

GOFFSTOWN ZONING BOARD OF ADJUSTMENT  
MINUTES TO MEETING OF SEPTEMBER 13, 2016

In attendance were Alan Yeaton—Chairman, Gail Labrecque—Vice Chairman, Cathy Whooten, Emily Sandblade, and Len Stuart—alternate. Also in attendance were Jon O'Rourke—Planning & Zoning Administrator, and Darrell Halen—GTV.

Alan Yeaton called the meeting to order at 7 pm. He led the Board in the Pledge of Allegiance. He explained the procedures the Board would follow for the hearings and deliberations, as well as the appeal process. He stated if anyone is interested in joining the ZBA, they can contact the Planning office. Len Stuart is a voting alternate this evening.

There were four people in the audience.

**MINUTES**

**Cathy Whooten made a motion to approve the minutes to the ZBA meeting of July 12, 2016. Emily Sandblade seconded the motion. VOTE: 4-0-1. Len Stuart abstained. Motion carries.**

**PUBLIC HEARING**

**Rick & Janice Briggs, Applicants/Owners are seeking a Variance to subdivide the lot into two lots creating one lot that only has 123.47 feet of road frontage on a Town maintain road, whereas 200 feet is required. This concerns Section 4.3. Table of Dimensional Regulations of the Goffstown Zoning Ordinance. The property is located on 476 East Dunbarton Road, (Map 12 Lot 26-1), in the Agricultural zone.**

**Gail Labrecque made a motion to find the application has no regional impact. Cathy Whooten seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.**

Ray Shea presented with the applicant. They are asking for a frontage of 123 feet. It is approximately 15 acres on East Dunbarton Road. There is an existing house not too far off the roadway. The property has about 323 of total frontage, and extends 1500-2000 feet back. There are wetlands and uplands. We are requesting to create a new lot. The remaining 13 acres would have 200 feet of frontage. The remainder would have 2 acres with 123 feet of frontage. WE took information from existing plans of record and from the Town's GIS. It's possible, if approved, that we may need to alter the size of the proposed 2 acre lot. It would depend on the slopes. We want it to be clear that alterations may be required. He addressed the variance criteria as submitted in his application. Granting the variance would not be contrary to the public interest because the public would have no interest nor would they be harmed by the allowance of a single family home to be constructed on this lot as proposed. The spirit of the ordinance is observed because the intent of the frontage requirement is to provide for a reasonable buffer between houses and to help manage lot density appropriate to the area. There would be only two houses on 15 acres which addresses the density and the proposed house will meet the side setback requirements which addresses the buffer between houses. Granting the variance would do substantial justice because it would allow the owner the ability to have a reasonable use of 15 acres other than just one large, oversized house lot. The values of the surrounding properties will not be diminished because there are several properties in the neighborhood with frontage or lot widths less than 200 feet. This similarly reduced frontage lot should not adversely affect the surrounding values. No fair and substantial relationship exists between the general public purposes of the ordinance provision

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and the specific application of that provision to the property because, due to the size of the original tract and the sufficient size of the proposed building location, the public purposes of the ordinance are protected and preserved. The proposed use is a reasonable one. It would allow the owner the ability to use his land similar to his neighbors. Special conditions of the property that distinguish it from other properties in the area are that the parcel is large in acreage, has significant wetlands in the rear of the lot and has only enough frontage for the existing house. It would not be practical to subdivide or develop further with an internal new town road to create additional frontage. He passed out copies of the tax map. The green colors are existing lots and the yellow is the subject lot. .

Gail Labrecque asked if any alteration of the 2 acre lot would be a reduction in size.

Ray Shea said no. The minimum lot size is 2 acres.

Cathy Whooten asked if there is a river.

Ray Shea addressed the plan and pointed out the wetland and brook that exists on the back of the property. There are additional wetlands also.

Alan Yeaton said the back of the property is the Rod & Gun Club.

Cathy Whooten asked about the elevation.

Ray Shea said he had a copy of the town GIS. It drops about 50 feet over the course of the lot. There is no 100 year flood in this year.

Cathy Whooten said the plan reflects that it does fall within the 100 year flood.

Ray Shea said it would be in the northwest area of the property. It's not in the buildable area.

Alan Yeaton said it's pretty wet back there. It's visible water a good part of the year.

Ray Shea said they are confident there is enough area to create a second lot.

Alan Yeaton asked about test pits and well radii and septic setback.

Ray Shea said they've not done test pits.

Alan Yeaton said there are still things to be met and the applicant will show it to the Planning Board.

Cathy Whooten asked how he was able to build the garage in the setback.

Rick Briggs said he bought the property that way.

Ray Shea said the septic was approved by the State. You only have to be 10 feet from the line.

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Cathy Whooten asked where the in-law apartment is and where the well is.

Rick Briggs said it is attached to the house above the garage. The well is in front of the house.

Emily Sandblade said she looked at the topo maps and doesn't have any questions. The elevation is about 70 feet, not 50 feet.

Alan Yeaton opened the hearing to the public. There was no comment from the public and the public hearing was closed.

Ray Shea said it is a reasonable request for the property. They are here for the frontage and may need to alter the size of the lot.

Cathy Whooten asked if he would be okay with a condition that the lot be no smaller than 2.05 acres.

Rick Briggs said he's giving this property to his son, to build the house for his grandkids. Lot size doesn't matter to him.

**Emily Sandblade made a motion to approve the variance as presented, with the condition that the lot have a minimum size of 2 acres, and the Planning Board is to refine where they deem appropriate. Cathy Whooten seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.**

Alan Yeaton said there were no covenants that would restrict the applicant.

Emily Sandblade said she doesn't think this would be out of character with the rest of the area. It would fit in well.

Alan Yeaton said 6 months after it is built, you wouldn't know.

**Gail Labrecque made a motion to adjourn. Len Stuart seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.**

The meeting adjourned at 7:25 pm.

Respectfully submitted,

Gail Labrecque  
Recording Secretary

These minutes are subject to the approval of the Zoning Board.