

**HAMPTON ZONING BOARD OF ADJUSTMENT**  
**MINUTES – *Draft***  
**October 15, 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**

**44-15...**The petition of Jacques W. & Nicole E. Dion for property located at 17 Dearborn Ave. seeking relief from Article 1.3, 3.3, 4.1.1 for renovation and improvement of a previously non-conforming, now vacant, 3-unit multi-family home to allow for a 2-family home, each unit having 2-bedrooms, with adequate parking and no building expansion. This property is located on Map 144, Lot 56 and in the RA Zone.

Attorney Peter Saari, Casassa & Ryan, said that it had occurred to him that one more variance for this project is needed. They are asking for 3.3, but it appears that 4.7 also applies. Attorney Saari said they would withdraw if the Board felt this was an issue.

Mr. St. Pierre said he felt 4.7 should be in the public notice. Chairman Provencal said he would suggest that the petitioners come back including 4.7.

**Moved** by Mr. St. Pierre, seconded by Ms. Collins, to allow Petition 44-15 to be withdrawn without prejudice.

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

**45-15...**The petition of Alfred C. and Amy E. Confalone for property located at 80 Plymouth Street seeking relief from Article 1.3, 4.5.1 and 4.5.2 to expand and reconfigure the existing two-unit building to make it a single-family residence with a garage and added story, all of which expansion shall be conforming or encroaching no further than at present except for added exterior insulation. This property is located on Map 305, Lot 230-1 and 230-2 and in the RA Zone.

Attorney Peter Saari and Shannon Alther, architect, came forward. Attorney Saari said the petitioners want to turn this property into a single-family home. Parking is sealed surface. The goal is to keep as much of the existing building as possible and add another story. This will make the property more attractive. A lot of effort has gone into keeping everything within the zoning ordinance. Many other homes in the area do not meet the setback requirements. This is a reasonable request. Attorney Saari went through the five criteria and said he felt they had been met.

Mr. Alther said they are working towards adding a new skin to the building to conserve energy. They have a goal to add in ground level parking. There will be an added set of stairs on the south end of the building and the added third floor will afford views of the water.

#### *Questions from the Board*

Mr. O'Brien asked if the driveway would be the same. Mr. Alther said it would.

#### *Comments from the Audience*

Donna Burke, 75 Plymouth, came forward. She said she was very excited about this project. Ms. Burke asked for an explanation on what the variances mean and was provided this information.

Chris Whitley, 79 Plymouth, came forward. Mr. Whitley asked about the open porch. Mr. Alther discussed the porch.

#### *Back to the Board*

Mr. O'Brien said when looking at the drawing it appears that there are horizontal bars on the deck. Mr. Alther said that was correct. Mr. O'Brien said horizontal bars are not allowed in Hampton. Mr. O'Brien said he would also like to recommend that they go with clear glass. Then views would not be obstructed. Mr. Alther said those suggestions were very good and he would look into this and make sure everything meets the codes.

Mr. O'Brien discussed a letter received from Donald G. Tye, 75 Woodstock Street. In his letter Mr. Tye states he is an abutter of this property and requests that the hearing of this petition be postponed for a month for the purpose of allowing him and his wife to meet with the petitioners. Mr. Tye said their concerns were overcrowding, excessive height, harmful environmental impacts and loss of privacy. Mr. Tye claimed he did not receive sufficient notice of tonight's hearing.

Mr. O'Brien said sufficient notice was given to the Tyes and he would recommend that this not be postponed.

**Moved** by Mr. O'Brien, seconded by Mr. McGuirk, to grant Petition 45-15.

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.

### **BUSINESS SESSION**

#### **Approval of Minutes**

**Moved** by Mr. McGuiek, seconded by Mr. St. Pierre, to approve the Minutes of September 17, 2015.

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

Mr. St. Pierre commented on the Harris project. He said he felt there is a distinct difference between a complete teardown of a site and the renovation of an existing site. The Board should not be applying the rules of an empty lot to an existing 50-year old business. There is no reason to change something that works.

#### **Adjournment**

There being no further business, the meeting was adjourned at 7:39 p.m.

Respectfully submitted,

Joan Rice  
Secretary