



**Zoning Board of Adjustment
Town of Eaton
Evans Memorial Building
Eaton, NH 03832
603-447-2840**

May 2, 2016

The Zoning Board of Adjustment met on Monday, May 2, 2016 in the Town Hall. Present were Chairman Steve Larson, Carol Mayhofer, Robert Malvesta and Robert Bridgham. The meeting was called to order at 7:10 pm.

Robert Malvesta made a motion, seconded by Robert Bridgham, to waive the reading of the Minutes and to adopt the Minutes of April 4, 2016 as written. Motion unanimously carried.

Case # 201604 – Denise Frappier – Special Exception

At 7:13 pm Chairman Steve Larson opened the Public Hearing on an application from Denise Frappier for a Special Exception under Article VI, Sections 3 & 5 of the 2016 Zoning Ordinance for property located at 122 Glines Hill Road (Map R03 Lot 03-B). Steve Larson read the application and reviewed the rules of procedure for the hearing. Steve Larson explained that approval of the Special Exception will require an affirmative vote of three members and that the applicant is entitled to request a recess until a full Board is available.

All notices required by statute had been posted, fees paid and abutters notified. There were no conflicts of interest. Steve Larson explained that there are seven conditions for granting this Special Exception and asked the applicant to address each condition.

Denise Frappier gave a history of the property and noted that the fact that the corner of the house is within the setback was not discovered until the final inspection for the loan closing. Denise Frappier noted that the property is not in the Floodplain, Wetland or Shoreland Protection areas and that the septic system was approved and installed in 2010. Denise Frappier indicated that due to the terrain of the property, the west side of the house is the only feasible location and that the porch will not encroach into the setback more than the existing house and will not adversely affect any neighboring properties. Steve Larson questioned the property abutting the setback encroachment and Denise Frappier indicated that there is no house on the property at this time.

Chairman Larson opened the hearing for public comment. There being no public comment, Chairman Larson closed the Public Hearing and conducted a roll call vote on each of the conditions:

- | | | | |
|------------|--------|------------|--------|
| a. Yes - 4 | No – 0 | b. Yes - 4 | No – 0 |
| c. Yes - 3 | No – 1 | d. Yes - 4 | No - 0 |
| e. Yes - 4 | No – 0 | f. Yes - 4 | No – 0 |
| g. Yes - 4 | No – 0 | | |

Steve Larson questioned whether there will be stairs and Denise Frappier indicated that they will be under the existing overhang. Steve Larson stated that a condition of approval will be that the porch cannot encroach into the setback any more than the existing corner of the house.

Carol Mayhofer stated that the purpose of this Special Exception is for minor items like covers over existing entrance ways and does not believe a farmer's porch is minor. Steve Larson explained that the porch does not encroach any further into the setback than the existing house and that a condition will be that the porch is a minimum of 22-feet from the property line. Robert Bridgham stated that the most crucial reason to approve is that the grade of the land does not permit the porch to be relocated.

Steve Larson made a motion, seconded by Robert Malvesta, that based on the foregoing findings of fact, a Special Exception under Article VI, Sections 3 and 5 be granted with the condition that the farmer's porch shall not be any closer to the property line than the existing house. Motion unanimously carried.

Case # 201605 – Matthew Burke & James Thompson – Special Exception

At 7:34 pm Chairman Steve Larson opened the Public Hearing on an application from Matthew Burke and James Thompson for a Special Exception under Article VI, Sections 3 & 5 of the 2016 Zoning Ordinance for property located at 217 Brownfield Road (Map U02 Lot 13). Steve Larson read the application and reviewed the rules of procedure for the hearing. Steve Larson explained that approval of the Special Exception will require an affirmative vote of three members and that the applicant is entitled to request a recess until a full Board is available.

All notices required by statute had been posted, fees paid and abutters notified. There were no conflicts of interest. Steve Larson explained that there are seven conditions for granting this Special Exception and asked the applicant to address each condition.

Matthew Burke explained that the house is close to the road and that the proposed decks are to the side and rear of the building. Robert Bridgham questioned whether the brook is close to the house and Matthew Burke indicated that it is not close and that the land drops off which is why the decks are configured in this manner. Matthew Burke explained that even though there will be lighting on the deck, it will not have any adverse effect to the neighboring properties.

Chairman Larson opened the hearing for public comment. There being no public comment, Chairman Larson closed the Public Hearing and conducted a roll call vote on each of the conditions:

- | | | | |
|------------|--------|------------|--------|
| a. Yes - 4 | No – 0 | b. Yes - 4 | No – 0 |
| c. Yes - 4 | No – 0 | d. Yes - 4 | No - 0 |
| e. Yes - 4 | No – 0 | f. Yes - 4 | No – 0 |
| g. Yes - 4 | No – 0 | | |

Steve Larson made a motion, seconded by Robert Malvesta, that based on the foregoing findings of fact, a Special Exception under Article VI, Sections 3 and 5 be granted. Motion unanimously carried.

Steve Larson made a motion, seconded by Robert Malvesta, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 7:44 pm.

Respectfully submitted

Lianne M. Boelzner

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