

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

July 25, 2023  
**Meeting Minutes**

Meeting called to order at 7:15 PM by Chair

**Roll Call: Present** - Spencer Tate, George Thompson, Anthony DiMauro, Kendra Cohen, Amy Lockwood, James McDonald

The Board discussed the requirement for those wishing to be appointed as alternate board members to attend three meetings and thanked those who were present for that reason for volunteering.

Mr. DiMauro made a motion to remove Jonathan Leer and Steven Stephenson from their former ZBA roles, seconded by Ms. Lockwood. All in favor. Motion passed.

The Board discussed the online packet process of receiving materials electronically instead of through mail. A member of the public had asked if the materials could be made available electronically to the public in advance of the meetings as well. Ms. Lockwood asked staff and they should be able to do that. It was decided that PDFs will be posted where notices and minutes are posted on the website. Mr. DiMauro suggested that they not include copies of checks to protect the privacy of applicants. Mr. Tate would also like a statement drafted regarding completeness of packages, that edits are possible after posting and that the information is provided for informational purposes only. Ms. Lockwood said she will work with the staff on that.

**Approval of Minutes:** Mr. DiMauro made a motion to approve the minutes of the 5/23/23 ZBA meeting, with a few minor changes due to audio being cut off on the recording. Motion was seconded by Ms. Lockwood. Changes to 5/23/23 minutes: Mr. DiMauro nominated Spencer Tate to serve as the Chairperson, seconded by Ms. Lockwood. All in favor. Motion passed. Mr. Tate nominated Mr. DiMauro to serve as Vice Chairperson, seconded by Ms. Lockwood. All in favor. Motion passed. Mr. DiMauro nominated Ms. Lockwood to serve as Clerk, seconded by Mr. Tate. All in favor. Motion passed. Vote to approve minutes as amended was unanimous. Motion passed.

**Case 23-06:** Larry Dunn, Cronin, Bisson, and Zalinsky 12A Baker Ave Deerfield, NH Rehearing of case 23-01: rehearing of the Zoning Board of Appeals March 25, 2023 decision to deny a variance as follows: Required: Article II, Section 204.1 and 207.3: Setbacks to side yard property lines is 37.5 feet. Variance Requested: Applicant proposes a 34-foot setback from the west property line and a 16-foot setback from the east property line. Mr. McDonald made a motion to accept the case, seconded by Mr. DiMauro. All in favor. Motion passed. John Bisson of Cronin, Bisson, and Zalinsky reviewed plans with the Board. He stated that the applicant has had the property surveyed since the denial and provided photos of the property showing the neighbors' views and impact of the proposed construction on the neighbors' views. Mr. Bisson stated that the property doesn't have a functioning kitchen, no bathtub or shower, a modest interior, and that the refrigerator is in the bathroom.

**Public Comments:**

Patrick McGovern 12C Baker Ave Deerfield, NH - Mr. McGovern stated that he opposes the proposal. He states that the proposed addition will bring the structure 14' from the property line and will block his neighbors' views of the lake.

Claire Cail - Claire is the daughter of an abutter, Helene McGovern, who could not be present herself. Ms. Cail read a letter written by her mother stating her opposition to the proposal until the applicant could verify property lines. Ms. Cail said it seems that the applicant has been able to do that by having the property surveyed.

In rebuttal, Mr. Bisson stated that the neighbors whose views would be impacted are not present at this meeting and were not at the last meeting either. Ms. Lockwood asked about the height of the second floor addition. Mr. Bisson stated they are not seeking a height variance, only setbacks from sides. Mr. Tate asked if the applicant's intention is to start using the property as a full time residence. The applicant stated that he would like to use the property more, but not full time. Ms. Lockwood said she had a better understanding of the applicant's space needs now than before. Ms. Cohen advised that the Board be cautious when saying things like "it's only two feet" in granting variances because two feet here and there can quickly add up. She also said she hadn't heard if the interior couldn't be renovated to make current. Mr. DiMauro said that the property hasn't been well maintained and this is a good opportunity for that to happen. He also said he would like a stipulation added to control erosion. Mr. DiMauro said he is in favor of granting the variance to see the improvements made to the neighborhood and to the lake. Mr. Thompson said he has no problem with the application. Mr. DiMauro made a motion to grant both variances, seconded by Mr. Thompson. The vote was 3 Yays, 2 Nays, 0 Abstentions. Motion passed. The variances were granted. Mr. DiMauro made a motion to require siltation fences for westerly construction, followed by vegetative improvements in the riparian buffer on the same side. Motion seconded by Mr. Thompson. All in favor. Motion passed.

**Case 23-08:** Richard Miyara 4 Iver Johnson Lane Deerfield, NH Required: Article II, Section 204.1 and 207.3: Setback to side yard property lines is 37.5 feet. Variance Requested: Applicant proposes a 34-foot setback from the north side property line. Required: Article II, Section 204.1 and 207.2: Setback to front yard property line is 40 feet. Variance Requested: Applicant proposes a 10-foot setback from the east, front property line. Mr. DiMauro made a motion to accept the case, seconded by Mr. Thompson. All in favor. Motion passed. The applicant stated he would like to build a 24x28 garage. He explained at the time he purchased his property there had been an expired septic & garage permit. The applicant also explained that he is the abutter on the 10' side of the proposal. Mr. Tate asked about sight distance. The applicant answered that it is a dead end road with very little traffic. He said he is already backing into the road even without a garage.

**Public Comments:**

Patrick Brochu 2 Iver Johnson Lane Deerfield, NH - Mr. Brochu said he maintains Iver Johnson Lane and has no opposition to the proposal.

A letter written by Cynthia Mills was read by the Chair stating that she has no opposition to the proposal.

Ms. Lockwood said she feels the lack of a garage in NH is a hardship and a garage is considered the norm in home construction. Mr. DiMauro made a motion to grant the variance, seconded by Mr. Thompson. All in favor. Motion passed. Variance granted.

**Case 23-09:** Charles Martell 3 Charlie Lane Deerfield NH Required: Article II, Section 210.8 (F): For lots created before March 14, 2006, no structure shall be erected within seventy-five (75) feet of any wetland. Variance Requested: Applicant is proposing a 42-foot setback from a wetland (Pleasant Lake) for a shed. Required: Article II, Section 204.1 & 207.3: Setbacks to side yard property lines is 10 feet for low impact structures or buildings less than 200 square feet. Variance Requested: Applicant is proposing a 4-foot setback from the north side property line for a shed. Mr. DiMauro made a motion to accept the case, seconded by Ms. Lockwood. All in favor. Motion passed. The applicant stated he would like an 8x8 shed on blocks and can't comply with setback requirements due to the location of his septic. He stated that there is only 20' between his house and the property line.

**Public Comments:**

Ed Cross said it seems to him that the shed is already there and asked why a moveable 8x8 shed on blocks is considered a permanent structure. The applicant replied that the shed is already there and he did not realize he needed a permit. The Board discussed the possibility of other locations for the shed. The Board requested that the applicant add what prohibits him from placing the shed elsewhere to the map. Ms. Lockwood made a motion to grant the variance, seconded by Mr. DiMauro. All in favor. Motion passed. Variance granted.

**Case 23-10:** Rebecca & Mark Maida 251 North Rd Deerfield, NH Required: Article II, Section 210.8.F: For lots created before 2006, no structure shall be erected within seventy-five (75) feet of any wetlands. Required: Article III, Section 305: No building permit will be issued for any structure having a setback of less than 75 feet from any river or stream, lake or pond. Variance Requested: Applicant proposed a 10-foot setback from Pleasant Lake for a deck and stairs where a 75-foot setback is required. Mr. McDonald recused himself from this case. The Chair appointed Kendra Cohen as a voting member for this case. Mr. DiMauro made a motion to accept the case, seconded by Ms. Cohen. All in favor. Motion passed. The applicants are proposing to build a deck and stairs and make improvements to existing stairs. There will be a new 8x8 landing. The applicants provided photos to the Board. Mr. DiMauro made a motion to grant the variance, seconded by Ms. Lockwood. All in favor. Motion passed. Mr. Tate made a motion to add a stipulation that all construction must be bound by effective and reasonable erosion control measures. Motion was seconded by Ms. Lockwood. All in favor. Motion passed. Variance granted.

**Case 23-11:** Guylaine and Jeffrey Robidoux 4 Duke's Lane Deerfield, NH Required: Article II, Section 204.1, 207.2 & 207.3: Setbacks to side yard property lines is 37.5 feet. Setbacks to front yard property line is 40 feet. Variances Requested: Applicant is proposing a 12-foot setback from the front property line for a new deck installation. Applicant is proposing a 11.6-foot setback from the west, side property line and a 32-foot setback from the east, side property line for a new deck installation. Mr. DiMauro made a motion to accept the case, seconded by Ms. Lockwood. All in favor. Motion passed. The applicants stated this is a seasonal residence for them. They would like to build a deck and a small addition to their L-Shaped camp to square it up. They stated that the deck will wrap around the camp to the existing deck on the back. No public comments. A letter from Dick Pittman was read into record, stating he is not opposed to the granting of the variance. Mr. Thompson made a motion to grant the variance, seconded by Mr. McDonald. All in favor. Motion passed.

The meeting was adjourned at 10:25 PM.

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