

HAMPSTEAD BOARD OF ADJUSTMENT MINUTES

MARCH 4, 2020

DRAFT

Members present: Geoff Dowd, Dale Blaine, Proc Wentworth and alternates Randy Clark and Karen Hanides. Kris Emerson, Chief Building Official, was also present.

GAIL WITHAM 12/5

The request was for a Special Exception to permit the long-term use of cargo containers for storage at 152 Emerson Ave. Ms. Witham told the board that her house had been flooded and she needed the containers to store her belongings while repairs are being made. Dale recused himself from the board leaving four board members. Geoff explained to the applicant that she would need three affirmative votes and that she might prefer to wait for a full five-member board to have her request heard. Ms. Witham requested a continuance to the April 1 hearing in anticipation of a five-member board. Proc made a motion to permit a continuance to April 1. Karen seconded the motion and the vote was unanimous to allow the continuance.

PETER MAGUIRE & MICHAEL FLYNN 3/100

The request was for a Special Exception to permit the rebuilding of an existing structure in the same footprint on an undersized lot at 44 Island Pond Road. The lot is .263 acres. The owners were represented by Thomas Gregsak, On the Rocks, LLC, who told the board he intends to buy the property. He said there is an updated pump-up septic system. The proposed dwelling will be one and a half stories with two bedrooms, 1700 square feet. There is currently a crawl space and the proposed is a full foundation. The footprint will be no different. He said he will be removing only one large tree and the only thing that will be moved is the sidewalk. Kris said he had reviewed the plans and the initial design needed to be revised because of the height. He said it now meets all the requirements. Randy pointed out that there is a 14 x 17 ft. deck 4.2 ft. from the lot line. Tom said the deck will remain. Abutter, Nancy Condon, asked if there had been a survey of the property. Tom said there was. Abutter, David Riter asked about markers. He said he didn't see any on his side. Tom said they are going to be set. David also questioned a leach field under the driveway. Ken Evangelista said he

HAMPSTEAD BOARD OF ADJUSTMENT MINUTES
MARCH 4, 2020

Pg. 2

was concerned about the height of the house and the loss of his view. Paul Bowen said he will lose his view of the lake. He thinks it will be 30 ft. high if there is a full foundation. There was discussion about the allowed height of the structure. Kris said the maximum height is 24 ft. as shown on the plan. Abutters asked how much higher it will be with the added foundation. Tom explained there will be excavation to provide for the basement. He said the elevation is different in the front and back sides. Randy asked why it needed to be higher. Kris explained that the height is measured from the first floor level to the highest roof peak. He will need to know the current level of the sill plate. A survey will need to set the benchmark for the existing height. The board will need to specify that the foundation will be no higher than 18 inches. Dale made a motion to permit the rebuilding of an existing structure in the same footprint on an undersized lot, per plan submitted, with the condition there will be a survey to establish the height of the existing top of the foundation and the new foundation is to be no more than 18 inches above the existing foundation. Randy seconded the motion and the vote was unanimous to grant the request.

OTHER BUSINESS

Minutes – The minutes of the January hearing were unanimously approved with one correction to the date.

Home Occupations – Kris discussed the provisions of granting home occupation permits which, per the ordinance are allowed in the Residential Zone. Since there is no mention of Zone A specifically in the ordinance – only “Residential Zone” – there was confusion as to whether Zone B is also a residential zone. Property record cards describe Zone B as “B-Residential”. After some discussion it was determined by board members that most of the original lots in Zone B are very small with little to no room for business parking or traffic. For those reasons Home Occupation Permits will be allowed in Zone A only.

Respectfully submitted,

