

**ATKINSON ZONING BOARD OF ADJUSTMENT  
21 Academy Avenue  
Atkinson, New Hampshire 03811**

**Public Hearing Meeting Town Hall  
Wednesday August 14, 2013**

Present: Glenn Saba, Chair; Sam Zannini, Vice Chair; Dick Paquin; David Farris; Shane Keating

**Approval of Minutes of July 013 Deferred**

*Mr. Zannini made a motion to approve the minutes as amended. Mr. Farris seconded and the minutes were approved.*

**Public Hearings– 7:25 P.M.**

SEC and Associates for Daniel Young, application for Special Exception under Article IV Section 460, to allow Extended Family Accessory Living Unit, on property located at 3 Pheasant Lane, Map 7 Lot 19, in the RR2 Zone.

Abutters List was read with the following present:

Charles Zilch for SEC and Associates; Sean Ryan

Mr. Zilch presented the Board with a revised plan. Mr. Ryan explained the addition is 24 x 36. The second floor was shortened by 2 feet and they added some additional dead knee wall space. He would like the Board to consider that the stairwell and back landing be designated as common space. The total square footage is now 748. Mr. Saba asked if the approved septic was going to be installed. Mr. Zilch stated they had the back-up approved septic but wanted to discuss with the Board the necessity of having it installed prior to occupancy. It was discussed that in the recent past the board has interpreted the requirement to read that the system must be installed.

There was no public input.

The Board reviewed the criteria:

- a. The Board agreed this was met as stated
- b. The Board agreed this was met as stated
- c. The Board agreed this will be met with the recording of the Deed Addendum.
- d. The Board agreed this was met as stated
- e. The Board agreed this was met as stated
- f. The Board agreed this was met as stated
- g. Based on the revised plan the wall and the door were removed from the accessory unit. The stairway from the garage is the only way for both occupants to access their dwellings. The Board agreed this was met as stated
- h. The Board agreed this was met as stated
- i. The Board agreed this was met as it already has been inspected by all necessary parties.
- j. There is a State approved septic plan #CA20131308. The Board agreed this will be met before the occupancy permit is granted. Mr. Zannini does not agree that the applicant should be required to install the approved septic system prior to occupancy. Mr. Zannini abstained.
- k. The Board agreed this was met as stated. Mr. Young's mother and father will be occupying the accessory unit.

*Mr. Keating made a motion to approve the request as stated based on all of the conditions having been met or will be met before the occupancy certificate is issued. Mr. Zannini seconded the motion and it was unanimously approved.*

**Public Hearings– 7:25 P.M.**

Ronald M. Bertocchi for Eugene and Irene Bertocchi, application for Variance from Article IV Section 400:4 to allow shed placement 11 feet from side lot line instead of the required 15 feet, and 15 feet from the road line, on property located at 22 Lakeside Drive, Map 23 Lot 54 in the RR3 Zone.

Abutters List was read with the following present:  
Eugene and Irene and Ronald Bertocchi.

Mr. Paquin read a letter from the abutter Marguerite Carroll whom had no objection to the proposal. She is the direct abutter to where the shed would be located.

There is an existing 7 x 5 shed that has been there for several years. They want to replace it with a 12 x 12 shed that will be placed farther from the street. It is still located approximately 100 feet from the direct abutter's house. There is a wooded area and the shed is not visible from the abutter's yard. It will be a moveable shed so if there is any problem with lot lines in the future it could be moved.

Mr. Saba read a letter from the Conservation Commission, who voted unanimously in favor of recommending the variance be granted.

There was no public interest.

Mr. Saba read the application and the Board reviewed the criteria:

- 1.) The Board agreed unanimously that this was met based on the discussions and the application as presented.
- 2.) Mr. Zannini does not think this type of shed will be a detriment. This proposal makes the property more compliant by removing the old shed and having the new shed further from the road The Board agreed unanimously that this was met based on the discussions and the application as presented.
- 3) The applicant will be housing things that are currently stored outside on the property. The Board agreed unanimously that this will be met based on the discussions and the application as presented.
- 4.) Mr. Paquin believed the replacing of an old shed is a great improvement. The Board agreed unanimously that this was met based on the discussions and the application as presented.
- 5.) a.) The direct abutter had no objections to the proposal. There were no objections from any abutters. There are special conditions of the lot making any other placement not feasible. The Board agreed unanimously that this was met based on the discussions and the application as presented.  
b.) It is reasonable to have a shed and is a permitted use. The Board agreed unanimously that this was met based on the discussions and the application as presented.

***Mr. Zannini made a motion to grant the request for Variance 11 feet +/- as stated above, from the side lot line and 15 feet from the front lot line based on the application as presented and all of the criteria having been met. All other existing sheds will be removed. Mr. Paquin seconded the motion and it was unanimously approved.***

***Motion was made and seconded to adjourn the hearing. Mr. Saba adjourned the hearing at 9:00 p.m.***

***Respectfully Submitted***

***Minutes transcribed from tape***

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***Rebecca Russo***