

RINDGE BOARD OF ADJUSTMENT

30 PAYSON HILL ROAD
RINDGE, NH 03461
Tel. (603) 899-5181 X100 Fax (603) 899-2101 TDD 1-800-735-2964
www.town.rindge.nh.us

PUBLIC HEARING MINUTES

DATE: April 23, 2019

*Regular members: Janet Goodrich (Chair), Marcia Breckenridge (Vice-Chair),
Phil Stenersen, Bill Thomas, Cynthia Childs*

Alternates:Joe Hill, Susan Wessels, Marty Kulla

Absent:.....Susan Wessels

Recusals:none

ZBA Clerk.....Michele Christian

Others Present..... Dave DuVernay

The meeting convened at 7:00pm with the Pledge of Allegiance.

The clerk announced where the notice of the Public Hearing was posted. Town office, police station, fire station, library, town website, post office.

Kulla read the case before the Board.

Case # 1123: William Estey, 45 Colburn Lane, Rindge, NH, Tax Map 19, Lot 12 for a variance from Article IV, Section B2 of the Rindge Zoning Ordinance to permit the building of a garage less than 15 feet from an abutters property line.

Hill summarized the relative ordinances.

Sitting on this case: Janet Goodrich, Marcia Breckenridge, Bill Thomas, Phil Stenersen, Cynthia Childs

Bill Esty 45 Colburn Road is requesting relief from Article IV Section B2 of the Zoning Ordinance to permit the building of a garage less than 15 feet from an abutter's property. Mr. Esty has an existing shed and deck that is partially on the neighbor's property. The proposed garage is to the left of the house and will be on Esty's property but 8 feet from the existing property line. Linda Tower stated that in the past there were neighbors that had garages put up and the put apartments in. Mr. Estey stated that the garage is going to be used for storage.

Hill moved to go into deliberative session, seconded by Thomas.

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DECISION TREE FOR VARIANCE

Vote 5-0-0

A Variance can be granted only if an applicant satisfies all five of the variance criteria.

The Board determined that:

- 1. The variance would not be contrary to the public interest because it is addresses a current need and corrects a past infringement on the neighbor's property. Vote: 5-0-0*
- 2. Granting the variance would do substantial justice because it removes structures that are on the neighbor's property and allows the owner to build a garage for storage in the only reasonable way. Vote: 5-0-0*
- 3. The variance would be consistent with the spirit and intent of the Rindge Zoning Ordinance because it allows the owner to have storage space in a secured manner in the only reasonable location. Vote 5-0-0*
- 4. Granting the variance would not diminish surrounding property values because two smaller structures that are infringing on the neighbor's property are being replaced with a garage which is a reasonable use of property in the residential district. Vote 5-0-0*
- 5. Special conditions do exist on the property that distinguish it from other properties in, such that literal enforcement of the ordinance results in unnecessary hardship because the typography, placement of the house and septic system preclude placing the garage in another conforming location on the property. Vote 5-0-0*

5A. N/A

5B. N/A

Stenersen moved to grant the variance without conditions, seconded by Thomas.

Vote 5-0-0

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The Variance has been GRANTED. Tel (603) 899-1111 Fax (603) 899-2101 TDD 1-800-735-2964
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Kulla read the case before the Board.

Case #1124: Trevor Young, 262 East Monomonac Road, Rindge, NH, Tax Map 18, Lot 14 for a special exception from the Rindge Accessory Dwelling Unit Ordinance Section 2.

Hill summarized the relative ordinances.

Sitting on this case: Janet Goodrich, Marcia Breckenridge, Bill Thomas, Phil Stenersen, Cynthia Childs

Trevor Young, 262 East Monamonac Road, is requesting relief for a special exception from the Rindge ADU Ordinance Section 2. Trevor Young stated that his contractor completed the application. There will be four cars in a large parking area on the property. The exterior of the building will not be touched so there is no compromise to the abutting property. There are three bedrooms in the house and he is going to add another bedroom in the basement. The septic system is adequate for the number of persons living in the residence.

*Hill moved to go into deliberative session, seconded by Stenersen.
Vote 5-0-0*

DECISION TREE FOR SPECIAL EXCEPTION

A Special Exception may only be granted if all four criteria in Article XV of the Zoning Ordinance are satisfied.

The Board determined that:

- 1. The Board finds that the use will not create excessive traffic, congestion, noise or odors because there is no additional use in the residential district.
Vote 5-0-0*

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2. *The proposed use will not reduce the value of surrounding properties because there will be no change to the exterior appearance of the home or the use. Vote 5-0-0*

3. *There is adequate sewage and water facilities and sufficient off street parking and no evidence has been provided to the contrary. Vote 5-0-0*

4. *The proposed use will preserve the attractiveness of the Town because there will be no change to the exterior of the building.*

Thomas moved to grant the variance without conditions, seconded by Childs. Vote 5-0-0

The Special Exception has been GRANTED.

*Approval of March 26, 2019 Minutes:
Hill noted corrections to the minutes.*

*Childs motioned to approve the minutes of February 26, 2019, seconded by Hill.
Vote: 5-0-0*

Budget adjustment:

*Committee Nominations:
Breckenridge nominated Goodrich to be named Chair, seconded by Thomas.
Vote 5-0-0*

*Stenersen nominated Breckenridge to be named Vice-Chair, seconded by Thomas.
Vote 5-0-0*

Thomas made a motion to adjourn the meeting, seconded by Hill. Vote: 5-0-0

Adjournment 8:08 PM

Respectfully submitted,

*Michele Christian
ZBA Clerk*

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