

**Wolfeboro Zoning Board of Adjustment
Regular Meeting**

RECEIVED AND RECORDED
August 5th, 2019 8/8, 2019 9:26 ^AM
7:00PM Book No. Page No.
Sarah M. Walter
WOLFEBORO, N.H. TOWN CLERK

Minutes

Members Present: Fred Tedeschi, Chairman, Tim Cronin, Luke Freudenberg, Peter Colcord, Suzanne Ryan (Alternate), Audrey Cline (Alternate), Dave Senecal (Alternate)

Members Excused: Sarah Silk, Vice-Chairman

Staff Present: Matt Sullivan, Director of Planning & Development

Call to Order: Chairman Fred Tedeschi called the meeting to order at 7:00PM.

Continued Public Hearing from July 1, 2019:

TM# 202-47

Case# 08-V-19

Applicant: Louis Esoldo

Address: 16 Lakeview Terrace

Variance: 175-80.A(2)

Agent: Brian Stanley

Fred Tedeschi announced due to the absence of members (Luke Freudenberg, Fred Tedeschi, and Peter Colcord) at the prior meeting, David Senecal, Audrey Cline and Suzanne Ryan would continue to sit as regular members. Regular members could discuss the case but ultimately would not participate in the voting action, functioning as alternate members for the hearing.

Tim Cronin read the public notice for the Variance hearing into the record.

The applicant's agenda, Mr. Bryan Stanley presented a plot plan, showing the proposed garage/carport addition, with the stamp of Licensed Land Surveyor Kevin Ashe, of White Mountain Survey and Engineering.

The plan includes maximum encroachment dimensions as measured to the roof overhang.

Dave Senecal asked if the impervious lot coverage as proposed violates the maximum of 30% for the Residential (R) zone.

Matt Sullivan confirmed that based on tax-map based measurement, it does not appear to violate the 30% restriction, however exact calculations are not presented on the submitted plan.

Audrey Cline requested clarification from Matt Sullivan regarding the definition of 'carport' and 'garage' and its implication on the application.

Matt Sullivan responded (Bryan Stanley confirmed) that in his opinion the proposed project is a garage and it does not alter the application in any way as both are structures.

Audrey Cline requested clarification on the height of the wall and pitch of the roof.

Bryan Stanley responded that the wall will be less than 10' in height and the roof will be a 7/12 pitch.

Tim Cronin request clarification on whether the 13.8' encroachment includes the roof overhang.

Bryan Stanley confirmed that it does.

Matt Sullivan noted that within his review, he had asked for the roof overhang-to-property dimension of the southern encroaching corner be added to the plan, recognizing that it is a lesser encroachment than the 13.8' of the northern corner of the garage.

Bryan Stanley confirmed that it could be added to the plan.

Dave Senecal made a motion to approve, seconded by Tim Cronin to approve TM# 202-47, Case# 08-V-19, Applicant: Louis Esoldo, for a Variance from Section 175-80.A(2) of the Wolfeboro Planning and Zoning Ordinance as requested and include the Planning Director's recommended conditions of approval as presented in the Planner Review dated July 29th, 2019 and as follows and based on the discussion of the Variance criteria at the July 1st, 2019 Zoning Board of Adjustment meeting:

1. All federal, state, and local permits to be received, including but not limited to Town of Wolfeboro Building Permit approval.
2. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
3. The application, as submitted to the ZBA, does not satisfy the submittal requirements for a Building Permit.
4. Construction shall be completed in accordance with the dimensions shown on the "Zoning Board Application Plan", Prepared by Kevin Ashe L.L.S., White Mountain Survey and Engineering, and dated 08/01/2019, as amended to the date of this approval. This shall include a maximum side setback encroachment of 6.2' (13.8' to the property line) as measured to the roof overhang.
5. **The linear dimension to the southeastern overhang shall be added to the Zoning Board of Application Plan and incorporated as part of this approval.**
6. The roof overhang encroachment shall be certified by a Licensed Land Surveyor, in accordance with the dimensions approved by the Board during this hearing, prior to the issuance of a building permit.
7. The Notice of Decision shall be recorded at the Carroll County Registry of Deeds and the applicant shall be responsible for the payment of all recording fees.
8. This Variance shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause.

All in favor. Motion passed 4-0.

Minutes of 05/20/2019:

The following amendments were recommended:

Page 2: Capitalize "Silk" in line 1, paragraph 2.

Page 4: Amend paragraph 5 as follows:

The site is ideal and construction will be minimal. An additional cell carrier in town is good for the residents. The special conditions of the property is that there are no alternative locations on the property with the exception of the proposed location.

Page 6: Amend paragraph 4 to read "The existing owner was granted a permit to lift the structure to repair the foundation."

Motion to approve the 05/20/2019 minutes, as amended, by Luke Freudenberg, seconded by Tim Cronin. No discussion. All in favor. Motion passed 5-0.

Minutes of 07/01/2019:

The following amendments were recommended:

Page 2: With the "Motion Amendment", replace "to scale" with "scaled"

Page 3: Under paragraph 2, replace "may be the garage" with "was that the garage"

Motion to approve the 07/01/2019 minutes, as amended, by Suzanne Ryan, seconded by Dave Senecal. No discussion. All in favor. Motion passed 5-0.

Other Business:

Suzanne Ryan raised a concern regarding the evening's applicant to return to the Board for a plan preparation reason. She suggested the Board and Planning Department need to be clearer about their expectations for plan preparation.

The Board discussed changing the requirements for plans in application submissions including factors such as cost, decision risk, plan clarity, lack of plan scale, in addition to others.

The Board recommended via consensus that the word "Sketch" be removed and leave in place "A Scaled Drawing".

MOTION to adjourn 7:46 pm. All in favor. Motion passed 5-0.



Matt Sullivan

Planning Director