

Town of Exeter
Zoning Board of Adjustment
February 15, 2022, 7 PM
Town Offices Nowak Room
Final Minutes

I. **Preliminaries**

Members Present: Chair Kevin Baum, Vice-Chair Robert Prior, Clerk Esther Olson-Murphy, Rick Thielbar, Laura Davies, Christopher Merrill - Alternate

Members Absent: Anne Surman - Alternate, Martha Pennell - Alternate

Call to Order: Chair Kevin Baum called the meeting to order at 7 PM.

I. **New Business**

- A. The application of Roger Elkus for a special exception from Article 4, Section 4.2 Schedule I: Permitted Uses and Article 5, Section 5.2 to permit a two-family home on the property located at 181 High Street. The subject property is in the R-2, Single Family Residential zoning district. Tax Map Parcel # 70-119. ZBA Case #22-3.

Roger Elkus, the owner, was present to discuss the application. He lives on the property. He's looking to downsize his home by creating a two-family home by adding a 1200 square foot addition in which he would live. His property is 1.7 acres in a neighborhood that has considerably smaller lot sizes, and it exceeds zoning requirements for minimum lot size, dimensions, open space, and maximum building coverage. He's currently not making use of the property's full potential. The property has a three-bedroom two-bath single-family residence with an attached 2-car garage. It has 144.7 feet of frontage on High Street as well as frontage on Ridgewood Terrace.

Mr. Elkus went through the special exception criteria. A) The usage is a permitted special exception as set forth in Article 4, Section 4.2, Schedule 1; yes, a two-bedroom home is permitted by special exception. B) The public health, safety, welfare, and convenience are protected; yes, the addition will be used as a primary residence. The lot is in excess of the 24,000 square feet required for a two-family. Surrounding properties support two-family and multifamily uses. C) The proposed use is compatible with the zoning district; yes, two-family homes are compatible with the R-2 district. D) Adequate landscaping and screening are provided; yes, the site is heavily landscaped with mature trees, shrubs, and gardens, and will adhere to all setback requirements. E) Adequate off-street parking is provided and ingress and egress causes minimum interference with traffic on abutting streets; yes, the added unit will have an additional 2-car garage, and another driveway will be added. F) The use conforms with all applicable regulations in the district; yes, the residential use is conforming. G)

45 The use should not adversely affect abutting or nearby property values; yes, the
46 property is larger than other neighborhood properties and would still have 92%
47 open space. The addition would conform to the character and aesthetic of
48 existing house and of the neighborhood. The increased value of the subject
49 property will actually have a positive effect on nearby property values.

50 Mr. Baum asked if the property is in the historic district, and Mr. Elkus
51 said no, we're just beyond it.

52 Ms. Davies asked about the additional garage and where the new
53 driveway would come out. Mr. Elkus said he's talking to an architect about how to
54 position it. The idea is to keep with the character of the home. He talked to Public
55 Works and they said that placing the driveway either way was fine.

56 Ms. Davies asked if they are on municipal water and sewer, and Mr.
57 Elkus said yes.

58 Mr. Baum opened the discussion to the public.

59 Matthew Forsyth of 4 Ridgewood Terrace said he wants to know if the
60 addition would be physically connected to the house. Mr. Baum said yes. Mr.
61 Forsyth said in that case he agrees with everything the applicant said.

62 Laurie Stewart of 1 Ridgewood Terrace asked if abutters will be allowed
63 to review the architectural drawings as the project progresses. Mr. Baum said
64 right now the request is just for zoning relief. Unless we make it a condition of
65 this approval, there wouldn't be a Planning review. If approved, the next step for
66 the applicant would be a building permit, with no further public review. Ms.
67 Davies said typically with single family homes or two-family homes, it's not an
68 issue that would require a public meeting or site plan review. Mr. Baum added
69 that if the property were in the historic district, there would be a design review,
70 but that's not the case here. Ms. Stewart said her concern is that this would
71 change the aesthetics and flow of the neighborhood, so she wants more
72 information. Mr. Baum said there is a drawing in the Board packet. Mr. Elkus
73 showed her the drawing and said he doesn't think she'll be able to see the
74 addition from her property.

75 Mr. Baum closed the public hearing and the Board entered deliberations.

76 Mr. Prior asked if with a two-family, one of the units has to be owner-
77 occupied, or can that be a condition of an approval? Ms. Davies said that's only
78 applicable to an accessory dwelling unit, not a two-family. Mr. Baum said they
79 could discuss it as a condition, but given the size of this lot it's a modest addition
80 and that's probably not necessary.

81 Mr. Prior said he's been in the house numerous times under previous
82 owners. The idea that both units could be rented gives him pause. Ms. Davies
83 said because of the size of the lot, she can't see it being used effectively as a
84 rental property. She doesn't think it will change the character of the
85 neighborhood.

86 Mr. Baum said to put a condition on a special exception is appropriate
87 where it wouldn't otherwise meet the criteria, but given the size and layout of this

88 lot, and the adequate buffering, this addition wouldn't impose on the neighboring
89 properties. Mr. Thielbar and Ms. Davies agreed.

90 The Board discussed the second driveway. Mr. Baum said he thinks if the
91 driveway went onto Ridgewood, a town driveway permit would be required. If
92 there were issues or safety concerns, they would be addressed at that time.
93

94 Ms. Davies moved to approve the application for the property at 181 High Street for the
95 special exception from Article 4, Section 4.2 Schedule I: Permitted Uses and Article 5,
96 Section 5.2 to permit a two-family home on the property as submitted. Mr. Prior seconded.
97 Mr. Baum, Ms. Davies, Mr. Prior, Ms. Olson-Murphy, and Mr. Thielbar voted aye and the
98 motion passed 5-0.

99
100 **II. Other Business**

101 A. Approval of Minutes: January 18, 2022

102 Mr. Thielbar moved to accept the minutes of the January 18, 2022 meeting as
103 presented. Ms. Olson-Murphy seconded. All were in favor and the motion passed 5-0.

104
105 B. Mr. Baum said the town annual report was included in the packet.
106

107 **III. Adjournment**

108
109 Mr. Prior moved to adjourn. Ms. Olson-Murphy seconded. All were in favor and the meeting
110 was adjourned at 7:35 PM.

111
112 Respectfully Submitted,
113 Joanna Bartell
114 Recording Secretary
115
116