

**ZONING BOARD OF ADJUSTMENT**

**TOWN OF BARNSTEAD**

**TOWN HALL**

**August 19, 2019 @7:00 P.M.**

**MINUTES**

**CALL TO ORDER:** David Brown, Chair called the meeting to order at 7:00 P.M.

**ROLL CALL:** David Brown, Chair, Rick Duane - Member, Steve Vail - Member, Gary Mullen - Member, Mary Clarke - Alternate, T. McCarthy – Member, Joanie Foss - Alternate/Recording Secretary.  
Absent: Paula Penney - Select Board Representative

**Case No. 0719-254:** Mark & Ronald DeAngelis of 1014 Province Road, Map 3, Lot 22-1, are requesting a variance to **Article 4, Sections 4-2.04, 4-2.05, 4-2.06** of the Town of Barnstead Zoning Ordinances. Article 4, Sections 4-2.04, 4-2.05, & 4-2.06 state **“4-2.04 – Front Yard – Buildings must set back fifty (50) feet from a right-of-way,” 4-2.05 – Side Yard – Buildings must set back a minimum of thirty (30) feet from the sideline, “4-2.06 – Rear Set Back – Buildings must be a minimum of thirty (30) feet from the rear lot line.”** (Amended 3/11/08). If granted, this variance would allow the owners to construct a 24’ x 24’ pole garage on a monolithic concrete slab. Chair Brown explained the procedures to be followed in review of the proposal. First the applicant will make a presentation on the proposed project, and then there would be the opportunity for questions from the ZBA. Chair Brown asked Messrs. DeAngelis to present their application. Messrs. DeAngelis explained that the area they would like to construct their garage does not meet Barnstead’s zoning ordinances. The proposed construction is a one story, angled roof, 24’ x 24’ garage, wood frame/wood exterior, tin roof, 2-door, poured slab foundation, windows, and pedestrian door, wired for electricity. The presence of the garage will not adversely affect the surrounding property values and will not alter the essential character of the neighborhood. Chair Brown asked for questions from the Board. R. Duane asked if they considered putting the garage on the other side of the house or setting it further back from the road, Messrs. DeAngelis along with their builder explained that due to the ground slope it would be costly to fill in those areas to make it flat enough to build.

**PUBLIC HEARING:** Chair Brown opened the public hearing on the application at 7:15 p.m. He called for testimony from abutters and interested parties. The builder stated that the area chosen for the proposed building is the best place on the property for it. Chair Brown asked if there were further questions from the Board, hearing none Chair Brown closed the public hearing at 7:22.

Chair Brown proposed that the board conduct an impromptu site visit, the meeting was moved to 1014 Province Rd. Upon return, T. McCarthy requested a motion to approve the application as read, G. Mullen seconded the motion. R. Duane requested to amend the application to read “Set back of 25 feet

– Front & “Set back of 25 feet – Side. T. McCarthy requested a new motion to approve the amended application, G. Mullen seconded the motion.

Chair Brown called the vote and the Board voted unanimously to accept the amended application. The Chair noted that there is a 30 day appeal period on the decision.

**CORRESPONDENCE:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** Randy Fellbaum came forward with his application after receiving notification that his application would be reviewed at the August ZBA meeting. Upon review it seems Mr. Fellbaum’s application has been scheduled for the September ZBA meeting. Abutters Frank McDonald and Laura Dunn being unable to attend the September meeting stated that they are in support of Mr. Fellbaum’s proposed building project.

**MINUTES:** R. Duane made a motion to approve the minutes of July 15, 2019 (with date correction) this was seconded by S. Vail. The motion was passed unanimously.

**ADJOURNMENT:** R. Duane made a motion to adjourn the meeting, S. Vail seconded the motion. The motion passed unanimously.

Chair Brown adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Joanie Foss  
Recording Secretary