

HAMPSTEAD BOARD OF ADJUSTMENT MINUTES

NOVEMBER 2, 2022

DRAFT

Members present – Hank Riehl, Proc Wentworth, Karen Hanides and alternate Jaye Dimando. Also present was Chief Building Official, Kris Emerson.

A copy of the posting notice and abutters' notice is a part of these minutes.

The chairman began by reading a letter of resignation from long-time board member Dale Blaine, effective October 28, 2022. The letter will be forwarded to the Board of Selectmen for action.

Hank explained to those applicants and abutters present that since there are only four voting members on the board and it takes three affirmative votes to grant a request, there is the option of going forward or continuing to the December meeting date. He polled those present and Brittani McLaud, Jonathan and Elizabeth Morse and Jeffrey Duford agreed to go forward with their requests.

BRITTANI MCLAUD 11/131

The request was for a Special Exception for a home occupation – bakery – at 60 Buttrick Road. The applicant explained that she makes cookies and cakes and her husband bakes English muffins and sourdough bread. She has the required N. H. permits and is operating under the Cottage Law. Most products are delivered to customers but she has occasional sales at the end of her driveway from 10-2 but she has no set hours – it could be from 11-3. She said there is plenty of parking and a place to turn around. There are no employees and will be no permanent sign.

PUBLIC COMMENTS – Tim Lovell, representing the Conservation Commission, and Master Plan Committee, told the board that promoting small businesses in town is one of the charges of the Master Plan.

Alex Vellette, 66 Buttrick Rd., said there has never been a traffic issue at that address and he is in favor of the bakery business.

There was a message from abutter, Terri Malcolm, that she had no objection.

THE VOTE – Jaye made a motion to grant the request. Karen seconded and the request was unanimously granted. All agreed the request met the requirements for a Special Exception.

JONATHAN & ELIZABETH MORSE 11/159

The request was for Special Exceptions to permit the demolition and rebuilding of two structures – one with an addition – and the demolitions and rebuilding of a garage at 59 and 75 Cottage Lane. Alex Camm represented the applicants. He said the dwellings were built in 1890 and 1914. Each house has three bedrooms and there is a state-approved septic system. Kris told the board that there have always been two houses on the lot so they are grandfathered and both were declared to be year-round in 1997.

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Alex said there is an application for the Shoreland Permit. No construction will be any closer to the lake and although the footprint will be larger, they will still be within the setbacks. He said they are improving the setbacks. Kris has checked the floor plans for compliance. The garage will be single story. There will be a shared driveway. There will be a full foundation. A floor plan showed a 400 square ft. addition for a family room on the back of a house.

PUBLIC COMMENTS – Becky Gibson, representing the Angle Pond Woods Assoc., said she was told there would be no tree cutting and no added pavement. There was a letter from Daniel and Karen Lewis stating they had no issue with the proposal.

THE VOTE – Hank said there would be votes for three Special Exceptions – one for each structure. The first would be the dwelling with the 400 sq. ft. addition, which would be the closest to the lake - #75. Proc made a motion to permit the tearing down and rebuilding of a structure with a 400 sq. ft. addition which will meet setbacks, per plan submitted. Jaye seconded the motion and the vote was unanimous to approve.

The second was for the rebuilding of the garage at 69 Cottage Ln. Proc made a motion to permit the rebuilding of the garage, per plan presented. Jaye seconded and the vote was unanimous to approve.

The third was to rebuild the other house. Hank made a motion to permit the tearing down and rebuilding of a house within the setbacks, per plan presented. Jaye seconded the motion and the vote was unanimous to approve.

Members felt the request(s) met the requirements for Special Exceptions.

JEFFREY DUFORD 13/35

The request was for a Special Exception to permit a 148ft. metal storage unit to be used as a shed at 3 Cherub's Way. Kris said this is a new home and he had received a phone call from a neighbor complaining about the unit. He said the zoning permits the use of a storage unit for three weeks only. The lot is 5.2 acres. The storage unit is on the lot line. Mr. Duford said he plans to use it indefinitely. He said he works for a construction company and they use them for sheds. He said this was sold as a storage container. Karen called it "an eyesore".

PUBLIC COMMENTS - Direct abutter, Colleen King, showed the board pictures from her property. She said a requirement for a Special Exception is that the subject shall not be detrimental. She said this is "extremely detrimental". She said there has been zoning since 2007 to prevent anything from being detrimental to neighboring properties. She said with five of acres of land she saw no reason for it to be placed so close to her lot line. She said the applicant can't see it from his house. She asked the board to deny the request. Eddie Bonaccorsi, 21 Cherub's Way, said the container is the first thing he sees when he leaves his property and it looks like a dumpster. He said trees have been removed. He said he welcomes Mr. Duford's landscaping and wants to be a good neighbor but there could be a better spot for it.

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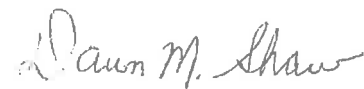
Mr. Duford said he would move it and put it somewhere it couldn't be seen, He added that he would plant trees. Mrs. King said it shouldn't be there at all and that Mr. Duford should build a shed. Noelle Bonaccorsi said if they decided to sell their house that no one would buy it with the container where it is. Karen said the zoning doesn't allow it. Jaye agreed. Hank said he wouldn't want it next to his property.

THE VOTE - Jaye made a motion to deny the permanent use of the storage container as a shed. Karen seconded the motion and the vote was unanimous to deny the request.

OTHER BUSINESS - The minutes of the October meeting were unanimously approved as written.

The request for an appeal, the request for Jock & Moe, and the request of John and Andrea Peters will be heard at the December 7, 2022 meeting.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dawn M. Shaw".