

**PUBLIC HEARING & BUSINESS MEETING  
FINAL**

**CALL TO ORDER:** The Vice Chairman called the meeting to order at 7:01 p.m.

**ROLL CALL**

**Members:** S. Bryant, Vice Chair; S. Almeida, Member; L. Job, Member.

**Alternate Member(s):** A. Dittami, P. Young.

**Non-Members:** M. Sikorski, Building Inspector; L. Jordan, Town Secretary.

**Not Present:** J. DeLeire, Chairman; M. Call, Member.

Three members are available and two alternates present. Vice Chairman S. Bryant will be acting as Chair tonight for J. DeLeire. The Vice Chair designated alternate members A. Dittami and P. Young as voting members for this hearing.

**PUBLIC HEARING**

**Case #20-04:** Application from **Barrett and Sara Mononen** for a Variance to the terms of **Article III, Section 7.7.1** and asks that said terms be waived to permit a covered porch attached to north and east side of house in Zone A at property located at **2 Elton Lane; Map 4, Lot 25-6**.

Barrett Mononen, Elton Lane, presented his case for variance to Article III, Section 7.7.1 that his project meets the five criteria:

1. The variance will not be contrary to the public interest.
2. The spirit of the ordinance is observed.
3. Substantial justice is done.
4. The values of surrounding properties are not diminished.
5. Literal enforcement of the provision of the ordinance would result in an unnecessary hardship.

The proposed covered deck extends 6 feet into the 50-foot property line set back on a very narrow property. The current rear stairway already extends into the setback. The encroachment is minimal and is limited to a corner of the proposed deck. The walkway, which will be converted to deck and a few feet of new proposed deck, represents the encroachment on the setback. Special conditions that influence this plot are the existing egress stairs, porch, and special conditions of the lot (narrow and long).

Addressing criteria 1 and 4, B. Mononen described to the Board that the enhanced, covered deck will be visible from the street, but not to abutters from their home. Mr. Mononen further stated that the covered deck will be an aesthetic improvement on the home, increasing home value and adding to the look of the neighborhood.

**PUBLIC HEARING & BUSINESS MEETING  
FINAL**

Addressing criteria 2 and 5, based on the narrow lot variances are required to add any improvements to the home. The porch itself gets intense direct sunlight and very little shade. It is difficult to spend time with small children outside without shade and cover. The Mononens' goal is to have an outdoor living and dining space and utilize the already existing deck with a cover. There are no plans to enclose the deck or convert it into "house". The only utilities outside will be basic electrical outlets and lighting.

A. Dittami asked if the new structure would encroach further upon the leach field. S. Bryant inquired to what the path would be made out of, and the answer was decking. S. Almeida asked about taking the deck path around the other side of the house, which takes it around the garage. B. Mononen stated that this location presents challenges as there is no current egress from the home to the deck in this location and that utilities would have to be moved creating excessive cost. For these reasons, Mr. Mononen prefers it goes around the family room and follow the current existing path on that side.

The Building Inspector expressed that this lot is very narrow. The encroachment on the set back is only about six feet. He feels this is a good example of the importance of zoning variances as this request truly meets the spirit of the ordinance. Behind the property are wooded areas that do not encroach on any neighbors.

A. Dittami feels that based on this case, and for future precedent and unforeseen construction anomalies, the Board of Adjustment should grant a variance of 12 feet, in excess of the 6 feet the applicant has requested. The rest of the Board concurred with this.

**PUBLIC COMMENT**

The Chair opened the meeting to Public Comment.

No members of the Public were present aside from Mr. Mononen. No public comment was heard at this time.

The Chair closed the public session at 7:25 p.m.

A. Dittami spoke to the five criteria for granting the variance:

1. No contradiction to public interest is created.
2. The plan is an attractive architectural design and preserves rural character.
3. Substantial Justice is achieved as without the variance there is no good way to utilize the property. Enabling shade and weather cover and an expanded outdoor space is far more beneficial to the family than restricting construction and use of it would be to the Town.
4. The value of the surrounding properties will be increased.

**PUBLIC HEARING & BUSINESS MEETING  
FINAL**

5. The unique shape of the lot generates hardship constricting reasonable use of lot and property.

**MOTION:** To approve a Variance to the terms of **Article III, Section 7.7.1** that terms be waived to permit a covered porch attached to north and east side of house in Zone A at property located at **2 Elton Lane; Map 4, Lot 25-6** for 12 feet adjacent to the proposed and renovated deck, with the following conditions:

1. Notations as worked out with the building inspector will be drawn directly upon the plan.
2. A 12-foot setback from the building set back line will be permitted adjacent to the proposed and renovated deck and extending another two feet on both sides.

**MOTION: A. Dittami**  
**SECOND: S. Bryant**  
**UNANIMOUS**

**MOTION:** To amend the previous motion to include Exhibit A to further define the 12-foot Variance to Article III, Section 7.7.1. The Applicants will have their surveyor incorporate this into the plan.

**MOTION: A. Dittami**  
**SECOND: S. Bryant**  
**UNANIMOUS**

**REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES (8/27/2020)**

The Board reviewed the previous meeting minutes from August 27, 2020.

**MOTION:** To approve the minutes as written.

**MOTION: A. Dittami**  
**SECOND: S. Bryant**  
**UNANIMOUS**

**OTHER BUSINESS**

**1. 2020 NHMA Land Use Law Conference Registration (October 31, 2020)**

Alex Dittami and Larry Job would like to attend. The Secretary will arrange for registration.

**2. 2021 Meeting Schedule**

The Board reviewed the draft proposed meeting schedule for 2021.

**PUBLIC HEARING & BUSINESS MEETING  
FINAL**

**MOTION:** To approve the 2020-2021 meeting schedule as presented.

**MOTION:** S. Bryant  
**SECOND:** S. Almeida  
**UNANIMOUS**

**COMMUNICATIONS TO BOARD MEMBERS**

No communications were made to Board members at this time.

**ADJOURNMENT**

**MOTION:** To adjourn the meeting at 7:41 p.m.

**MOTION:** S. Bryant  
**SECOND:** A. Dittami  
**UNANIMOUS**

*The next meeting of the Zoning Board of Adjustment is scheduled for Thursday, November 19, 2020.*