

CENTER HARBOR ZONING BOARD OF ADJUSTMENT

Paul Anastasio – Variance

March 10, 2014

The Center Harbor zoning Board of Adjustment was called to order at 7:05 P.M. by Vice Chair Jean Meloney. Those present were: George Lamprey Steve Condojani, Bernie Volz, and Palmer Smith. Bob Vogler, Mark Olsheskie, Paul Sullivan, Cheryl Lanza, Richard Lanza, Aimee Manfredi and Clerk Pro Tem Sheila Mohan were also present.

Notice of this hearing was published in the Meredith News and certified mail was sent to the abutters.

The voting members are: Jean Meloney, George Lamprey, Palmer Smith, Bernie Volz and Steve Condojani.

Jean Meloney introduced the members of the Board and explained the rules of procedure for the hearing. Mr. Anastasio is requesting a Variance from Zoning Ordinance Section 5:3:1 Structure Setbacks. Nicole Roseberry represented Mr. Anastasio. Photographs of the property were presented to the Board. The current structure is 798 square feet and is located 7.9 feet from the shoreline of Lake Waukewan, .9 feet from the boundary line on the easterly side of the property, and 29 feet from the centerline of Brookside Lane. Mr. Anastasio would like to remove this dwelling and replace it with a new dwelling that would be 956 square feet, 16.3 feet from the shoreline, 15 feet from the sideline and 23 feet from the centerline of Brookside Lane. This property has a 2 bedroom septic design that was approved in 2011; new septic has not been installed. The current septic system has been deemed to be in failure. A new system will be installed prior to occupancy. There is no location on this property that would meet all of the setbacks. A porous asphalt driveway is proposed. Bernie Volz asked how much the dimensions of the structure would change. Ms. Roseberry said that the existing structure is 28'x28' and the structure would be 28.5'x30.5'. There is an approved Shoreland Permit for this new structure. Mrs. Lanza is an abutter to this property and she is in favor of this variance. Paul Sullivan, also an abutter, asked if the access to Brookside Lane would be changing. Ms. Roseberry said, "No." Bob Vogler was concerned that the porous asphalt would not be maintained properly. Ms. Roseberry said that there was a note on the plan regarding the schedule for keeping the driveway clean. Jean Meloney asked if it would be a year round house. Ms. Roseberry said that it could be used year round, and would have a full foundation.

The hearing was closed at 7:30 P.M.

It was moved by George Lamprey and seconded by Steve Condojani to approve this Variance as presented. Mr. Lamprey said that there is no guarantee that the new structure would not exceed a twenty percent increase in square footage within the motion but it cannot exceed 20% per the zoning ordinance. Ms. Roseberry said that her client understands that it cannot exceed twenty percent.

Jean Meloney read the five criteria for a variance:

1. Granting this variance would not be contrary to the public interest.

2. The use is not contrary to the spirit of the ordinance.
3. Granting the variance would do substantial justice.
4. The proposed use would not diminish surrounding property values.
5. Denial of this variance would result in unnecessary hardship to the owner.

Each of the criteria was voted on and each was passed unanimously. The Board voted to grant this variance by a unanimous vote.

Respectfully submitted by,

Sheila Mohan  
Clerk Pro Tem