

**MINUTES**  
**ZONING BOARD OF ADJUSTMENT**  
**TOWN OF PETERBOROUGH**  
Friday, October 8, 2012 – 7:00 pm  
1 Grove Street, Peterborough, New Hampshire

**Board Present:** Jim Stewart, Sharon Monahan, David Sobe, Peter Leishman, and Matt Waitkins

**Staff Present:** Dario Carrara, Code Enforcement Officer; Laura Norton, Office of Community Development

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A special meeting of the ZBA was requested by the Chairman on October 3, 2012. That meeting was posted at 4:15 p.m. on Wednesday, October 3, 2012 for Friday, October 5, 2012 at 5:15 p.m. The meeting was called to order at 5:15 p.m. Chair Stewart began with “good evening, this is a continuation of our deliberative session from October 1<sup>st</sup>.”

“Let’s get started” said Chair Stewart. He appointed Alternate Matt Waitkins to sit. As you know, we met on October 1<sup>st</sup> and closed the Public Hearing for deliberation.” He added “I felt we had enough information to discuss the appeal and make a decision but that is not the case.” Chair Stewart noted that during the deliberative session a majority of the members agreed a site visit would be helpful. “If a site visit was requested we still have questions” he said adding “you have a site visit when you are not sure.” He also noted a request of the Code Enforcement Officer to put together a small photo gallery of pipe and canvas/membrane roof structures around town, and noted “but we could not consider these because the public hearing is closed.”

Chair Stewart cited the many questions they had for town council noting “we do not have anywhere near enough information” adding “and based on those facts I would like to make a motion to re-open the Public Hearing, schedule a date certain and re-post in accordance with our Rules of Procedure.” “I second that” said Mr. Leishman. A vote was taken with all in favor.

The members agreed to meet October 29, 2012 at 7:00 p.m. at the Town House. Chair Stewart reminded the members there would be no further discussion about the appeal until that time.

Ms. Monahan asked about the notice itself. “It is the wrong section; it refers to the section for dwellings, not structures.” A brief discussion flowed with Ms. Monahan adamant that the notice was incorrect. “It references §245-6B (2) of the zoning ordinance (single and two-family *dwellings*) when it should be referencing §245-5 (D) (setback exemptions of a *structure*). “It has been noticed incorrectly, I am sorry” she said.

Chair Stewart replied “I asked that same question in the public hearing, I remember pointing out the one and two-family housing.” A brief discussion followed with Mr. Carrara concluding the actual front setback of 30 feet was not mentioned in §245-5 (D). “It says even those things exempt from a building permit must still comply with the front setbacks, it just doesn’t mention the number. It is quite ambiguous.”

Ms. Monahan asked if the notice should include both ordinances with Mr. Carrara replying “we can do that.”

Chair Stewart reiterated that the members must exhaust every possible question regarding the case “so there is no doubt, no questions left to be answered.” Mr. Carrara asked whether or not the members still wanted him to compile the gallery of photographs mentioned earlier. The members agreed it would be helpful for their next (or future) meeting.

The meeting adjourned at 5:32 p.m.

Respectfully submitted,

Laura Norton  
Administrative Assistant

**Approved January 7, 2013**