

DRAFT, SUBJECT TO REVIEW, CORRECTION AND APPROVAL

DUNBARTON ZONING BOARD OF ADJUSTMENT

MONDAY, AUGUST 12, 2013

DUNBARTON TOWN OFFICES – 7:00 P.M.

The regular monthly meeting of the Dunbarton Zoning Board was held at the above time, date and place with Vice-Chairman David Nault presiding. The following members were present:

David Nault, Vice-Chairman
Alison Vallieres, Secretary
Dan DalPra
Wayne Bracey
Michael Kaminski, Alternate

It was noted that John Trottier, Chairman, was out of town.

Other Town Officials:

Kelly Dearborn-Luce, Building, Planning and Zoning Department

Members of the Public:

Ted Vallieres, President, Dunbarton Historical Society
Robert Allwood

David Nault, Vice-Chairman, called the meeting to order at 7:00 p.m.

Meeting Posting:

The Vice-Chairman verified with the Secretary that the meeting notice had been posted in two public places throughout the Town and published in the Concord Monitor for one day. In addition, the notice was posted on the Dunbarton Web Page.

APPROVAL OF PREVIOUS MEETING MINUTES - MONDAY, May 13, 2013

MOTION:

Dan DalPra made a motion that the Dunbarton Zoning Board of Adjustment approve the minutes of the previous meeting of Monday, May 13, 2013 as written. Wayne Bracey seconded the motion. The motion passed unanimously.

7:00 P.M. PUBLIC HEARING – THE DUNBARTON HISTORICAL SOCIETY (H3-01-05) REQUESTS A VARIANCE TO ARTICLE 4, SECTION C. 1. c. DIMENSIONAL REGULATIONS OF THE DUNBARTON ZONING ORDINANCE TO ALLOW THEM TO CONSTRUCT A 16' X 20' ADDITION TO THE PROPOSED 1753 CAPE CLOSER THAN THE REQUIRED SETBACK AT THEIR PROPERTY LOCATED ON 276 STARK HIGHWAY NORTH IN THE LOW DENSITY DISTRICT IN DUNBARTON, NH (THIS PROPOSED ADDITION WILL BE USED FOR RESEARCH AND TO HOUSE THE HISTORICAL PAPERS OF THE SOCIETY)

Alison Vallieres stated she would be stepping down from the Zoning Board on this application because she was on the Board of Directors of the Dunbarton Historical Society. The Board agreed that she would continue to take the minutes of the meeting but would not participate in the discussion or the vote.

Ted Vallieres, President, Dunbarton Historical Society, appeared before the Board on behalf of the Dunbarton Historical Society. Stated the following with regard to the application for a Variance:

- 1. Noted that the Society has always maintained that they will keep the 1753 Cape as original as possible. This would mean that any necessary electrical service would be hidden and be very discrete. Any heat would come from the large center chimney like it was in the 1700's.**
- 2. Originally, prior to receiving the Cape structure, we had talked about making one room off the proposed Carriage Shed as a room for working on and storing historical papers which the Society owns.**
- 3. The Society decided that they should consider making an addition onto the 1753 Cape which looks like the Cape on the outside but is finished inside as a workroom/storage room for our paper collection and artifacts. We have been in the process of preserving our paper collection over the past several years but we need a safe dry place to store them. We need to maintain our collection on our own property. Right now they are in the Old School House.**
- 4. This proposed addition would be 16' x 20' and would be 17' from the St. John's Church north boundary as noted on the plan.**
- 5. With regard to heat/air conditioning, we would consider putting in a similar system as to what the Town recently put in the Town Offices for air conditioning. It also has a heating element.**
- 6. The proposed Cape is 10' from the St. John's northerly boundary and we have already received a Variance for this. This is why we are here before you for the second Variance which would allow us to put the addition 17' from the boundary.**
- 7. There will be no plumbing in the Cape nor the addition. We are considering a chemical toilet.**
- 8. There will be adequate Fire Protection and will work with Fire Chief Jon Wiggin.**

9. The addition will look the same on the outside as the original Cape and will be attached to the back of the Cape.

Abutters were read as follows and noted all had been notified by Certified Mail:

**Robert/Ellen Allwood - Present, Stated he was in favor of the Variance
Theresa Tolman - Not Present
Dunbarton Episcopal Church - Not Present
David Dugrenier Trust - Not Present
Gertrude Dulude Revocable Trust - Not Present
Jacques Belanger Surveying - Present. (Surveyor of the property)**

Ted Vallieres read the questions along with the answers which are necessary for the granting of a Variance as follows:

1. The variance will not be contrary to the public interest because:

The Dunbarton Historical Society is a small non-profit organization dedicated to preserving town history and the location of this building would not infringe on the abutting church property.

2. The spirit of the Ordinance is observed because:

The Fire Chief is recommending that this new addition be placed as far from the abutting Blacksmith Shop as possible because of wood shingle roofs and access to the rear of the property with fire apparatus.

3. Substantial justice would be done because:

Without this Variance, it would be difficult for the Society to access the rear of the property for public events and fire apparatus.

4. The values of surrounding properties are not diminished because:

The Society is reconstructing a 1753 cape as an original historic building and it will blend in with the historic homes and church in the neighborhood. This addition is needed to store and maintain our records.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship

(a) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property, and;

The variance is needed in order to meet the recommended distance between buildings on the site. There is no other location on the property that this building/addition could be reasonably sited.

(ii) The proposed use is a reasonable one.

The proposed use is a non-occupied residential building in a residential neighborhood. This is a reasonable use for storing our records.

Dan DalPra noted that the addition could be made fireproof by putting two layers of 5/8" sheetrock on the walls. This would keep the addition more fireproof in the event the Cape had a fire event.

There being no further comments, the Vice-Chairman closed the Public Hearing at 7:15 p.m.

The Vice-Chairman noted the following members would be voting on this Application:

Nault
Bracey
DalPra
Kaminski

The following motion was made:

MOTION:

Dan DalPra made a motion that the Dunbarton Zoning Board of Adjustment approve the requested Variance to Article 4, Section C. 1.c Dimensional Regulations of the Dunbarton Zoning Ordinance to allow them to construct a 16' x 20' addition to the proposed 1753 Cape closer than required setback at their property located on 276 Stark Highway North in the Low Density District in Dunbarton, NH as presented this evening. Michael Kaminski seconded the motion. The motion passed by a majority vote as follows:

*Nault - Yes
DalPra - Yes
Bracey - Yes
Kaminski - Yes*

Vallieres - Abstained from the vote

MOTION:

Dan DalPra made a motion that the Dunbarton Zoning Board of Adjustment adjourn at 7:20 p.m. The motion was seconded and passed unanimously.

Respectfully submitted,

Alison R. Vallieres, Secretary

