

TOWN OF EPPING, NEW HAMPSHIRE**ZONING BOARD OF ADJUSTMENT****Wednesday April 28, 2010**

PRESENT: Dave Mylott, Mike Yergeau, Robert Silva, Mark Vallone, Philip Gamache; Alternate Kim Sullivan; Secretary Phyllis McDonough.

GUESTS: Planner/Code Enforcement Officer Brittany Howard; Building Inspector Dennis Pelletier.

CALL TO ORDER: Chairman Mylott called the meeting to order at 7:00 P.M.

Robert Webb – Chairman Mylott read notice for a Variance concerning Article VI, Section 6.8, sub section 6 of the Zoning Ordinance (installation of a mobile home without HUD approval). Parcel is located at 87 Mast Road, as seen on (Tax Map 031 – Lot 022), in the Residential Zone.

Attorney Mark Sullivan representing Bob Webb came before the Board to explain his request. Sullivan stated a variance from the requirement that the home be approved by HUD...nothing in the zoning ordinance...asked for someone ..no, and asked the building inspector to look which he did.

Submitted a package to the board...

Attorney a warranty sticker is usually attached and asked the manuf if they could supply a sticker and they responded no...

Installation was not installed by a licensed installer Webb had the home reinstalled then installed by a licensed installer.

Sullivan stated they tried to get HUD approval, ...proposed use...the spirit of the ordinance is the manufacturer meets the standard which the Town goes by...the spirit of the ordinance...is to protect values...substantial justice..from the beginning has done what was to be done...the hardship the fact that this zone allows mobile homes.....asking to allow this mobile home and to waive the strict HUD approval....

Yergeau questioned if the date of manufacturer was made available to the building inspector at the time of the issuance of the building permit. Sullivan advised it was.

Code Enforcement Howard explained a manufactured home HUD seal assures that therehave no idea of what's inside the walls.

Building Inspector Pelletier noted he felt Mr. Webb was mislead with the state authorization was going to be okay...found that it goes beyond the State of NH...housing dev is the agency is what dictates life safety...more concerned of the liability...the town adopted if not HUD approved....windows are not egress, what wind loads are...the out is if Mr. Webb finds and engineer has stamped plans and make recommendations to bring up to HUD...that structure could be considered for a CO...

Vallone asked Pelletier if the reason he could not inspect was he is not a licensed engineer. Pelletier responded that is correct, and as an agent of the Town would

Gamache what is in quotes is that from HUD

What is the importance of the State/HUD warranty seal after it gets its HUD each stated...

Pelletier explained HUD is the dominant sticker.

Abutter Greg Comier stated nothing personal with Webb, but is opposed to the mobile being on the site regardless of the codes.

Vallone questioned Comier on what he felt would happen to his property value. Comier stated he felt it would diminish the value of his property even though there's enough woods in between

Yergeau asked about the rebar and how know if it was done to manufacturer's specs. Sullivan had to get the warranty seal. Sullivan noted that the June 15th letter from Dan Kramer stated the pad and utilities are suitable, etc....the pad was reviewed and got the seal.

Sullivan added that the Town has no liability on inspections by the building inspector. Pelletier explained that HUD does not inspect homes prior to 1976.

Gamache...safety issue was the home built to the home...

Chairman Mylott not an issue of the expertise something prior to 76 an engineer ..don't have the ability..not the job of the building inspector to redesign...

Chairman Mylott stated this is not a typical variance request and explained what is being asked for is relief of 6.8 sub section 6..that the...HUD is to make it safe and surrounding neighbors...as a board would be uncomfortable going against the building inspector and the ordinance....not an issue of the property being misshaped...they need to abide by the guidelines....if an option for someone to look at the Sullivan said would do.....

Attorney Sullivan withdrew the application, and explained his client will contact an engineer for the project.

MINUTES OF MARCH 3, 2010 FOR APPROVAL – Yergeau moved, Silva seconded the motion to approve the minutes as submitted. The motion carried 3 – to – 2 with Vallone and Gamache abstaining.

MINUTES OF APRIL 7, 2010 FOR APPROVAL – Yergeau moved, Vallone seconded the motion to approve the minutes as submitted. The motion carried 4 – to – 1 with Gamache abstaining.

MINUTES OF JANUARY 6, 2010 FOR SIGNATURE – The minutes of January 6, 2010 were duly signed.

ALTERNATE APPOINTMENT SLIP FOR SIGNATURE – KIM SULLIVAN – The appointment slip for Kim Sullivan to sit as an Alternate was duly signed.

– Chairman Mylott welcomed Sullivan and Gamache to the Board.

– **ADJOURNMENT**: Vallone moved, XX seconded the motion to adjourn at 7:45 pm. The motion carried unanimously.

APPROVAL NOTIFICATION: April 28, 2010 - Minutes of March 3, 2010 & April 7, 2010 were approved. Minutes of January 6, 2010 were duly signed.

Respectfully submitted,

Phyllis McDonough,
Zoning Board of Adjustment Secretary