

## HILLSBOROUGH ZONING BOARD

July 16, 2012

Official Meeting Minutes

Present:

Members: Roger Racette, Chair; James Bailey, III; George Seymour, Robert Hill

John P. Segedy, Recording Secretary

Suzanne White, Karl Bearer, Ann Gater, John Gater

### **CALL TO ORDER**

The meeting was called to order at 7:00 pm by Roger Racette, Chairman.

Shane O'Keefe, Planning Director had provided a staff memo to the Board regarding the meeting's agenda items.

### **ELECTION OF OFFICERS**

**James Bailey moved: To appoint Roger Racette as Chair. Seconded by George Seymour. Motion passed 4-0.**

**Bob Hill moved: To appoint James Bailey as Vice-Chair. Seconded by George Seymour. Motion passed 4-0.**

**Jim Bailey moved: To appoint the person hired by the Selectmen to fulfill the duties of Secretary, currently John Segedy, to the position of Secretary. Seconded by Robert Hill. Motion passed 4-0.**

### **MINUTES**

**December 1, 2011**

**George Seymour moved: To approve the minutes of December 1, 2011 as submitted.**

**James Bailey seconded. Motion passed 4-0.**

### **PUBLIC INPUT/ BUSINESS**

#### **1. APPLICATION FOR VARIANCE - ZONING ORDINANCE SECTION 229-21 & Table 3.**

**Suzanne White, 60 Barden Hill Road (Map No. 11C, Lot No. 249), Zoning: Rural.**

Chair Racette opened the Public Hearing and introduced the Board. He asked and Recording Secretary John Segedy confirmed that the Hearing had been properly noticed to the Public and Abutters.

Roger Racette explained that one of the Board members was absent and that because 3 affirmative votes were required on each of the five criteria this could be a disadvantage to the applicant. He asked if she would like to continue the hearing until a full board could be seated or if she would like to proceed.

Suzanne White answered that she would like to proceed.

Roger Racette read aloud the description of the request from the applicant's application. He noted that although the request was for a variance allowing building twenty feet (20') from the property line, that on the drawing it showed that the corner adjoining the building was actually eighteen feet (18') from the property line.

There was discussion of the discrepancy.

Suzanne White asked to amend her application to be for 18' at the junction with the house and twenty feet at the further corner. The Board agreed by consensus to do so.

Roger Racette asked if the septic system as shown on the plans is new.

Karl Bearer answered yes.

Roger Racette asked why the addition can't be moved over so it would meet the setback requirement.

Karl Bearer answered that the septic system was in the way as it needed to be 10' from the building.

Chair Racette asked that Ms White address the five required criteria.

1 – That granting the proposed variance will not be contrary to the public interest.

Suzanne White told the Board that the building was originally built in 1959 to the standards of the time. She said originally it was probably 200' to the nearest neighbor and even now is treed on the property line in question so that the house (and the proposed addition) is not visible from their house.

Suzanne White said that the addition will provide a safer egress than there currently is.

Karl Bearer said the law was changed around 2003-2006 so he doesn't think the intent was to prevent an addition along the same line as the existing building.

2 – That granting the proposed variance will observe the spirit of the Hillsborough Zoning Ordinance.

Suzanne White said that no one will be able to see the addition because the woods shield it. She said the front of the house won't look any different.

Karl Bearer said the next house is probably over 100' away.

3 – That granting the proposed variance will do substantial justice.

Suzanne White told the Board that the addition will provide an additional and safer egress from the basement, the basement addition will provide needed storage space, and the main room will provide a place to enjoy a view of the yard and woods.

4 – That granting the proposed variance will not diminish the values of the surrounding properties.

Suzanne White said that the view from other properties won't be impacted. She said that if anything the value of adjoining properties will be enhanced.

5 – Not granting the proposed variance will result in an unnecessary hardship.

Suzanne White said that to try to fit the addition within the setback would make the building look off balance. She said there really was no other place to put it because of the septic system.

Karl Bearer said the addition will also allow an exit at ground level.

Chair Racette asked if there were any comments from the public.

John Gater said he lives across the street and he won't be able to see the addition. He said the work that has already been done has made the place look good.

Chair Racette closed the Public Hearing at 7:28 pm.

Chair Racette asked the Board if they wanted to discuss any of the criteria. Consensus of the Board was that no further discussion was needed.

Chair Racette called for voting on the required criteria:

1. Passed 4-0
2. Passed 4-0
3. Passed 4-0
4. Passed 4-0
5. Passed 4-0

**Jim Bailey moved: *To grant the variance requested and amended so that the front corner of the addition be 18' and the back corner be 20' from the property line..***

**George Seymour seconded. Motion passed 4-0.**

#### **OTHER BUSINESS**

##### **Alternate Members**

There was discussion of the need for having alternate members on the Board.

#### **ADJOURNMENT**

**George Seymour moved: *To adjourn.***

**Robert Hill seconded. Motion passed 4-0 at 7:43 pm.**

Respectfully Submitted:

John P. Segedy  
Recording Secretary  
Approved October 4, 2012