

**TOWN OF EPPING, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT MEETING
Epping Town Hall
OR
Join Zoom Meeting
MINUTES**

Wednesday September 29, 2021

Epping Television is inviting you to a scheduled Zoom meeting.

Topic: Zoning Board of Adjustment Sept. 29, 2021 @6 pm

Time: Sep 29, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89450741890?pwd=UnZYa1E2NVBwTU42anl3d1M1U2VPZz09>

Meeting ID: 894 5074 1890

Passcode: 693344

PRESENT: Matt McNeely, Rob Eldridge, Robert Blanchette, Kevin Martin; Planner Kellie Walsh; Secretary Phyllis McDonough

CALL TO ORDER: Chairman McNeely called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

MARK PINKHAM, DANIELLE PURINGTON AND RYAN CYGAN – Chairman McNeely read notice for a Variance concerning Article 2, Section 7.2 Lot Dimensions and Setback Requirement. Parcel is located at 6 & 8 Plumer Road Tax Map 022 – Lot 065 located in the High-Density Residential Zone and Map 022 Lot 064 in the Rural Residential Zone. There were no abutters present.

Scott Boudreau from Boudreau Land Surveying came before the board with the proposal for a Variance. He explained Cygan initially hired him to survey his property which is lot 65. He stated during that process it was seen that Pinkham and Purington were using their driveway, and noticed it's over land owned by Cygan where there was no easement on the deed showing that. Boudreau explained the parties would like to correct this by moving the lot line so the entire lot is on lot 64, moved a bit closer to Cygan's house. Boudreau explained parcel A is what is being transferred to Pinkham and Purington and they will transfer parcel B back to Cygan.

Chairman McNeely questioned the variance for lot 64, the proposed driveway that runs to the north and connects to Plumer Road for a 15-foot setback. Boudreau stated that is correct because they can only get a 10-foot setback from Cygan's house.

The Chairman offered the applicant the option of going forward with the application or continuing as there were only four board members present. Boudreau stated he will go forward with the application.

The Board and applicant addressed the five criteria:

1. **The variance will not be contrary to the public interest:** It is to allow the driveway for Lot 64 to be entirely on their own property, lot 64.

There was no comment from the board.

2. **The spirit of the ordinance is observed:** Both lots are in agreement that the driveway for lot 64 should be on its own lot.

There was no comment from the board.

3. **Substantial justice is done:** The driveway for lot 64 won't cross over Lot 65.

There was no comment from the board.

4. **The values surrounding properties are not diminished:** Both owners are in favor of the proposal.

There was no comment from the Board.

5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:** A right-of-way would need to be provided over lot 65 for the owners of lot 64 to access their property over the existing driveway. The owners of the lots are in agreement that the driveway for lot 64 should be on and maintained by lot 64.

Eldridge questioned if there was a new driveway to the back of the property. Boudreau explained Cygan built a new driveway for the north side of lot 65. He stated there was once a driveway access over the Sutliff parcel with an easement to access what was once the front of the garage.

Chairman McNeely opened and closed the public hearing.

Eldridge stated this will help out the neighbors and has no issues.

Blanchette moved Martin seconded the motion to approve the variance conditional on Planning Board approval. The motion carried unanimously.

MINUTES OF MAY 19, 2021 FOR APPROVAL & SIGNATURE – Blanchette moved Eldridge seconded the motion to approve and sign the minutes. The motion carried.

REQUEST- Chinburg Builders – Declaration of Dual Zoned Land Located in Residential & Rural Residential regarding Article 2, Section 7.8 - Map 016 – Lot 029 (letter attached)

Walsh explained this is a declaration and does not require a formal public hearing. She explained when a parcel is located in two zones, the property owner can choose which zone to be in and that zone has to be more restrictive than the zone they choose not to declare.

Paul Kerrigan from Chinburg Builders and Alexx Monastiero from the Gove Group came before the board. Monastiero explained the parcel that has been purchased is approximately 56 acres and sits in the two zones. She would like to declare rural residential for the entire parcel.

Eldridge asked how many lots were being proposed. Monastiero stated they're not sure at this time. She explained they are still in the design phase and have been to the Planning Board to show frontage lots and road lots, trying to figure out the best use of the property at this time.

The Board as a whole agreed to the request by Chinburg Builders to declare the whole parcel Rural Residential.

ADJOURNMENT – Blanchette moved Eldridge seconded the motion to adjourn at 6:25 pm. The motion carried unanimously.

APPROVAL NOTIFICATION: September 29, 2021 - Minutes of May 19, 2021 were approved and signed.

Respectfully submitted,

Phyllis McDonough,
Zoning Board of Adjustment Secretary

Matt McNeely

Rob Eldridge

Robert Blanchette

Kevin Martin