

Town of New Boston  
Zoning Board of Adjustment  
Meeting Minutes

July 21, 2009

APPROVED 09/15/09

Members Present: Chairman David Craig; Harry Piper; Phillip Consolini; Robert Todd, Alternate and Secretary pro tem (Robert Todd excused himself as a participant because of having worked for the applicant).

No abutters to the subject property were present.

Robert Todd stated that all abutter certified mail receipts are in the file and a copy of the notice of hearing printed in the Goffstown News is also in the file.

Chairman Craig called the meeting to order at 7:00 PM in the Town Hall Meeting Room. Chairman Craig explained the implications of there being only three members present and eligible to vote on the application. The applicant stated that he wanted to proceed with the hearing.

Chairman asked the applicant to present his arguments.

Joseph Segien of 83 Clark Hill Road, New Boston, spoke on his own behalf as owner and occupant of Lot 120 on Map 8 requesting relief from Article II, Section 204.4 of the zoning ordinance to allow a garage structure to be built encroaching seven feet into the sideline setback so as to allow a setback of 13 feet where 20 feet is required.

Applicant presented and explained detail of a survey plan (see file) showing the existing structures relative to the property lines and setback lines. The applicant showed the board the lines of the proposed garage, 24' by 30' that he had drawn on said plan.

Applicant answered an inquiry about the status of the existing sheds close to the property line by stating that he intends to remove them eventually (no date given).

In response to a question about putting the garage over the existing well the applicant explained how he will structure it so that he can access it for repair. He also said that he has to install a drain line from the well to the outside of the garage. Members discussed the regulatory control of having a well covered by a structure and it was concurred that there is no regulation affecting the situation as long as the usual water quality requirements are met.

Applicant stated that the garage will have a vehicle door in the front and in the rear of the structure so the back of the lot can be accessed with a vehicle.

Members queried applicant about alternate placements of the garage and his testimony indicated that there are no other location alternatives because of the effluent disposal system location in back of the house.

Members observed that the proposal will result in no less conforming situation than already exists. Chairman noted that this lot was created in the 1970 decade before local zoning setbacks were adopted and made applicable to wider lots than were allowed at the time this lot was approved.

Harry Piper moved that the application be approved because it meets all five requirements for an area variance listed on the application and that the garage be allowed to encroach into the sideline setback not more than seven feet. Phillip Consolini seconded the motion. There was no discussion. All three voting members voted in the affirmative and the variance is granted.

Respectfully Submitted  
Robert Todd (acting clerk)