

BOARD OF ADJUSTMENT
DEERFIELD, NEW HAMPSHIRE
JANUARY 26, 2021

MINUTES OF MEETING

PRESENT: Present via zoom; Joshua Freed, Jonathan Leer, George Thompson, Anthony DiMauro (arrived at 7:50PM), Stephen Stephenson, Alternate member Harry Hotaling. Also present secretary Jane Boucher.

7:15 Chair Joshua Freed called the meeting to order.

APPOINTED MEMBERS

George Thompson moved to appoint Anthony DiMauro, Jonathan Leer and Stephen Stephenson to serve as members of the Board of Adjustment each for a three year term. Joshua Freed seconded. Voted in favor.

Chair Freed appointed Harry Hotaling as a voting member.

George Thompson recused himself for Cases 21-02 and 21-03.

APPROVAL OF MINUTES

Harry Hotaling moved to approve the minutes of December 22, 2020. Jonathan Leer seconded. Voted in favor with George Thompson abstaining.

7:30 Clerk Jonathan Leer read the Notices for;

Case # 21-01 Anne Moschella

Case # 21-02 Edward and Sandra Cross

Case # 21-03 Edward Cross for Joanne Upper

A copy of the Notices is attached to these minutes.

Chair Joshua Freed explained procedure.

Anne Moschella was present via zoom.

Clerk Leer noted that the application was not signed. Ms. Moschella said that she was not sure that she needed to sign the application.

Stephen Stephenson moved to accept Case 21-01. Jonathan Leer seconded. Voted in favor.

Anne Moschella said that she would like to construct a 39 x 48 foot barn on the property to store equipment and is requesting a variance for wetland and boundary setbacks. She noted that by placing the barn in the specified location she would not be taking away any pasture land. It would be 51 feet from wetlands. During her presentation she noted that a new map depicting a small change in the property line had been submitted to Richard

Pelletier on Monday, January 25, 2021.

The Board did not have copies of the new map and noted that they would have to continue the Case. It was also mentioned that Ms. Moschella would need to sign the application.

Jonathan Leer moved to continue Case # 21-01 to February 23, 2021. Harry Hotaling seconded. Voted in favor.

CASE # 21-02 EDWARD AND SANDRA CROSS/ RANGE ROAD
Edward Cross was present via zoom.

The Board discussed the fact that the applicant had previously submitted the same application and was denied a variance. They questioned if they could legally hear the same application. After reviewing the Zoning Ordinance it was agreed to rehear the application.

Mr. Cross explained that after meeting with the Planning Board on two separate dates, he did not receive correct information and , although the Planning Board did feel a conventional subdivision was better, they could not grant a waiver for the required road.

Peter Schibbelhute, Chair of the Planning Board, spoke noting that the Board did agree that a conventional subdivision would have less impact .

Mr. Cross noted that he had received approval for three lots at the Range Road location.

Stephen Stephenson moved to accept Case # 21-02. Jonathan Lee seconded. Voted in favor.

Mr. Cross reviewed the five criteria and noted the additional impact to the Town for a new road.

No one spoke in favor of the application.

Erick Bergland said the Open Space Development Ordinance, adopted in 2006, was supported by residents and guided by the Master Plan.

Also speaking in opposition were Barbara Matthews, Wes Golumb, Brian and Maura Adams, Bonnie Beaubien, Tom Foukes and Errol Rhodes.

8:46PM The Board went into deliberative session and completed work sheets,

9PM The Board came out of deliberative session.

Anthony DiMauro moved to DENY the variance application. Joshua Freed seconded. Voted in favor with four to Deny and one to Grant.

CASE # 21-03 EDWARD CROSS FOR JOANNE UPPER/RAYMOND ROAD/VARIANCE FOR EXISTING NON CONFORMING LOT
Jonathan Leer moved to accept Case 21-03. Anthony DiMauro seconded Voted in favor.

Edward Cross was present via zoom noting that there is an existing driveway permitted by DOT back to the 20 acres off Raymond Road.

The lot was approved approximately 40 years ago and is an existing lot of record. Mr. Cross said he is interested in purchasing and building home on the property which does not have 200 feet of frontage.

Ginger Demers spoke in opposition, noting it abuts the Lamprey River.

Errol Rhodes also spoke in opposition.

Jeanne Menard said she was the existing broker and said that all issues would be addressed in order to build a home on the existing lot.

Joshua Freed agreed it was a lot of record.

9:15 Anthony DiMauro moved and Jonathan Leer seconded to go into deliberative session and completed work sheets.

9:25PM The Board came out of deliberative session. Anthony DiMauro moved to GRANT a variance to Edward Cross for property owned by Joanne Upper. Joshua Freed seconded. Voted in favor. It was unanimous.

The meeting was adjourned at 9:30PM.

Transcribed by Jane Boucher
Pending Approval by the Board of Adjustment



**OFFICE OF THE BOARD OF ADJUSTMENT
P.O. BOX 155
DEERFIELD, NEW HAMPSHIRE 3037**

Public Notice

The Deerfield Zoning Board of Appeals will hold public hearings on Tuesday, January 26, 2021 at 7:15 PM for the following applicants and times:

Time	Case #	Map#	Lot #	Details
7:30 PM	21-01	416	69	Applicant/owner Anne Moschella, 115 Nottingham Rd. Deerfield, NH, for property at same address, Map 416, Lot 69, is requesting a variance from Article 210.7E and 207.3 for wetland and boundary setbacks, for the purpose of constructing a barn.
7:45 PM	21-02	414	71	Applicants/owners Edward and Sandra Cross, 4 Thurston Pond Rd., Deerfield, NH 03037, for property on Range Rd., Map 414 Lot 71, Deerfield, NH, are requesting a variance from Article III Section 325 for the purpose of permitting a conventional subdivision instead of an open space subdivision.
8:00 PM	21-03	418	10	Applicant Edward Cross, 4 Thurston Pond Rd., Deerfield, NH, for owner JoAnn Upper, Trustee of the Upper/Fairney Revocable Trust, 50 Moores Rd., Florida, MA 01247, for property at Raymond Rd., Map 418, Lot 10, are requesting a variance from Article II Section 204.1 to permit a building permit on an existing, non-conforming lot.