

BOARD OF ADJUSTMENT
P O BOX 159
DEERFIELD, NH 03037

November 24, 2020

MINUTES OF MEETING

PRESENT: Board members Joshua Freed, Jonathan Leer, Stephen Stephenson, Anthony DiMauro, George Thompson, who sat as a voting member for Case 20-12. Alternate member Harry Hotaling.

7:15PM Chair Joshua Freed called the meeting to order and appointed Harry Hotaling a voting member.

APPROVAL OF MINUTES

Jonathan Leer moved to approve the minutes of October 27, 2020 . Anthony DiMauro seconded. Voted in favor.

SCHEDULE DECEMBER MEETING

It was agreed to hold the monthly meeting of the ZBA on December 22, 2020.

7:30 CASE 20-08 MDGF LLC

Clerk Jonathan Leer read the Notice of Public Hearing by which MDGF LLC, 136 South Road, Deerfield, NH for property on Map 402 Lot 141 Kettle Rock Road.

Stephen Stephenson recused himself.

Anthony DiMauro moved to remove case from table. (The case was Tabled at the October 27 Meeting). Jonathan Leer seconded.

Anthony DiMauro moved to accept case 20-08. Joshua Freed seconded. Voted in favor.

When reviewing the application it was noted that Map 402 Lot 141 was identified incorrectly as the Deerfield property. The correct Map and lot is Map 411 Lot 18. Board members agreed that this needed to be re noticed and a new denial letter submitted.

Anthony DiMauro withdrew his motion and Joshua Freed his second.

CASE 29-18 BCM ENVIRONMENT AND LAND LAW FOR NEWCOMB FAMILY, TODD SCHILLE, MICHAEL BEAUDOIN, CHARLES AND MARGARET BROWN, MOZER FAMILY TRUST, JOHN AND DEBORAH CASANOVA, AND JOSEPH FARRELLY.

Harry Hotaling recused himself and Stephen Stephenson sat as a voting member.

Joshua Freed moved to accept Case 20-10. Stephen Stephenson seconded. Voted in favor.

The application was to Appeal the Administrative Decision of Code Enforcement Officer Richard Pelletier regarding his decision of Horsepower Farm's not being in violation of zoning.

Jason Reimers, BCM, began speaking and was interrupted by Richard Serino, Owner of Horsepower Farms, who said he was not operating a business and felt he was being bullied by his abutters.

Chair Freed advised Mr. Serino that he will have an opportunity to address the Board but to please allow Attorney Reimers to speak first.

Jason Reimers said he does have evidence that Mr. Serino is operating a business and would like to share it. He provided pictures of cars being repaired on the property and noted that abutters were impacted. He referred to a letter to Mr. Pelletier who responded that Horsepower Farm is not in violation.

He noted that Horsepower Farm has now moved to a Northwood location and is a retail business previously in Deerfield at the time Mr. Pelletier made his decision. Attorney Reimers added that referred to the Pleasant Lake Watershed Ordinance and an Auto Repair business is prohibited . He referred to Face Book posts , one of which showed Mr. Serino complaining about his neighbors.

Chair Freed asked Richard Pelletier to speak.

Richard Pelletier said he had visited the site unannounced and found no evidence of a business being run there. He noted that Mr. Serino had two part time employees who were allowed. Mr. Pelletier also said that he had contacted the Police Department and they had no record of any complaints. He added that he drives by the location several times a week and has seen nothing but Mr. Serino's personal vehicles on the site.

Richard Serino spoke saying he was annoyed and that the abutter have blown this way out of proportion. He added that he felt he was being personally attacked by abutters. He works full time for Verizon and works on his cars when he can.

Anthony DiMauro moved to go into deliberative session. Joshua Freed seconded. Voted in favor.

Members of the Board discussed the Appeal and agreed to vote to confirm or reverse the decision.

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The vote was as follows:

Jonathan Leer Reverse
Anthony DiMauro Reverse
Joshua Freed Reverse
Stephen Stephenson Affirm

Anthony DiMauro move to Reverse the decision of Code Enforcement Officer Richard Pelletier. Jonathan Leer seconded. Three to Reverse/ one to Affirm. Voted in favor.

CASE 20-11 TOBIN FARWELL FOR PROPERTY MAP 207 LOT 42 OWNED BY GORDON AND CINDY HEADLEY 1 IVER JOHNSON LANE
Harry Hotaling sat as a voting member.

Tobin Farwell was present via zoom.

Tobin Farwell explained that an existing residence does exist at the location along with a septic and well. The residents would like to construct a new home with attached garage. Mr. Farwell provided plans.

Jonathan Leer questioned the size of the garage. Mr. Farwell replied 24x22.

No one spoke in favor or opposition.

Board members completed work sheets. Harry Hotaling moved to Grant a variance to Gordon and Cindy Headley. Anthony DiMauro seconded noting a stipulation to add siltation barriers during all phases of construction. Voted in favor. 5-0.

CASE 20-12 MAUREEN RIODAN MANN 52 STAGE ROAD MAP 423 LOT 80
Maureen Mann is requesting a variance to convert her home to a two family dwelling.

Harry Hotaling stepped down as a voting member. George Thompson sat as a voting member.

George Thompson moved to accept Case 20-12. Anthony DiMauro seconded. Voted in favor.

Ms. Mann was present via zoom and explained that she has lived in the home for 20 years and by converting it to a two family would be able to remain in Deerfield. She explained that the Deerfield Fair Association land is an abutter. She has spoken with her abutters and they are in favor of this variance. Ms. Mann also noted that there are three out buildings on the property. The large garage will be used for storage.

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The Board went into deliberative session.

George Thompson noted that because of the location he was in favor of granting a variance.

George Thompson moved and Anthony DiMauro seconded to Grant a variance to Maureen R. Mann (Map 423 Lot 80). With no stipulations. Voted in favor. 5-0

The meeting was adjourned.

Transcribed by Jane Boucher

Pending Approval by the Board of Adjustment