

TOWN OF EPPING, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT

Wednesday February 18, 2009

PRESENT: Paul Spidle, Dave Mylott, Ron Nowe, Paul Brown, Bob Jordan; Alternate Patrick Pagnani; Secretary Phyllis McDonough.

CALL TO ORDER: Chairman Spidle called the meeting to order at 7:00 P.M., and appointed Pagnani to sit in for Brown.

GATCHELL FAMILY TRUST -- for a Special Exception concerning Article: VI Section: 6.9(3) (c) to permit a building setback and a Variance concerning Article: 6.9, Section: 3a Maximum Density. Parcel is located at 242 Main Street (Tax Map 022 - Lots 060) in the High Density Residential Zone.

Chairman Spidle announced the Gatchell hearing has been continued to March 4, 2009 at 7:00pm.

PAUL LANOUILLE – Chairman Spidle read notice for a Variance concerning Article: VI Section 6.13 Accessory Dwelling Unit. Parcel is located at 54 Meadowbrook Drive as shown on (Tax Map 017 - Lot 019) in the Rural Residential Zone. There were no abutters present.

Paul Lanouette came before the Board to explain his proposal. He explained there is an existing apartment above the garage and during the closing process found out there was not an approval for the apartment, according to the Code Enforcement Officer.

Chairman Spidle referred to Kramer's letter which states septic is not qualified for a four bedroom. The Chairman stated even if the Variance were granted there would still be the issue of the septic. Lanouette explained it has a separate electric heater and believes a separate well for the water.

Mylott commented he feels it makes sense to have it there and is concerned with the septic that will have to meet all codes and will have to go to state.

Chairman Spidle stated this is a permitted use and has no problem with the plan.

Mylott moved, Jordan seconded the motion to approve the Variance concerning Article VI Section 6.13 Accessory Dwelling Unit to allow the Accessory Dwelling Unit with the condition it meets all current codes including the adequate septic. The motion carried unanimously.

Brown joined the meeting and took his seat and Pagnani resumed his seat.

FARNESE CONSTRUCTION – Chairman Spidle read notice for a Variance concerning Article: III Schedule 1, Front Building Setback, for the construction of a commercial office. Parcel is located at 100 Shirking Road as shown on (Tax Map 035 - Lot 029) in the Industrial Commercial Zone. Abutter present: Costas Tonas.

Christen Smith with Beals Association representing Farnese Construction, came before the Board with the proposal. Smith explained the applicant is requesting the variance to build an office and garage for his business. He explained the parcel is an existing, non-conforming lot with setback issues. Smith explained the application has been before the Conservation Commission because there is a wetlands fill component that's required, and there were comments from them on what can be done to eliminate this is to move the building toward the street and slide it to the south west to minimize the wetlands impact which would burden the front setback.

Smith explained they spoke with the fire captain who stated he had no problem. Smith showed two different scenarios, one showing a 27 foot encroachment into the 75 foot setback. Smith explained what they did to eliminate the 20 feet of drive isle and is with one scenario pushes the building 10 feet closer and slides it to the south west and another scenario which pushes it the full 20 feet closer and slides to the drive isle, resulting in a 37 foot shown on zoning exhibit 30 or a 47 Foot building encroachment into the front setback shown on zoning exhibit 20. Smith explained with the 47 foot setback brings the wetlands impact down and is the Conservation Commissions preference. Smith then presented the two exhibits.

Nowe stated he is in favor of Exhibit 20 and asked how many feet to the south west. Smith noted approximately 10 to 15 feet. Nowe asked how it will effect the well radius. Smith showed it doesn't effect the well radius.

Smith then read the five criteria for the record.

Abutter Tonas asked how much of the wetlands are going to be filled. Smith explained just over 2900 square feet and under the least impact scenario just over 2100 square feet. Tonas explained he is concerned with drainage. The Board explained if the application is approved, Farnesse will then have to go to the Planning Board where Tonas can discuss his concerns on drainage.

Mylott stated he is more favorable with the plan on Exhibit 20 finding it to have the least impact.

Chairman Spidle noted that the application has met all the criteria and has no problem with the plan.

Mylott moved, Nowe seconded the motion to approve the Variance front setback for 47 feet of relief to the front of the building in accordance with zoning plan, exhibit 20 as submitted. The motion carried unanimously.

MINUTES OF 01/14/09 FOR APPROVAL – Jordan moved, Mylott seconded the motion to approve the minutes as amended. The motion carried unanimously.

MINUTES OF 12/22/08 FOR SIGNATURE – The minutes were duly signed.

ANNOUNCEMENT: Brown announced that he is removing himself from the Town's ballot for the position as Selectman due to medical problems.

The Board as a whole thanked Brown and wished him all the best.

ADJOURNMENT: Nowe moved, Jordan seconded the motion to adjourn the meeting at 7:45 pm. The motion carried unanimously.

Respectfully submitted,

Phyllis McDonough,
Zoning Board of Adjustment Secretary

**APPROVAL NOTIFICATION: February 18, 2009 - Minutes of January 14, 2009 were approved.
Minutes of December 22, 2008 were duly signed duly signed.**