

**BOARD OF ADJUSTMENT MEETING
MAY 14, 2002**

MEMBERS:

Bruce Breton - Chairman
Rob Gustafson - Vice-Chairman
Robert O'Loughlin - Secretary
Al Souma - Member (Absent)
Chris Doyle - Member
Jack Gattinella - Alternate (Excused)
Tony Pellegrini - Alternate
Dick Drummond - Alternate (Absent)

Alternate Appointment

For this meeting Mr. Pellegrini replaced Mr. Souma.

Lot #1-C-1307, Case #13-2002

John & Lisa Desrochers
171 Londonderry Road

A variance is requested from Section 702 of the Zoning Ordinance to permit a 22-foot setback where 30-feet is required.

Mr. O'Loughlin read the case into the record. Mr. Michael Florence of Parker Company, representing the Applicant, presented the case. The Applicant would like to install an 18' X 36' in-ground pool. The pool cannot be installed in other areas of the lot because there are grades that drop off considerably making the cost of construction prohibitive, location of the leach field and there is also an issue of aesthetics with an abutter. The five supporting facts were read into the record. The Members discussed visiting the site. Mr. O'Loughlin motioned to continue Case #13-2002 to the May 28, 2002 meeting. Mr. Doyle seconded the motion. Passed unanimously.

Lot #13-K-32, Case #14-2002

Norman Boutillette
27 Doiron Road

A variance is requested from Section 702 of the Zoning Ordinance to permit construction of a one-car garage approximately 5-feet from the side lot line and 15-feet from the front lot line.

Mr. O'Loughlin read the case into the record. The Applicant, Mr. Boutillette presented the case. The Applicant is limited, because of the severe slopes on the property, as to where to build the proposed garage. Mr. Boutillette presented photos to the Board. The proposed garage is 12' X 20' and 15' high. Mr. Boutillette read the five supporting facts into the record. Mr. O'Loughlin read the following recommendation made by the Conservation Commission into the record:

- The Conservation Commission respectfully requests that the Zoning Board of Adjustment not rule on this variance until topographical and wetland data are provided to the Conservation Commission regarding this property due to its close proximity to Shadow Lake.

Mr. Boutillette said that in front of his lot there is a road, another property and then Shadow Lake. The Chairman closed the public portion of this case.

Lot #8-B-4400, Case #15-2002

Windham Animal Hospital
8 Libbey Road

A variance is requested from Section 702 of the Zoning Ordinance to permit the construction of an addition to the hospital 25-feet from the front lot line where 50-feet is required.

Mr. O'Loughlin read the case into the record. Attorney Bill Mason, representing the Applicant, presented the case. Dr. Butterfield would like to construct a 25 X 70' addition to the front of the building. The Applicant is limited in the direction in which the addition can be constructed given parking requirements, septic issues and the present floor plan of the existing facility. Granting this variance would allow the facility to be updated and would allow the Applicant to accommodate the increase in patient load. The proposed addition adds three more exam rooms, a new surgery room, and a visiting and consultation room. The addition would be more than 50-feet from Route 28 but not more than 50-feet from Libbey Road. The building would be 24.86-feet from the right-of-way on the south side and 25.07-feet from the right-of-way on the north side. Libbey Road basically serves only the Windham Animal Hospital. Mr. Gustafson asked if the Applicant looked into purchasing land to the north of his property. The Applicant had checked with the abutter to the north but no land was available for sale. Attorney Mason read the five supporting facts into the record. Mr. Alfred Siefert, Windham Animal Control Officer, spoke in favor of this request. Attorney Mason presented twenty letters of support to the Board. These letters of support were from Alice Hunt, Francis M. Slobas, Nancy Lincoln, Jeffrey Orchard, Kathleen Green, Jean & Suzanne Laurent, Joan C. Tuck (Windham Town Clerk), Douglas & Holly Eddy, Milton & Mary Stewart, Jack & Gale Starr, Catherine Klonowski, Raymond & Gail Rees, Linda German, Ronald Smith, Marjorie Smith, Randall Smith, Beth Talbott, Dr. & Mrs. Roger Paradis, George & Marion Dinsmore, Joyce Bohenko, Kathryn M. Shiber, Nationwide Ladder & Equipment and Alfred E. Seifert. The Chairman closed the public portion of this case.

Lot #22-A-50, Case #16-2002

Arthur Soucey
19 Birchwood Road

A variance is requested from Section 702 of the Zoning Ordinance to permit the construction of an addition (single story master bedroom and bath) that would encroach on the 30-foot side setback requirement.

Mr. O'Loughlin read the case into the record. Mr. Soucey presented his case. The proposed addition cannot be located in the rear of the lot because of a pool and septic system, water and electric are located in the front of the house, garage and forestry on the right side of the house. The existing dwelling is 2300 square feet. The property is at least 500-feet from Canobie Lake. Mr. Soucey read the five supporting facts into the record. Mr. O'Loughlin read into the record the following comment from the Conservation Commission:

- Conservation Commission has no comments on this request.
- For future applications in this area, near Canobie Lake, it would be helpful to see topography and wetlands data or pictures of the area.

The Chairman closed the public portion of this case.

MINUTES

Mr. Gustafson motioned to accept the April 23, 2002 minutes. Mr. O'Loughlin seconded the motion. Mr. Pellegrini, Mr. Gustafson, Mr. Breton and Mr. O'Loughlin voted to accept the April 23, 2002 minutes. Mr. Doyle abstained (did not attend the April 23, 2002 meeting).

**At 8:40 PM the Chairman granted a five-minute recess.
The Chairman called the meeting back to order.**

DELIBERATIVE SESSION

Lot #13-K-32, Case #14-2002

Norman Boutillette
27 Doiron Road

Mr. Gustafson motioned to continue Case #14-2002 to the May 28, 2002 meeting. Mr. Doyle seconded the motion. Passed 5-0.

Lot #8-B-4400, Case #15-2002

Windham Animal Hospital
8 Libbey Road

Mr. Doyle motioned to grant Case #15-2002. Mr. Gustafson seconded the motion. Mr. Pellegrini, Mr. Gustafson, Mr. Breton, Mr. Doyle and Mr. O'Loughlin voted to grant this variance. Request granted 5-0.

Lot #22-A-50, Case #16-2002

Arthur Soucey
19 Birchwood Road

Mr. Doyle motioned to grant Case #16-2002. Mr. Pellegrini seconded the motion. Mr. Pellegrini, Mr. Gustafson and Mr. O'Loughlin voted to deny this variance. Mr. Breton and Mr. Doyle voted to grant this variance. Request denied 2-3.

Lot #3-B-271, Case #1-2002 Reconsideration

Antonio Peta
17 Bissell Camp Road

Mr. Doyle motioned to grant Case #1-2002. Mr. Gustafson seconded the motion. Mr. Pellegrini and Mr. Breton abstained. Mr. Gustafson, Mr. O'Loughlin and Mr. Doyle voted to grant this request. Mr. Breton abstained because he felt that the case was not properly posted. Request granted 3-0-2.

Other Business

Mr. Breton requested a copy of the Zoning Board Instructions and a copy of the February 2002 Presentation be sent to the Conservation Commission.

MAIL

1. May 2002 Issue of *Town & City*
2. Schedule of 2002 Municipal Board Training Series

Mr. Doyle motioned to adjourn at 9:38 PM. Mr. Gustafson seconded the motion. Passed unanimously.

The next meeting of the Zoning Board of Adjustment will be on May 28, 2002 at 7:30 PM in the Planning & Development Office.

NOTE: These minutes are in draft form and are respectfully submitted for approval by Patricia Kovolyan.

