

**HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES
February 17, 2011**

Members Present

Vic Lessard, Acting Chairman
John Gebhart
Jack Lessard (Alternate)
Bryan Provencal
Ed St. Pierre (Alternate)

Others Present

Kevin Schultz, Building Inspector
Joan Rice, Secretary

Acting Chairman V. Lessard called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said.

Acting Chairman V. Lessard introduced the members of the Board.

PETITION SESSION

06-11 The petition of Vivianne G. Marcotte, Trustee for property located at 1016 Ocean Boulevard seeking relief from Article 4.5.2 to locate a generator 7 feet from the side lot line. This property is located at Map 132, Lot 537 in a RA zone.

Vivianne Marcotte, Petitioner, came forward. She said she was requesting a variance to locate a generator 7 feet from her lot line. Ms. Marcotte went through the five criteria and said she felt they had been met.

Questions from the Board

Mr. St. Pierre asked if the generator was already on site. Ms. Marcotte replied that it was. She had placed it there prior to finding out she would need a variance.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. Provencal, seconded by Mr. Jack Lessard, to grant Petition 06-11.

Acting Chairman V. Lessard asked the Board members if they felt the five criteria had been met. All members agreed that they had.

VOTE: 5-0-0. Motion passed unanimously.

07-11 The petition of MJT Properties LLC for property located at 18 G Street seeking relief from Articles 1.3, 4.5.2 and 8.2.3 to reconstruct existing roof of the front 2 unit building for aesthetics, safety and code compliance, where the existing building and therefore the roof, does not meet side setback requirements. This property is located at Map 290, Lot 1C in a BS zone.

Attorney Peter Saari, Casassa & Ryan, came forward. He said this is an ongoing project. It is a building that was in poor condition and is being renovated. A deck has been removed and a great deal of work has been done inside. The last aspect is to do something about the roof. Attorney Saari went through the five criteria and said he felt they had been met.

Questions from the Board

There were no questions from the Board.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. Provencal, seconded by Mr. Gebhart, to grant Petition 07-11.

Acting Chairman V. Lessard asked the Board members if they felt the five criteria had been met. All members agreed that they had.

VOTE: 5-0-0. Motion passed unanimously.

08-11 The petition of Tuck Realty Corp., through option holder RCC Choice Properties, LLC, for property located at 434 High Street, seeking relief from Articles 3.8, 8.2.3 and 8.2.4 to remove existing two dwellings and construct 10 individual single family dwellings with the land to be in condominium ownership, three+ of the rear units being in an RA zone, unit separation being 14' – 17', rear setbacks being 21' – 40'+, front setbacks being 21' – 25'

and driveway being 20' – 40' from the building fronts. This property is located at Map 166, Lot 8 in a RB/RA zone.

Attorney Peter Saari and Joe Coronati, Engineer, came forward. Attorney Saari said this is not a uniform area. There is a single family home next door and also a nursing home as well as the Victoria Inn in the vicinity. There are a lot of different uses in this area. There are also a lot of wetlands. The project will be out of the wetlands. Instead of going to a large single building with a lot of units, the Petitioner decided to go to single attached family homes. The result is the 10 units requested. The project will necessitate the tearing down of two existing buildings and new buildings will be constructed.

Mr. Coronati said these single family units will have garages for vehicles and storage and screened patios. The roadway system is simple and all parking requirements have been met. Attorney Saari went through the five criteria and said he felt they had been met.

Questions from the Board

There were no questions from the Board.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Mr. Schultz asked about the driveway access. Mr. Coronati said it is already cleared and graveled. Mr. Schultz asked if the wetland area would still be in front. Mr. Coronati said it would, but all structures are out of the buffer.

Mr. V. Lessard asked about snow. Mr. Coronati said snow will be deposited along the roadway and there is also 15 feet between units. If snow is extreme, it will be trucked off.

Mr. V. Lessard asked if approval would be needed from the Conservation Commission. Mr. Coronati said it would be needed. Mr. Gebhart asked if there was any requirement from DES. Mr. Coronati said there was not.

Moved by Mr. Provencal, seconded by Mr. Jack Lessard, to grant Petition 08-11 subject to approval by the Conservation Commission.

Acting Chairman V. Lessard asked the Board members if they felt the five criteria had been met. Mr. Gebhart, Mr. J. Lessard, Mr. V Lessard and Mr. Provencal said the criteria had been met. Mr. St. Pierre said he felt there was a problem with hardship and therefore the criteria had not been met.

VOTE: 3-1 (St. Pierre) – 1 (V. Lessard). Motion passed.

BUSINESS SESSION

It was decided to postpone the approval of the Minutes of January 20, 2011 until the March meeting.

Adjournment

Moved by Mr. Provencal, seconded by Mr. Jack Lessard, that the meeting be adjourned.

The meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Joan Rice