

## EXETER ZONING BOARD OF ADJUSTMENT APRIL 19, 2011 MEETING MINUTES

Present:

Chairman: Hank Ouimet  
Vice Chairman: Marc Carbonneau  
Regular Members: Steve Cole, John Hauschildt.  
Alternate Members: Patrick Driscoll.  
Code Enforcement Officer: Douglas Eastman.  
Deputy Code Enforcement Officer: Barbara McEvoy.

The meeting convened at 7:03 PM.

Agenda:

1. Case #1415: Special Exception request. 110 Watson Road.

New Business:

*1: Case #1415:*

*The application of Perrin and Phyllis Prescott for a special exception per Article 4, Section 4.2 Schedule I: Permitted Uses and Schedule I, Note #2 and Article 5, Section 5.2 for the proposed construction of an accessory dwelling unit on the property located at 110 Watson Road. The subject parcel is located in the RU-Rural zoning district. Tax Map Parcel #19-5.*

Mr. Perrin Prescott approached the board at this time. He mentioned that he and his wife Phyllis were the applicants and they have resided at the subject property for over twenty five years. Mr. Prescott stated that they are proposing to construct a 720 square foot guest cottage on their ten acre property. The property already has a two bedroom house with a three-car garage, pool house and a barn.

Continuing, Mr. Prescott stated that there is adequate landscaping and a new septic system will be constructed to serve the building.

Mr. Carbonneau stated that he visited the property that day and wanted clarification as to which building was the pool house. Mr. Perrin answered his question and clarified that the guest cottage (accessory dwelling unit) would be new construction.

Mr. Hauschildt mentioned that it was a well written application.

At this time the chairman opened the hearing to public testimony and there was none. He then closed the public hearing.

### DELIBERATIONS

Mr. Driscoll began reading through the criteria for special exception at this time.

Mr. Hauschildt mentioned "c" of the Accessory Dwelling Unit criteria. He stated that there are ten acres on the subject property and that there are two existing out buildings. He also mentioned that this is a rural zone and density is not the issue and that the proposal falls within the intent of the ordinance.

Through discussion, the board determined that the applicant satisfied criterion “a” through “f” commenting that no other relief was necessary for the project. Criterion “g” was not applicable, “h” was okay and “i and j” were not applicable.

**MOTION: Mr. Carbonneau made a motion to approve the special exception request as presented.**  
**Mr. Cole seconded.**  
**The motion passed unanimously.**

Other Business:

1. The board acknowledged correspondence from Attorney Tucker, dated 3/31/11 in which he requested the request for re-hearing submitted by the Riverwoods Company, case #1404, be withdrawn.

2. *March 15, 2011 Minutes.*  
Suggested changes:

A) To change the text of the three paragraphs under Deliberations on page two (2) to read as follows:

*“Vice Chairman Carbonneau mentioned that there were two applications before the board and that the board needed to address the criteria for both. He suggested starting with the variance request for lot area.*

*Mr. Hauschildt began a discussion regarding the 720 square foot limitation of accessory dwelling units. He mentioned that this pre-existing unit exceeds the maximum allowable square footage and would also require relief (a variance) in order to satisfy the criteria for special exception. He noted that this would provide clarity and be a benefit for the property owner and future property owners.*

*At this time, Mr. Hauschildt began a board review of the criteria for a variance for both lot area and unit square footage and it was determined that all of the criteria were satisfied.”*

B) To change the first sentence of paragraph three (3), page four (4) to read as follows:

*“Vice Chairman Carbonneau also stated that the ZBA respects the work of the other land use boards and that the ZBA usually deals with procedural issues.”*

**MOTION: Mr. Carbonneau made a motion to accept the March 15, 2011 minutes, subject to amendments.**  
**Mr. Cole seconded.**  
**The motion passed unanimously.** (Mr. Ouimet abstained)

3. *Rules of procedure.*

The board discussed three updates/changes to the ZBA rules of procedure, as proposed in draft dated March 2011.

A) To add to section 2, “i) Membership:” a new paragraph (d) to read as follows:

*“(d) All attending members (voting and non-voting) can participate fully in the Public Hearings. Only voting members are allowed to deliberate, make a motion and vote on any motion.”*

In discussion, it was decided that voting members for each hearing would be clarified and that alternates will step down prior to deliberations. Mr. Hauschildt mentioned that this is what

the NH Office of Energy and Planning suggests.

*Note: Original paragraph (d) to be changed to paragraph (e).*

- B) The last sentence of the first paragraph of number five (5) of the ZBA Rules of Procedure, shall be changed as follows:

*“At the discretion of the board, the board may elect to not open or hear any new application(s) after 10:00P.M.”*

- C) The first sentence of number eight (8) of the ZBA Rules of Procedure, shall be changed as follows:

*“Public notice of public hearings on each application shall be posted in two public places and advertised in a newspaper of general circulation in the Town of Exeter at least five days prior to said hearing.”*

**MOTION: Mr. Carbonneau made a motion to accept the revisions to the Rules of Procedure as discussed.**

**Mr. Cole seconded.**

**The motion passed unanimously.**

4. *Election of Officers.*

It was announced that election of officers for the ZBA will be held next month at the May meeting.

**MOTION: Mr. Hauschildt made a motion to adjourn.**

**Mr. Cole seconded.**

**The motion passed unanimously.**

The meeting adjourned at 7:35P.M.

The next meeting of the Exeter Zoning Board of Adjustment will be held Tuesday, May 17, 2011 At 7:00P.M. in the Novak Room at the Exeter Town Offices.

Respectfully Submitted,

Christine Szostak  
Planning & Building PT Secretary