

**APPROVED MINUTES**  
**Town of Auburn**  
**Zoning Board of Adjustment**  
**January 28, 2020**

**Present:** Mark Wright, Chairman. Mike DiPietro, Vice-Chair, Stephen Carroll, Dennis Vieira & Kevin Stuart, Members; Dale Phillips and Shawn Matte, Alternate Members of the Board. Minutes recorded by Denise Royce.

**Also, Present:** Carrie Rouleau-Cote, Building Inspector/Code Enforcement.

**Absent:** None.

Mr. Wright called the meeting to order at 7:00 p.m.

Mr. Wright began by introducing the Board Members to everyone present at tonight's hearing and moved on to explain the procedure for tonight's hearing.

Mr. Wright explained to the applicant present tonight that they were the only case on the agenda tonight. Mr. Wright further explained that they would be asked to read their application into the minutes and if there were any abutters present that he would give the abutters time to comment. Mr. Wright noted that there were no abutters present at this time.

**Case #20-01**  
**Shannon DiPietrantonio**  
**100 Appletree Road – Tax Map 17, Lot 77**  
**Zoned Residential One**

*Applicant is requesting a Variance to allow a breezeway to connect existing structures within the front setback; a Variance to exceed the 5% lot coverage in a Residential One zone. (Article 4, Section 4.06(6))*

Mr. Wright again noted that there were no abutters present and asked the applicant to read their application into the minutes for the record. At this time, Mrs. DiPietrantonio read her application for the Board members. Mrs. DiPietrantonio explained that, they were before the ZBA for a Variance to construct the garage a few years ago and now they are back before the Board to connect the house to the garage with a breezeway and presented a drawing of what they are proposing with regard to the breezeway. Mrs. DiPietrantonio also showed a photo of the garage and house and went on to explain that the houses in the area were all once cottages and now they would like to upgrade it to suit the needs of their growing family. Mrs. DiPietrantonio stated that the breezeway would be helpful so that when they come in that they would have a place to put their coats and boats. Mrs. DiPietrantonio also pointed out that garage was approximately 36 feet from the road and that the house was a little bit further back than that.

Mrs. DiPietrantonio explained that there would be a big open room over the garage for the kids and that there is a she shed on one side of the garage and everything would be separated with a fire wall. Mr. Wright asked if there would be a bedroom or bathroom in there. Mrs. DiPietrantonio indicated that they currently have two (2) full bathrooms (one with a tub and one with a shower) and that there would not be another bathroom or bedroom but just an open room.

Mr. Wright asked Mrs. DiPietrantonio about the tree in the front and if they would be keeping it. Mrs. DiPietrantonio commented that she loves the tree but was unsure as some of the limbs were not cut right so they are starting to rot out and if it were to fall that it would probably fall on a portion of the house.

Mr. Wright asked the Board if there were any questions. None were noted. Mr. Wright commented that the breezeway was in the front setback but it will be no closer than the garage. Mrs. DiPietrantonio stated that, if you look at the house that it would be further back than the house. Mr. Carroll asked about exceeding the 5% lot coverage and how much they would be exceeding. Mrs. Rouleau-Cote asked for the dimensions of the breezeway and calculated the percentage for the Board members. Mrs. DiPietrantonio commented that it was 16.9½ by 12 feet. Mrs. Rouleau-Cote stated that, the lot coverage with the house, shed and garage is 6.3% and with the breezeway it will be 6.8%. This was an increase of .5%.

Mr. Wright went on to explain to the Board members that there are two (2) Variances being requested tonight. The Board could approve the Variance for a breezeway to be no closer than the existing house and the other Variance to allow an increase in lot coverage from 6.3% to 6.8% to account for the extra square footage for the breezeway. Mr. Wright indicated that they would take up each Variance separately.

Mr. Wright asked Mrs. Rouleau-Cote if she had any further comments. Mrs. Rouleau-Cote stated that, she has been working with the applicant and did not have anything else to add.

Mr. Wright again asked the Board Members if they had any questions. None were noted. With that said, Mr. Wright asked for a motion to vote on the application starting with the Variance for the front setback.

***Mr. DiPietro made a motion to vote on the Variance request to allow the breezeway within the front setback conditioned upon the addition is no closer than the existing house for Case #20-01, 100 Appletree Road, Tax Map 17, Lot 77. Seconded by Mr. Stuart. Mr. Vieira voted to grant, Mr. Carroll voted to grant as he believed all five (5) factors have been met, Mr. Stuart voted to grant as he believed all five (5) factors have been met, Mr. DiPietro voted to grant as he believed all five (5) factors have been met, Mr. Wright also voted to grant finding all five (5) factors for the Variance have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. Wright moved on to the second Variance request to exceed lot coverage from 6.3% to 6.8% based on the plans submitted to the Board depicting the proposed addition.

***Mr. DiPietro made a motion to vote on the Variance request to increase the lot coverage from 6.3% to 6.8% based on plans submitted to the Board depicting the proposed addition for Case #20-01, 100 Appletree Road, Tax Map 17, Lot 77. Seconded by Mr. Stuart. Mr. Vieira voted to grant as he believed all five (5) factors have been met, Mr. Carroll voted to grant, Mr. Stuart voted to grant as he believed all five (5) factors have been met, Mr. DiPietro voted to grant, Mr. Wright also voted to grant finding all five (5) factors for the Variance have been met. A vote was taken and, all were in favor and the motion passed.***

Mr. Wright explained to the applicant that, they have received the Variances and went on to inform the applicant about the 30-day appeal period where abutters or interested parties may appeal the Board's decision. Mr. Wright also informed the applicant that they have 2 years for substantial completion and if they are unable to complete it within that time that they would have to come back before the Board and request an extension.

Mrs. DiPietrantonio asked the Board that, if she has an existing shed and if they wanted to move it somewhere else on the property what would she need to do. Mrs. Rouleau-Cote informed Mrs. DiPietrantonio that she would have to meet all setbacks.

Mr. Wright thanked the applicant and the applicant also thanked the Board members for their time and exited the meeting.

## **Other Business**

Mr. Wright asked if there was any new business. None were noted. Mr. Wright asked Ms. Royce if there were any cases for February. Ms. Royce indicated that there were no cases received to date but that the deadline was Monday, February 27<sup>th</sup>. Mr. Wright indicated that, assuming that we do not receive any applications between now and Monday that they would have the month off.

Ms. Royce informed Mr. Wright that there were a few members terms that were up and stated that they were Mike DiPietro and Kevin Stuart. Mr. DiPietro stated that he was willing to remain on the Board for another 3-year term. Mr. Stuart also agreed to remain on the Board for another 3-year term. Mr. Wright asked Ms. Royce to prepare a letter indicating that they have agreed to remain on the ZBA for another 3-year term. Ms. Royce understood and stated that she would prepare the letter for the Board of Selectmen. Mr. Wright thanked both Mr. DiPietro and Mr. Stuart for their decision to remain on the Board.

At this time, Mr. Stuart wanted to mention House Bill 1450 that clarifies the authority of zoning boards of adjustment. Basically, *"The law will be easier for all users to understand if working is adopted from the New Hampshire supreme court decisions."* A brief discussion ensued with regard to this HB 1450. Mr. Wright believed this was obviously

something to watch and if this were to occur that we would obviously need to change our application to make sure it complies.

## **Minutes**

***Mr. DiPietro made a motion to accept the minutes of November 27, 2018 as written, seconded by Mr. Carroll. All were in favor with Mr. Wright abstaining, and the motion passed.***

In conclusion, Mr. Wright stated that, if there was nothing else to discuss that he would entertain a motion to adjourn.

## **Adjourn**

***Mr. Stuart made a motion to adjourn, seconded by Mr. DiPietro. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 7:25 p.m.***

The Zoning Board of Adjustment is scheduled for February 25, 2020 at 7:00 pm and will be held at the Town Hall, 47 Chester Road unless otherwise noted on the upcoming Agenda.