

EXETER ZONING BOARD OF ADJUSTMENT *DECEMBER 18, 2012 MEETING MINUTES*

Present:

Chairman: John Hauschildt
Regular Members: Bob Prior, Martha Pennell and Patrick Driscoll
Building Inspector/Code Enforcement Officer: Doug Eastman

The meeting convened at 7:00 PM.

AGENDA:

1. Case # 1444: Variance Request – 2 Windemere Lane – Open Space Buffer/Setback requirements

NEW BUSINESS:

1. Case # 1444: Variance Request from Open Space Buffer/Setback requirements

The application of Susan M. Riley and Murray D. Movitz for a variance from Article 7, Section 7.5.5 B. to permit the proposed installation of an in-ground swimming pool encroaching upon the required fifty-foot (50') open space perimeter buffer/setback for the "Windemere" subdivision. The subject property is located at 2 Windemere Lane, in the R-2 Single Family Residential zoning district. Tax Map Parcel #70-61-1. Case #1444.

Chairman Hauschildt indicated that the Board had reviewed the application and materials submitted, and asked the Applicant to introduce himself and provide a brief summary of the proposal. Mr. Movitz introduced himself as one of the owners of the property and acknowledged that his wife was also present. He proceeded to explain that they were seeking relief to permit an encroachment of four-feet (4') into the common land of the Windemere subdivision. He stated that they had discussed the proposal with the Homeowners Association and received a favorable response; he submitted a copy of an e-mail from the HOA President, Jane Pillemer for the Board to review. Mr. Movitz also indicated that Building Inspector Doug Eastman had conducted a site visit of the property and confirmed the location of the stakes delineating the 25-foot buffer/setback line.

There being no further Board discussion, Chairman Hauschildt acknowledged that there was no public present and no public testimony to be offered. At this time, the Board moved into deliberations.

DELIBERATIONS

At this time, Chairman Hauschildt asked if there were any questions from the Board; there were none. He asked if the Board felt it was necessary to review the criteria. Ms. Pennell indicated that she wished to go through the criteria for the record. Acknowledging Ms. Pennell's request, Chairman Hauschildt requested that she walk the Board through the criteria. as it was part of the deliberation process, and would prefer to do so.

Mr. Driscoll proceeded to read through the variance criteria. There being no further questions, it was determined that the Applicant had addressed the criteria adequately.

These minutes are subject to possible corrections/revisions at a subsequent
Exeter Zoning Board of Adjustment meeting.

MOTION: *Ms. Pennell moved to grant the variance for the installation of an in-ground pool, as presented.*
Mr. Prior seconded.
Discussion: *Chairman Hauschildt suggested that the motion include specific parameters with respect to the amount of encroachment being permitted (i.e. “not to exceed” or “no closer than” language).*

MOTION: *Ms. Pennell amended the motion as follows: “to grant the variance for the installation of an in-ground pool not to encroach more than four-feet (4’) into the open space buffer/setback area, as presented.”*
Mr. Prior seconded.
VOTE: *The motion passed unanimously.*

APPROVAL OF MINUTES: October 16 and November 20, 2012.

MOTION: *Mr. Driscoll moved to approve the minutes of October 16, 2012, as presented.*
Ms. Pennell seconded.
VOTE: *The motion passed unanimously. Mr. Prior abstained.*

MOTION: *Mr. Prior moved to approve the minutes of November 20, 2012, as presented.*
Ms. Pennell seconded.
Discussion:

VOTE: *The motion passed unanimously. Mr. Driscoll abstained.*

CHAIRMAN’S ITEMS:

There being no further business, Chairman Hauschildt indicated he would entertain a motion to adjourn.

MOTION: *Mr. Prior moved to adjourn.*
Ms. Pennell seconded.
VOTE: *The motion passed unanimously.*

The meeting was adjourned at 7:14 P.M.

The next meeting of the Exeter Zoning Board of Adjustment will be Tuesday, January 15, 2013 at 7:00 P.M. in the Nowak Room at the Exeter Town Offices.

Respectfully Submitted,

Barbara S. McEvoy
Deputy Code Enforcement Officer
Planning & Building Department