

HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES - Amended
August 20, 2015

Members Present

Bryan Provencal, Chairman
Bill O'Brien, Vice Chairman
Norma Collins, Clerk
Tom McGuirk
Ed St. Pierre

Others Present

Joan Rice, Secretary

Chairman Provencal called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said.

Chairman Provencal introduced the members of the Board.

PETITION SESSION

33-15...The petition of William & Judith Newcomb Revocable Trust/Kenneth & Diane Simpson for property located at 2 Harris Ave. seeking relief from Article 1.3 and Article IV as to 4.5.2 and 4.5.3 for addition of interior living space by enclosing existing porches. No change to existing footprint is proposed. This property is located on Map 295, Lot 8 and in the RB Zone.

Applicants for Petition 33-15 were not present.

Moved by Mr. O'Brien, seconded by Ms. Collins, to move Petition 33-15 to last on the Agenda.

Vote: 5 yes, 0 no. Motion passed unanimously.

34-15...The petition of David R. Brady Jr. for property located at 40 Plymouth St. seeking relief from Article 1.3 and Article IV as to 4.5.2 to remove and rebuild existing non-conforming deck with new to include 6' extension to rear. This property is located on Map 305, Lot 55 and in the RA Zone.

David Brady, Jr. came forward. He said he wants to replace a dated and worn deck with a new smooth lined deck. Mr. Brady went through the five criteria and said he felt they had been met.

Questions from the Board

Mr. O'Brien said on the elevation certificate it appears there is a room below the deck. Mr. Brady said the room will be gone when the project is complete.

Mr. McGuirk said there was an error on the plan. It shows the deck will be expanded by six and a half feet and asked if this was correct. Mr. Brady said it was five and a half feet. Mr. McGuirk said this needs to be corrected on the plan

Ms. Collins asked if the shower would be under the deck. Mr. Brady said it would not.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. McGuirk, seconded by Mr. St. Pierre, to grant Petition 34-15 subject to the correction of the plan.

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

Vote: 5 yes, 0 no. Motion passed unanimously.

35-15...The petition of Michelle M. Parisi for property located at 12 Bruce St. seeking relief from Article 1.3 and Article IV as to 4.5.1 and 4.5.2 to construct a new second floor over the existing first floor. Proposed addition will include one full bathroom, three bedrooms and one enclosed balcony porch. The proposed second floor is to be built directly above first floor; at no time shall the proposed structure extend any further out than the existing first floor. This property is located on Map 262, Lot 10 and in the RCS Zone.

Michael and Michelle Parisi, Petitioners, came forward. Ms. Parisi described the project and said it would provide additional living space for their family. The proposed second level will not exceed the current footprint of the existing dwelling. It will also enhance property values in the neighborhood. Ms. Parisi went through the five criteria and said she felt they had been met.

Questions from the Board

Mr. O'Brien asked about the size of the overhang. Ms. Parisi said it is 8 inches and is the same as the existing roof. Mr. O'Brien said the description of the project should say "same as existing roof line".

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Ms. Collins asked if they would need to move the little shed. Chairman Provencal said they are not required to move the shed.

Moved by Ms. Collins, seconded by Mr. McGuirk, to grant Petition 35-15.

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

Vote: 5 yes, 0 no. Motion passed unanimously.

36-15...The petition of Yamajala Real Estate, LLC for property located at 6 Highland Ave., seeking relief from Article IV, Sec. 4.1.1 for demolition of two existing dwelling units and construction of a three-unit residential structure. This property is located on Map 282, Lot 64 and in the BS Zone.

Henry Boyd, Millennium Engineering, and Ron Tourette, Builder, came forward. Mr. Boyd said petitioner wants to demolish the present structure and construct a three-unit residential structure. This will upgrade the property and will not diminish the value of surrounding properties. The new design will also decrease the sealed surface of the lot and increase setbacks from abutting properties. Mr. Boyd went through the five criteria and said he felt they had been met.

Questions from the Board

Mr. O'Brien said he would like to see a picture of the proposed building. Mr. Boyd said the building has not been designed at this time. Mr. McGuirk said he would also like to see a picture of what is proposed and the petitioners will need to come back to the Board with a design before the petition can be heard.

Moved by Mr. McGuirk, seconded by Mr. St. Pierre, to allow Petition 36-15 to be continued without prejudice until the September meeting at which time it will be second on the Agenda.

Vote: 5 yes, 0 no. Motion passed unanimously.

37-15...The petition of Paul & Aphrodite Backhaus for property located at 470 Winnacunnet Rd. Unit #4 seeking relief from Article 1.3, 4.5.2 and Article VIII as to 8.2.3, 8.2.6 to tear down and rebuild year-round residential structure. New structure to be same/similar in size and character and style to other 17 structures in this multi-dwelling complex. This property is located on Map 222, Lot 59 and in the RB Zone.

Paul and Aphrodite Backhaus, Petitioners, came forward. Mr. Backhaus said they wish to tear down the existing structure and build a new structure which is similar in size and character to the 17 other structures in this complex. The property is already non-conforming and this would help this problem. Mr. Backhaus went through the five criteria and said he felt they had been met.

Questions from the Board

Mr. St. Pierre asked if the roof line would cover the porch. Mr. Backhaus said it would. Mr. St. Pierre asked if this project has been approved by the condo association. Mr. Backhaus said it has been approved.

Ms. Collins asked how far out on to the deck is this project going. Mr. Backhaus said the deck will not go beyond what already exists.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. O'Brien, seconded by Mr. McGuirk, to grant Petition 37-15.

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

Vote: 5 yes, 0 no. Motion passed unanimously.

38-15...The petition of Janis & Parker Diamond for property located at 29 Bonair Ave. seeking relief from Article 1.3 and Article IV 4.5.1 setbacks right side and frontage to add a dormer to the 2nd story room above the garage door. Add 2 windows above garage door.
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Add a full bath in the room above the garage. This property is located on Map 222, Lot 16 and in the RB Zone.

Janis and Parker Diamond, Petitioners, came forward. Ms. Diamond said all work will be done within the existing footprint. This will provide a much needed second bath for the family. The addition is in harmony with the house style and design. Ms. Diamond went through the five criteria and said she felt they had been met.

Questions from the Board

Mr. St. Pierre asked if the property was two lots. Mr. Diamond said it was two lots at one time but was melded into one lot.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. O'Brien, seconded by Ms. Collins, to grant Petition 38-15.

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

Vote: 5 yes, 0 no. Motion passed unanimously.

39-15...The petition of Keith & Sue Petrin for property located at 2 Chase St. seeking relief from Articles 4.5.2 and 4.5.3 to replace an existing shed with a new one and relocate it to the back of the property to create parking. This property is located on Map 274, Lot 56 and in the BS Zone.

Keith and Sue Petrin, Petitioners, came forward. Ms. Petrin said they want to replace an old shed with a new one and move it to the back of their lot. This will increase parking for their neighbors. Ms. Petrin went through the five criteria and said she felt they had been met.

Questions from the Board

Mr. St. Pierre asked where the new shed will be located. Mr. Petrin said it will be a corner shed. Ms. Petrin said the neighbors are in favor of this project.

Mr. St. Pierre asked if there wasn't a triangle of land by the side of the house. Ms. Petrin said there was. Mr. St. Pierre asked if this wouldn't be suitable for the shed and if there was a way to have some kind of buffer from the property line. Mr. Petrin said it would not work to locate the shed there due to other obstacles in the yard.

Mr. St. Pierre said his problem was in allowing one person to do something, he has to listen to any other similar proposals. Chairman Provencal said this is a unique situation because of the drainage and that is a hardship.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Mr. St. Pierre agreed that this was a unique situation

Moved by Ms. Collins, seconded by Mr. McGuirk, to grant Petition39-15.

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

Vote: 5 yes, 0 no. Motion passed unanimously.

Petition 33-15...No applicant present at this time.

Moved by Mr. O'Brien, seconded by Mr. McGuirk, to hear Petition 33-15 next month at which time it will be third on the Agenda.

Vote: 5 yes, 0 no. Motion passed unanimously.

BUSINESS SESSION

Approval of Minutes

Moved by Mr. St. O'Brien, seconded by Chairman Provencal, to approve the Minutes of July16, 2015 as amended.

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Vote: 5 yes, 0 no. Motion passed unanimously.

Adjournment

Moved by Mr. St. Pierre, seconded by Chairman Provencal , to adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Joan Rice
Secretary