

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

September 26, 2023
Meeting Minutes

Meeting called to order at 7:00 PM.

Pledge of Allegiance

Roll Call: Present - Spencer Tate, George Thompson, Anthony DiMauro, Amy Lockwood,
Skip Kelley (Alternate), Kendra Cohen (Alternate)
Not Present - James McDonald

Approval of Minutes: Mr. DiMauro made a motion to approve the minutes of the 7/25/23 meeting, seconded by Ms. Lockwood. It was noted that the minutes should be amended to state that Mr. McDonald was present at that meeting. All in favor. Motion passed.

Applicants for alternate board positions introduced themselves. Mr. DiMauro made a motion to send the alternates applications to the BOS, seconded by Mr. Kelley. All in favor. Motion passed. The Board acknowledged this is not standard procedure according to their bylaws, but were ok with deviating from the bylaws because it has been several months since the applicants completed the applications and they have each been to two meetings, which would have been three if a meeting had been held in August. Ms. Lockwood said she intends to bring up the three meeting requirement when they discuss bylaws next month.

Mr. Tate appointed Mr. Kelley as a voting member for this meeting.

Case 23-12: Request for Rehearing: Peter McGaffigan requests a rehearing regarding the ZBA's approval of variances in Case 23-06 on 7.25.23. The request states the applicant was not able to log into the Zoom call included in the meeting Notice, and thus was not able to share testimony against the project. Ms. Lockwood stated she does not think the letter from Mr. McGaffigan addresses grounds related to the decision. Mr. Kelley and Mr. DiMauro agreed with Ms. Lockwood. The Board discussed the function of Zoom in their meetings and agreed that a policy is needed. Mr. Thompson made a motion to deny the request to rehear the case, seconded by Mr. DiMauro. All in favor. Motion passed, request for rehearing denied.

Case 23-13: Required: Article II, Section 204.1, & 207.3: Setbacks to side yard property lines 37.5 feet. Variance Requested: 28-foot setback from property line to construct a garage. Mr. DiMauro made a motion to accept the case, seconded by Mr. Kelley. All in favor. Motion passed. The applicant states that he would like to build a garage and that other locations that would fall within setbacks would require cutting trees or correcting for the slope of the property. He has spoken with neighbors who have no issue with where he wants to build the garage. He said one neighbor would prefer he not have to cut trees. There were no abutters present to testify. Mr. Kelley said it looks to him like with a taller foundation, the garage could be built elsewhere on the property to fall within the setbacks. Mr. Kelley made a motion to deny the request, seconded by Mr. DiMauro. All in favor. Motion passed, request for variance denied.

Case 23-14: 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. Variance Requested: 25-foot setback from the wetlands to expand a garage. Mr. DiMauro made a motion to accept the case, seconded by Mr. Kelley. All in favor. Motion passed. The applicant would like to expand his existing garage, which will require a wetland variance. Exact dimensions of the proposed expansion were not provided but applicant states he would like a variance for more than he thinks he'll need in order to not have to apply for another variance if the garage expansion goes over the setback. All Board members agreed that they would like to see exact dimensions for the proposed expansion and to know the distance from the wetlands that the proposed expansion will be. Ms. Lockwood made a motion to table the case until more information can be provided by the applicant, seconded by Mr. DiMauro. All in favor. Motion passed, case tabled until next meeting. The applicant does not think he will be able to gather that information in the time allowed and may choose to withdraw his application at a later time.

Meeting was adjourned at 9:51 PM.

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