

MINUTES
ZONING BOARD OF ADJUSTMENT
TOWN OF PETERBOROUGH
Monday, February 7, 2011 – 7:00pm
1 Grove Street, Peterborough, New Hampshire

Present: Matt Waitkins, Alice Briggs, Loretta Laurenitis, Jim Stewart, Peter Leishman

Also Present: Dario Carrara, Code Enforcement Officer; Nicole MacStay, Assistant to the Town Administrator

Chair Waitkins called the meeting to order at 7:00pm and read the notice:

Case No. 1164 Jaime Rodriguez Request for Variances to Article III, §245-15E(1) of the Peterborough Zoning Ordinance. Applicant requests the Boards approval to permit a storage shed in the Wetlands Protection District on property located at 112 Greenfield Road, Parcel No. R008-016-100 in the Rural District. There was no objection to the notice. Chair Waitkins explained that the case was heard at the January meeting of the Board, when the hearing was continued to allow time to take a site visit and get input from the Conservation Commission and clarification on the location of the property line. The Conservation Commission said that they felt there were alternatives, but they left them unspecified. The site visit was attended by Chair Waitkins, Ms. Laurenitis and Ms. Briggs. Since then Mr. Rodriguez has asked to change his request.

Mr. Rodriguez explained that he is now requesting a variance to move the shed to between the house and the road. The front setback is 50 feet, is against the house. He explained that if he moves the shed there it will appear to be an addition. He said that if he had to move it he would rather put it there than anywhere else. Mr. Stewart said that at this point Mr. Rodriguez needs to make a formal request to withdraw the old application, and for the Board's benefit, he should submit a new application. Mr. Carrara said that it is his understanding that after talking to an attorney at the Local Government Center if someone wants to change their application slightly it is up to the Board, and if anyone feels uncomfortable with accepting a change to the application, there are possible remedies. The parties, property and shed are the same, and this is still a variance to a setback. The remedy could be to accept the change to the application and delay deliberation until the next meeting. Another step could be to renotify the neighbors. The Board discussed the request.

Motion:

Mr. Stewart made a motion to accept the revision to the application in case 1164; Ms. Briggs seconded.

Vote:

Mr. Stewart, Ms. Briggs, Mr. Waitkins, Ms. Laurenitis and Mr. Leishman voted in favor of the motion; the motion carried.

The Board agreed to continue the case until the March meeting.

As there was no further business, the meeting adjourned at 7:18pm.

Respectfully Submitted,

Nicole MacStay, Assistant to the Town Administrator