice of Decision for an appeal to the Board’s approval the Board agreed to accept a the written additional Variance request at this hearing. Mr. Russo also requested gutters and a holding tank or rain garden to assist in runoff control, due to the increase in impervious surfaces so close to the wetland area. The applicant agreed to the request.

Public Comment Opened: 7:47pm

One abutter spoke (name not stated) she was concerned where the new home would be placed but was content with the new location.

Mr. Blaisdell wrote an additional Variance request for the setback requirement for the septic. The applicant signed the request and it was added to the file.

Motion Made By: Mr. Russo to accept Case 17-004-VA as written and amended:

1. Incorporate low impact development standards by installing gutters and cistern/dry well to minimize impact to wetlands
2. To accept applicants amended for a variance from the front setback requirements of the town for the septic to allow the septic to be 30’ of the frontline instead of 50’ as required by the Zoning Ordinance.

Seconded By: Ms. Winona MacKinnon

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

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

NOTTINGHAM ZONING BOARD OF ADJUSTMENT

May 16, 2017

88 **Public Hearing Closed: 7:58pm**

89 **Minutes**

90 • May 2, 2017 - Tabled

91 **By-Laws**

92 **Motion Made By:** Mr. Russo to accept the By-Laws as amended

93 **Seconded By:** Mrs. Bascom

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

95 The signature page was signed by those present.

96 **Adjournment**

97 **Motion Made By:** Mr. Russo to adjourn

98 **Seconded By:** Mrs. Bascom

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

100 **Adjourn at: 8:01pm**

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