

TOWN OF DEERFIELD, NH
ZONING BOARD
George B. White Building
8 Raymond Rd. Deerfield, NH 03037

December 27, 2022
Meeting Minutes

Roll Call: Tony DiMauro, Spencer Tate, Kendra Cohen, Skip Kelley, James McDonald

Mr. DiMauro appointed Kendra Cohen, Skip Kelley, and James McDonald as alternates. Mr. Kelley and Mr. McDonald will recuse themselves from the Mullet case.

Approval of Minutes: Amendments were made to minutes of previous meeting. Mr. DiMauro will make those corrections. Mr. Tate made a motion to approve the minutes as amended, seconded by Ms. Cohen. All in favor. Motion passed.

Public Hearing

Dan Trip 48 Nottingham Rd:

- **Required:** Article II, Section 204.1 & 207.3 Setbacks to side yard property lines is 37.5'.
- **Variance Requested:** The project proposes building of a deck 34' from side of property line where 37.5' setback is required.

Motion to accept case was made by Ms. Cohen, seconded by Mr. McDonald. Mr. Kelley stated that he doesn't see scale drawings included with the application. Mr. Trip stated that he included two drawings, one of the property, one of the house, with the original application. Mr. DiMauro said the board does not have those drawings. Mr. Tate made a motion to not accept case, seconded by Mr. Kelley. Mr. Tate explained that it would better benefit the applicant to not accept the case so he can provide all necessary documentation and then come back before the board. All in favor of not accepting the case. Motion passed.

Ken Mullet 14 Maple Ave

- **Required:** Article II, Section 204.1 & 207.3 Setback to side yard property lines is 37.5'.
- **Variance Requested:** The project proposes to build a pole barn/shed 10' from the property line where a 37.5' setback is required.

Mr. Kelley and Mr. McDonald recused themselves from discussion and voting on this case.

Ms. Cohen made a motion to accept the case, seconded by Mr. Tate. All in favor of accepting the case. Motion passed.

Mr. Mullet explained he is a contractor and needs more covered space for his tools for his business. Mr. DiMauro asked if there is anywhere else on the property that the barn/shed could be built. Mr. Mullet said this is the most convenient location for him, give the location of his leach field behind his house and that where he originally had hoped to build it was considered wetlands. He explained that the wetlands is seasonal from drainage from the street into a culvert under his driveway. Mr. DiMauro asked Mr. Mullet to go over the criteria for a variance. Mr. Mullet read through the criteria and provided answers to questions. Mr. Tate asked again if there were anywhere else on the property that the barn/shed could be built. Mr. Mullet explained that this location was chosen because there is an existing driveway, which allows access to his leach field in case of repairs. He explained that choosing an other location on his property would require cutting trees and running power to the new structure, which would be additional costs to him. Mr. DiMauro asked if the structure could be rotated to fit within the setback requirements. Mr. Mullet said it could be rotated. Mr. DiMauro asked if there were members of the public who would like to speak in favor of or in opposition to the application. No one spoke in favor of it. There was one comment to speak in opposition. William Perron 188 Middle Rd spoke in opposition. His property abuts the rear of Mr. Mullet's property and his right of way abuts the side. The proposed structure would not affect his right of way or property. The board entered deliberative session at approximately 8:20 PM. After deliberating, Ms. Cohen made a motion to deny the application, seconded by Mr. Tate. Ms. Cohen stated that she had not heard enough of an explanation of a code compliant plan and a demonstrated hardship. Mr. DiMauro and Mr. Tate both agreed that the proposed structure could be built elsewhere on the property and that Mr. Mullet had not demonstrated hardship that would justify granting a variance. All were in favor of denying application. Motion passed.

Meeting adjourned by Chair at 8:35 PM.

These minutes were transcribed and respectfully submitted by
Tina St. Peter, Recording Secretary