

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

Minutes of June 27, 2019

Members Present: Larry Sunderland, Vice-Chair, Phil Bryce, Rob Girard, Alternate Member Doug Lalmond, Selectmen Representative Allen Belouin.

Others Present: Applicants in Case No.: 2019-03: Steven Ieni, Elizabeth Ieni (Daoust)

Acting Chair Sunderland called the meeting to order at 7:00 p.m. and appointed Alternate Member Doug Lalmond as a voting Member in Case No.: 2019-03.

Acting Chair Sunderland explained to the Applicant the manner in which the public hearing would be conducted when the applicant(s) are the only members of the public present.

Case No.: 2019-03. Request by Steven and Elizabeth for a variance per Deering Zoning Ordinance Article 4, Section 1, Paragraph 4 (b), to permit “the construction of an addition/garage within 30 feet of a property line,” in this case a side lot line, whereas 30 feet is required, on the property located at 1452 Deering Center Road, Tax Map 226, Lot 21.

Mr. Ieni described the proposed single-vehicle 30’ x 23’ garage to be constructed as an attachment to their existing house. He noted that the average distance of the proposed addition from the side lot line (Deering’s Town boundary with Weare) would be 24 feet, but because the end of the existing house is not perfectly parallel with the lot line the upper left corner of the garage would measure only 19 feet from the lot line. In response to a question why the garage dimensions couldn’t be smaller in both length and width Mr. Ieni described how the addition had been sized to accommodate his truck, the extra space allowing him to do repairs on said vehicle, especially in winter, the space allowing a door to be opened from the house into the garage, and the topography of the lot which prevented widening of the structure to allow a shorter length and greater distance from the side lot line.

Asked whether he had contacted abutters about his planned addition, Mr. Ieni stated that he had talked to all but one of his Deering neighbors and that abutter’s house is well distant from his own lot. The response of those he spoke with was positive.

Acting chair Sunderland closed the public hearing and the Board members took up a discussion of the request based on the five variance criteria:

It is consistent with the spirit of the Ordinance to grant variances for valid reasons, in this case a pre-existing triangular lot well under 2 acres in size on an approximately 30 degree slope.

Substantial justice is done as property owners are allowed an opportunity to deal with a difficult topographical situation and to upgrade the value and usefulness of their house.

Surrounding property values would not be affected as the property is relatively isolated and essentially invisible to neighbors.

Proposed addition would not be contrary to the public interest because the value of applicants' property and its safety features would be enhanced.

Hardship: The topography of the lot is in itself a hardship to the owners, especially in winter, and by limiting opportunities to deal with the lot's small size, irregular shape and steep topography the denial of a variance would add to this hardship.

By vote of Board members present the variance request was approved by a vote of 4-0.

Adjournment: There being no further business, Chair adjourned the meeting at 8:15 p.m.

Minutes prepared by Larry Sunderland (6/28/19)

APPROVED: July 23, 2020

Zoning Board of Adjustment

/s/ David E. LeFevre
By: David E. LeFevre, Chairman