

MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING  
March 13, 2014  
7:00 PM

Meeting called to order by Chair Electra Alessio, present, Ray Donald vice chair, Daryl Branch, Peter Coffin, John Whittier and Tammy Bakie. Mr. Whittier made a motion to approve the minutes for the February 20, 2014 meeting, Mr. Donald seconded, all in favor. Mr. Donald made a motion to nominate Ms. Alessio for Chair, seconded by Mr. Coffin. Mr. Coffin made a motion to nominate Mr. Donald for Vice Chair, seconded by Mr. Whittier. All in favor for both nominations. Discussion followed regarding a work session meeting for the next month there are no scheduled hearings.

**Franma LLC Tax Map U-5, Lot 61**

Mr. Mark Heitz provided photos and stated the restaurant seats 120 indoors and up to 100 outside. Mr. Heitz stated he would like to install pervious pavers that would allow rain to percolate through. Mr. Heitz stated the pavers would make maintenance easier, and would make placing chairs more manageable. Mr. Heitz spoke of the intent of the lot coverage ordinance to reduce the amount of runoff and stated the pavers would accomplish the same thing. Mr. Coffin asked if Mr. Heitz had a sample. Mr. Heitz provided manufacturers information pamphlet. Ms. Alessio asked about the previous owner's patio. Mr. Heitz explained that the previous owner put in a concrete pad, the Planning Board sent him a letter and the previous owner opted to tear up the pad rather than go before the Planning Board and ZBA. A discussion followed regarding Shoreline Protection and how much of a variance was needed. A vote was taken all five criteria passed unanimously. Mr. Coffin made a motion to approve the requested Special Exception and two variances one for up to 60% lot coverage and one for 16.5 feet from lot line, Mr. Donald seconded, all in favor. These variances and Special Exception were granted so that the applicant could construct a patio made of pervious pavers. Mr. Alessio explained the 30 day waiting period.

**Trendezza, LLC Tax Map R-41, Lot 1**

Mr. Christian Smith stated in June 2013 embarked on a lot line adjustment. NH DES has approved septic plan. Mr. Smith stated they required a 20 foot setback to allow for a driveway for the new property line. The lot line

adjustment would provide the Southeast Land Trust of New Hampshire, an access way to the road. Mr. Jon Lariviere the property owner stated he wanted to donate a parcel of land to the Southeast Land Trust for permanent conservation. Ms. Alessio stated if the land was not donated there would be plenty of room for the driveway. The Equitable Waiver of Dimensional Requirements 4 criteria were reviewed. Mr. Donald asked about the acreage. Mr. Lariviere stated 16 acres 11 of which would be donated to the Southeast Land Trust. A discussion followed regarding granting of the variance that would make the lot non-conforming, and easement vs. access. Mr. Coffin stated the denial of the request would hurt the abutter (Southeast Land Trust). A discussion followed regarding changing the status of land. Mr. Smith stated there was no malicious intent, displayed and explained map. Mr. Smith stated they intended to develop property for a 55+ community. A vote was taken on the equitable waiver, all 4 criteria passed. Mr. Coffin made a motion to grant the waiver; Mr. Whittier seconded 3 in favor 2 opposed. Ms. Alessio explained the 30 day waiting period.

#### **JAG Diamond Ranch Trust Tax Map R-11, Lot 12-1**

Mr. Nicholas Golon of TFMoran Inc. stated they would like to subdivide the land located in the Rural Residential District which would create a lot less than 3 acres as required in the aquifer zone. Mr. Golon read the application for a variance. Mr. Jody Lane stated he and his sister own the land and are in support of the proposal. Mr. Kevin Connors stated he was an abutter and was looking for more information. A plan was provided and explained. The trustee of the Edwin & Helen Holt trust asked about the visible changes from Mill Road. Ms. Alessio explained the role of the Planning Board and suggested the abutters attend the Tuesday night meeting. Mr. Branch asked if the land was being split. Mr. Golon stated the subdivision would be beneficial to owner. Mr. Golon stated the electric company would prefer to build on land they owned rather than on an easement. A vote was taken all five criteria passed unanimously. Mr. Coffin made a motion to approve a .531 acre variance, Mr. Donald seconded all in favor. Ms. Alessio explained the 30 day waiting period.

Ms. Alessio adjourned the meeting at 8:45.

Respectfully submitted,

Tammy L. Bakie

Secretary  
Zoning Board of Adjustment

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