

1 **Deering Zoning Board of Adjustment**
2 **762 Deering Center Road**
3 **Deering, New Hampshire 03244**

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5 **Minutes of September 28, 2017**

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7 Members Present: David LeFevre, Chair; Larry Sunderland, Vice-Chair; Phil Bryce,
8 Robert Girard.

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10 Others Present: Allen Belouin, Select Board Representative; Robert & Lilian Carter,
11 Applicants; Elizabeth Holmes, abutter; Karl Bearor, contractor; Tom Carr, Meridian
12 Land Services, Inc.

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14 Chair LeFevre called the meeting to order at 7:15 p.m.

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16 Public hearing: Request by Robert and Lilian Carter for a variance from the Deering
17 Zoning Ordinance to construct a 16' x 26' addition to their residence on property owned
18 by the Carter Family Revocable Trust at 211 Lake Shore Road, Tax Map 228, Lot 68.
19 Tom Carr, of Meridian Land Service, Inc. presented a plan of the Carter property
20 showing existing structures, proposed addition, setbacks from Deering Lake, road and
21 abutting properties, and vegetative buffers. The Applicant is requesting a side yard
22 setback of 18 feet, whereas 30 feet is required.

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24 The existing house is a 2-bedroom home, approximately 1,100 square feet in size. The
25 Applicant represented that the purpose of the addition was to add living space; there
26 would not be any additional bedrooms being added. The Property itself is .46 acres in
27 size, with approximately 120 feet of frontage. The Lot is nonconforming. Mr. Carr then
28 explained the proposed addition and how it would meet the specific variance criteria. In
29 response to questions from Board members he described the vegetative buffers and
30 presented photos thereof and explained that the addition would be a single story plus
31 sloping roof with stone drip edges and gutters to deal with the increased run-off from the
32 sloping roof. He further explained the infiltration rate of resulting run-off.

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34 In response to the Chair's inquiry as to abutters' positions, Betsy Holmes, abutter on the
35 east side, stated that they had no objections. Robert Carter then explained that he was
36 also the owner of the property abutting on the west side closest to the planned addition
37 and the small residence thereon was used by family members.

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39 The Chair then closed the Public Hearing and asked for members' comments.

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41 Larry Sunderland mentioned that he had raised the question of a site visit but that the
42 property map presented at the hearing answered those questions and that this and other
43 lakeside parcels were created before the introduction of zoning and thus typically did not
44 meet subsequent setback requirements.

Phil Bryce indicated that the Lot was limiting. He explained that he liked the Applicant's logic regarding the size of the Lot relative to the requested setback that was being requested, and how what was being requested was proportionally equivalent to what was required if the Lot was conforming. Phil indicated he believed the proposed use was reasonable.

Rob Girard has previously observed the Property and believes the addition would not be visible from the abutter's perspective.

David LeFevre agreed with everyone that the proposal was reasonable.

Phil Bryce moved to approve the application for a variance but pointed out that approval of the Department of Environmental Services and possibly other Government agencies could be required. Tom Carr noted that required approval by State agencies and the Deering Planning Board were being sought.

There being agreement by all Board members that the proposed addition was consistent with common practice on lakeside properties, the application for variance was approved 4-0, subject to the requirement that there will be no additional bedrooms, Septic Approval by NH DES, Planning Board approval per the Deering Watershed Protection Ordinance, and the ZBA's standard conditions of approval.

Minutes of previous meeting, April 27, 2017, approved unanimously .

Other business: Chair noted that current budgeted amounts had barely been touched and correspondence from FEMA, DES and the Town was not pertinent.

Alan Belouin mentioned that he had noted an electrician's sign on Tom's garage on Route 149 and that a change of use would have to be approved.

Adjournment: There being no further business, Chair adjourned the meeting at 8:00 p.m.

Minutes prepared by Larry Sunderland.

APPROVED: January 24, 2019

Zoning Board of Adjustment

/s/ David E. LeFevre

By: David E. LeFevre, Chairman