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**TOWN OF EXETER**  
**ZONING BOARD OF ADJUSTMENT**  
**September 18, 2018**  
**7:00 PM**  
**Draft Minutes**

**I. Preliminaries**

**Members Present:** Chair Laura Davies, Rick Thielbar, Robert Prior, Christopher Merrill – Alternate, Esther Olson- Murphy – Alternate

**Members Absent:** Vice-Chair Joanne Petito, Kevin Baum, Martha Pennell - Alternate, Hank Ouimet – Alternate

**Others Present:** Barbara McEvoy

**Call to Order**

Chair Davies called the meeting to order at 7:01 pm.

**Introductions by Roll Call**

Chair Davies asked to identify the following members who were present by Roll Call: Esther Olson-Murphy, Rick Thielbar, Laura Davies, Robert Prior and Christopher Merrill. The active voting alternate for this hearing is identified as Esther Olson-Murphy.

**II. New Business**

**Hearings**

1. Katherine Churchill, DMD, Tax Map Parcel #70-114, 193 High Street  
Case #1466  
Request for one-year extension of approval.

Chair Davies advised Dr. Churchill was not present and read out loud the applicant's letter dated August 21, 2018 requesting a one-year extension of the variance issued on October 15, 2013 (extended in 2016 and 2017). Mr. Prior stated not much has changed since then. Mr. Thielbar asked for clarification of the dates. Mr. Prior advised the last one-year extension would expire October 15, 2018.

***Mr. Prior motioned to grant the request to extend the October 15, 2013 variance until October 15, 2019. Mr. Thielbar seconded the motion. Voting were 5 in favor, Davies, Thielbar, Prior, Merrill and Olson-Murphy, so moved.***

2. Timothy F. Willis, Tax Map Parcel #70-98, 196 High Street  
R-2 Single Family Residential Zoning District  
Case #18-19  
Special Exception per Article 4, Section 4.2, Schedule I Permitted Uses and Article 5, Section 5.2 to permit the conversion of an existing sf residence into two units

Mr. Willis began by apologizing for missing the last meeting and presented his proposal for a single-family residence attached barns of which one would be converted to a one-bedroom apartment.

39 Chair Davies advised there was conflicting information. One document says three units, while  
40 the agenda says two. Mr. Willis advised it is a typo and should say two.

41 Mr. Prior asked how many square feet the new apartment would be. Mr. Willis responded 700  
42 square feet.

43 Mr. Willis stated that that his daughter would live in back and he was not looking to rent to other  
44 than family. Chair Davies asked if the garage was shared. Mr. Willis advised he was allowed to  
45 have four and applied for the two-family. From what he has read in zoning he believes he  
46 qualifies for this. Chair Davies advised that the applicant wants to call it a two-family to give  
47 more leeway. Mr. Willis responded unless a condominium is an option.

48 Mr. Prior asked if there would be any change to the footprint. Mr. Willis responded no.

49 Mr. Prior asked if there were town water and sewer adding it meets the criteria for conversion.

50 Mr. Willis stated he was unsure how two-family would impact rights going forward. Chair Davies  
51 advised that there is no requirement for two-family owner occupancy, and he can change to  
52 conversion down the road. Mr. Willis responded that he would call it two-family in case  
53 something happened to him. Mr. Thielbar added that if you call it a three-family, if converted,  
54 one needs to be owner-occupied. Chair Davies advised two-family option doesn't cost you  
55 anything and preserves more flexibility.

56 Chair Davies opened the hearing to the public at 7:26 for comments and being none closed the  
57 hearing to the public at 7:26 pm for deliberations.

58 Chair Davies asked to go over the criteria more closely, adding that it meets that conversion  
59 requirement.

60 Mr. Prior reviewed the Special Exception criteria. A multi-family is just as appropriate as single.  
61 There is adequate parking. It is a busy street. There is good visibility. There is no need for  
62 Town Planner review. As far as impact to abutters, there are none here testifying. The  
63 application meets the criteria. "Think everything is covered."

64 **Mr. Prior motioned to approve the request for a two-family residential conversion. Mr.**  
65 **Thielbar seconded the motion. Voting were 5 in favor, Davies, Thielbar, Prior, Merrill and**  
66 **Olson-Murphy, so moved.**

67 3. John Daskey, Tax Map Parcel #73-81, 4 Myrtle Street  
68 R-2 Single Family Residential Zoning District  
69 Case #18-22  
70 Variance from Article 5, Section 5.1.2 for the expansion of a non-conforming use to  
71 permit the proposed expansion of a third-floor living area to an existing residential  
72 structure

73 Mr. Daskey presented this was an outdated property that suffered a lot of fire damage. Mr.  
74 Daskey has to rebuild anyway and would like to raise the roof line up 3-6 feet. The property is  
75 not currently occupied.

76 Mr. Prior asked when the fire was. Mr. Daskey responded in the 70s, adding it has been  
77 occupied only by one-family since.

78 Chair Davies stated that it would be an imposing third floor. Mr. Daskey advised property to the  
79 left is higher and other properties are of the same size with additions.

80 Chair Davies asked if Mr. Willis is a contractor. Mr. Prior asked if the footprint would change.

81 Mr. Daskey responded no.

82 Mr. Prior reminded that the applicant was looking for a setback variance, not height.

83 Chair Davies opened the hearing to the public at 7:41 for comments and being none closed the  
84 hearing to the public at 7:41 pm for deliberations.

85 Mr. Thielbar stated it was a reasonable use for a small structure. Going out would congest the  
86 lot more. It is a barely noticeable change. It is not contrary to the public interest and spirit of the  
87 ordinance. Justice is done. A refurbished building enhances the value of surrounding  
88 properties. The hardship is the size of the lot.

89 Chair Davies added for a single-family home, it would be more marketable with this change,  
90 adds to the hardship.

91 Mr. Thielbar stated that it meets the requirements, grant request.

92 ***Mr. Thielbar motioned to grant the request for permit 3<sup>rd</sup> floor expansion to no greater***  
93 ***than 36 feet. Mr. Prior seconded his motion. Voting were 5 in favor, Davies, Thielbar,***  
94 ***Prior, Merrill and Olson-Murphy, so moved.***

### 95 **III. Approval of August 21, 2018 Minutes**

96 Mr. Thielbar suggested that on Line 25 change "hearing" to "application" on Line 31 change "of"  
97 to "of an administrative decision to issue a building permit" strike Line 32 to "in which" strike  
98 Lines 39 and 40 in their entirety; strike from "which" to "required" on Lines 62-63; Line 102  
99 change "he" to "the applicant" strike "and" to "parking" Line 102-103 and insert "without  
100 discussing parking for proposed residence"

101 ***Mr. Thielbar motioned to approve the minutes, as amended. Mr. Merrill seconded the***  
102 ***motion. With 5 in favor, so moved.***

### 103 **IV. Adjourn**

104 **Mr. Prior motioned to adjourn the meeting at 7:57 pm. Mr. Thielbar seconded the motion,**  
105 **with all in favor, the vote was 5-0, motion carried.**

106 Respectfully submitted,

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110 Daniel Hoijer  
111 Recording Secretary