

ALSTEAD ZONING BOARD OF ADJUSTMENT
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MEETING MINUTES
February 20, 2017

Note: These minutes are furnished for public inspection in accordance with RSA 91-A:2 and are unapproved until offered for disposition by the Board at a regular meeting. **ACCEPTED AS CORRECTED 3/3/17.**

ZBA Members present: Dennis Molesky/Chairman, Joe Cartwright, Kevin Clark, and David Konesko/Alternate&PB Member.

Molesky/Chairman opened the Meeting at 7:40PM. The 2/6/17 Meeting Minutes were reviewed. A Motion (Cartwright/Clark) was made to accept them as corrected. Motion passed.

In accordance to the Rules of Procedure, Alternate Member Konesko was appointed a Full Member for the purpose of the scheduled continuation Public Hearing.

At 7:45PM the continued Public Hearing for Application #1/2017 for a Variance for Rees and Ann Acheson of 251 Camp Brook Road, for Lot #23, Tax Map #35 in Alstead, NH concerning Article III Section E 3 to allow for a garage to be built within required minimum setbacks from the public right-of-way, was opened. Molesky/Chairman made the Applicant aware that they had the right to be heard before a full Board; The Acheson's waived that right. The Application was reviewed for completeness. A Motion (Clark/Cartwright) to accept the Application as complete was made. Motion passed.

R. Acheson provided an overview of the proposal, explaining that an important criterion for this proposal was to keep ice from building up onto the road and his driveway. Acheson explained they took into consideration the placement of the garage, and the angle of the driveway, so as to not create run-off onto Bley Road, nor to receive run-off from Bley Road. Acheson explained that their land slopes continually downward from the road. The Achesons are proposing to place their garage about 32' from the edge of the road. It was clarified that the Town does maintain the road.

A Motion (Clark/Cartwright) was made to close the Hearing and open Deliberations at 8:01pm. Motion passed.

Konesko asked for clarification on where the measurement of 32' from the edge of the road came from. Both Achesons stated they literally measured from the edge of the existing road. It was discussed, and agreed upon, that the stonewall sits about 3' from the edge of the road. R. Acheson stated he would agree to stipulating that the garage will be built 32' from the property line once it is determined. Molesky stated that he was fine with the measurement coming from the edge of the traveled way. A. Acheson made that notation on the Application. R. Acheson stated that they had 885' of road frontage, and currently the driveway sits on the property line – they have proposed to move it approximately 200' (they have a Driveway Permit already).

A Motion (Cartwright/Clark) was made to close the Deliberations at 8:11PM. Motion passed.

Molesky reviewed the criteria by randomly polling the Members present:

As it pertained to criterion 1) Granting the Variance would not be contrary to the public interest – all Members were in agreement that this criterion was met.

As it pertained to Criterion 2) The use is not contrary to the spirit of the Ordinance – all Members agreed it met this criterion, and there were no further comments.

As it pertained to Criterion 3) Granting the Variance would do substantial justice – all Members agreed it met this criterion.

As it pertained to Criterion 4) Granting the Variance would not diminish surrounding property values – all Members felt this criterion was met.

As it pertained to Criterion 5) Denial of the Variance would result in unnecessary hardship to the owner seeking it; special conditions of the property distinguish it from other properties in the area so no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property – all Members felt this criterion was met.

At 8:18pm, Chairman Molesky stated that the Variance request had passed, and the Achesons are allowed to build a garage 32' from the edge of the traveled way. *Marsden to email Waldmann/Zoning Officer to let him know this.

At 8:20PM a Motion (Clark/Cartwright) was made to adjourn the Meeting. Motion passed.

Respectfully submitted,

Melanie Marsden/Administrative Assistant

The next regular meeting is on Monday, 3/6/16 at 7:30PM at the Alstead Municipal Offices.