**NEWMARKET ZONING BOARD OF ADJUSTMENT**

**JANUARY 6, 2020**

**MINUTES**

Present: Bob Daigle (Vice Chairman), Steve Minutelli, James Drago, Wayne Rosa, Jonathan Sack (Alternate), Connor Crowley (Alternate), Diane Hardy (Zoning Administrator)

Absent: Chris Hawkins (Chairman) – excused

**Agenda Item #1 - Pledge of Allegiance**

Bob Daigle appointed Jonathan Sack to fill in for Chris Hawkins.

**Agenda Item #2 - Review & Approval of Minutes: 11/18/19**

This item was held until after Regular Business.

 **Action**

 **Motion: James Drago made a motion to approve the 11/18/19 minutes**

 **Second: Jonathan Sack**

 **Vote: All in favor**

**Agenda Item #3 - Regular Business**

 ***William & Tracy Janelle – Public hearing for an application for a Special Exception, from Section 32-234, of the Newmarket Zoning Ordinance, requested by William & Tracy Janelle, to permit the renovation of a portion of the basement of the house to a one bedroom studio accessory apartment. The property is located at 6 Great Cove Drive, Tax Map U3, Lot 74, R2 Zone.***

 Bob Daigle stated the Board has gone over the information submitted.

 William Janelle stated his wife, daughter and her husband were also present. His son-in-law is just out of the Navy and they are currently living with them, as he is going to school on the GI Bill.

He has another 3½ years to go and they would like to buy a house someday. This space would give them their own space for a while, so that is their immediate intent.

 Diane Hardy read a letter from the Building Official regarding the septic system into the record. It confirms the septic system is approved for four bedrooms. The proposed ADU will bring the bedroom count to three and is, therefore, permissible.

 ***Bob Daigle opened the public hearing.***

There were no comments.

 ***Bob Daigle closed the public hearing.***

Steve Minutelli stated the three questions for the Special Exception have all been answered and all conditions were met.

 Bob Daigle stated the application would be used as Finding of Facts.

 **Action**

 **Motion: Steve Minutelli made a motion to grant the Special Exception**

 **Second: Jonathan Sack**

 **Vote: All in favor**

 ***Lori Hawkins - Public hearing for an application for an Equitable Waiver of Dimensional Requirements, reference NH RSA 674:33-a, regarding a portion of her garage being situated on the abutting property. A boundary line adjustment will be done by the Planning Board at a future date to correct the encroachment and the plan will be filed at the Rockingham County Registry of Deeds. The property is located at 14 New Road, Tax Map U3, Lot 114, R2 Zone.***

 Scott Boudreau, Boudreau Surveying, represented the applicant. He did the survey and discovered the issue with the property lines. The line does go through the building. They do not know when the garage was built. The house was built in 1957. It may have been original to the house. The lot configuration is confusing. The lines are not straight off the road. They go at an angle. That could be why the garage was built where it was. The neighbor to the west also has encroachments that will be addressed at another time. They would like to remedy this for Ms. Hawkins’ property.

 ***Bob Daigle opened the public hearing.***

No comments.

 ***Bob Daigle closed the public hearing.***

He stated the submitted documentation will be used as Findings of Fact.

 **Action**

 **Motion: James Drago made a motion to grant the Equitable Waiver of Dimensional Requirements pursuant to 674:33-a**

 **Second: Wayne Rosa**

 **Vote: All in favor**

***Reading and vote on amendments to the Zoning Board of Adjustment Rules of Procedure.***

Bob Daigle stated this is ready for final vote. There were no additional comments.

 **Action**

 **Motion: Steve Minutelli made a motion to accept the Rules of Procedure**

 **Second: James Drago**

 **Vote: All in favor**

**Agenda Item #4 - New/Old Business**

None.

**Agenda Item #5 - Adjourn**

 **Action**

 **Motion: Wayne Rosa made a motion to adjourn 7:30 pm.**

 **Second: Steve Minutelli**

 **Vote: All in favor**