

HAMPSTEAD BOARD OF ADJUSTMENT MINUTES

JULY 6, 2022

DRAFT

MEMBERS PRESENT : Hank Riehl, Randy Clark, Dale Blaine, Proc Wentworth and alernates Neil Emerson and Jaye Dimando.

The Board addressed a request for a rehearing by Andrea Peters of Matthews and Shore Drive for two variances for construction of a detached garage. Chairman Hank Riehl read from the Board of Adjustment Handbook the procedure for considering the rehearing request. The applicant will need to show that there is new evidence and/or the board had erred in their decision. He said abutters had the right to attend but there would be no comments. Only board members would deliberate, based on the written statement that was submitted with the application. There were letters from both the applicant and from her representative, Jim Lavelle. Hank named Neil as a voting member in the absence of Karen Hanides. Members discussed the original hearing in which Jaye sat in when it was thought that alternate, Neil Emerson was still vacationing in Florida. Upon Neil's return at the start of the meeting, acting chair Randy Clark appointed Neil to sit in as the alternate. Jaye said she was present at the first hearing – although it was for a different request – house vs. garage. Jaye continued as a voting member. Randy said he didn't see anything that was wrong in the prior hearing. Hank said he didn't see any legal basis for granting a rehearing. Dale agreed. The applicant's letter stated that someone had walked her property without her permission. Hank said members typically do drive-bys to familiarize themselves with the properties. Neil said no member has the right to go onto a property without the owner's consent. Randy agreed. Hank asked board members if they felt there was an error made. The applicant was clear who the voting member was. Hank asked members if they felt there were grounds for

HAMPSTEAD BOARD OF ADJUSTMENT MINUTES

JULY 6, 2022

pg. 2

a rehearing. Neil said he wished the Building Inspector was present to clear up some issues. Neil made a motion to grant a rehearing. Dale seconded. The vote was 3-2 to deny. Dale, Hank and Randy voted to deny. Neil and Proc voted to grant.

KATHLEEN COUTURE 3/41

The request was for a Special Exception to permit a home occupation – home baked goods at 3 Longview Drive. Jaye sat in as a voting member. The applicant said she is invested in the community and has been a teacher for 25 years. She proposes to have a pop-up tent bakery open once a week. She will advertise only on social media. The tent is 10 x 10 on Longview Drive. There will be no permanent structure. Parking will be on Longview and not on Main Street. She expects no more than 4-5 cars at a time – the same as at a yard sale. Her hours will be 10 a.m. to 1 p.m. on Saturdays. Hank said he was concerned about parking on Main Street. Randy said he drove by and there was room to park on the lawn but visibility was not good turning right onto Main St. Jaye made a motion to approve the home occupation with the condition a No Parking sign would be posted on Main Street during the hours of operation. Randy seconded the motion and the vote was unanimous to grant the request.

JOHN BARTLETT 3/67

The request was for a variance to construct an addition at 65 Holiday Lane and 41 Blueberry Circle too close to the rear lot line. Neil sat in as a voting member. It would be 16 x 20 with a foundation and 2.6 ft from the line where 50 ft. is required. There is nothing built on 41 Blueberry Circle, which is also owned by the applicant. Randy asked if the two lots could be combined. The applicant said he doesn't want to do that because he wants land to pass on to his children. He said he

HAMPSTEAD BOARD OF ADJUSTMENT MINUTES

JULY 6, 2022

pg. 3

has no intention of selling the vacant lot. Hank asked about the possibility of moving the lot line. Neil said that's asking a lot. Mr. Bartlett agreed. Hank said that adjusting the lot line would give more of a setback (than 2.6 ft.). He said he was not going for the 2.6 ft. request. He added that the lots are small so 30 ft. would work, and if approved it would be whatever works for them. Jaye said they might have to move the shed. Neil suggested that no C.O. be given until the lot line adjustment is completed. The applicant presented letters in favor of the project from seven abutters. Mr. Bartlett said he has spoken with the Town Engineer and the Planning Board office. He said the plan will need to go before the Planning Board and asked what would happen if the plan was denied. Randy said a land swap is very easy for the Planning Board. Hank suggested a conditional approval based on the time frame for getting the amended lot line. Proc said if it goes to the Planning Board it should be quick. Randy noted it could be done by combining the lots. Proc said they could be split later. Hank made a motion to permit the construction of an addition to be not less than 30 ft. from the amended rear lot line after working with the separate departments. It should be substantially built per plan submitted. No existing setbacks shall be reduced. Randy seconded the motion. At this point Neil pointed out that the applicant had not addressed the requirements for a variance. Hank said he was satisfied that they had been discussed during the course of the hearing. Members filled out their variance worksheets. The vote was unanimous to grant the request based on the conditions set forth in the motion.

OTHER BUSINESS

Minutes – The minutes of the June hearing were approved with Hank abstaining because he was not present.

Respectfully submitted,

