

**TOWN OF CHESTERFIELD, NH
ZONING BOARD OF ADJUSTMENT**

**MEETING MINUTES
SEPTEMBER 11, 2018**

Present: Kristin McKeon, Lucky Evans, John Zannotti and Alternate Joe Parisi

Absent: Alternates Eric Barron, Joe Hanzalik

The Zoning Board of Adjustment met at the Chesterfield Town Offices on September 10, 2018. Kristin McKeon called the meeting to order at 7:04 p.m.

McKeon requested that Parisi vote as a regular member on the hearings.

Review:

August 14, 2018 Site Visit Minutes

Zannotti moved to approve the August 14, 2018 meeting minutes as amended. Evans seconded the motion.

Vote called: Evans – yes; Zannotti – yes, Parisi – abstained; McKeon – yes

Motion passed by majority vote.

McKeon noted that there are only four ZBA members at this meeting and explained the process of the meeting.

Hearings:

- **Chesterfield Board of Selectmen** request for Clarification/Rehearing for Variance Granted to Chesterfield Board of Selectmen for property located at 504 Rt. 63, Chesterfield, NH 03443 (Map 12B Lot C9) Residential District
Present: Norman W. VanCor, Selectmen's Representative

VanCor stated that they wish to defer the Clarification/Rehearing to the next scheduled meeting of October 9, 2018.

- **Erik & Marguerite Barnes** request a Variance from Article II Section 205.5 & Article V Section 503.1 of the zoning ordinance to permit a deck within the front setback and is a nonconforming structure. This parcel is located at 46 Main Street in West Chesterfield, NH 03466 (Map13C Lot A8) Village District
Present: Erik & Marguerite Barnes

McKeon requested that abutters list be corrected and updated to include Cobleigh Estates property owners. McKeon asked if the Board felt that a site visit would be helpful prior to the hearing. Parisi and Zannotti did not feel that a site visit was necessary at this time. McKeon noted that there has been a prior variance request for this property by a former owner. This hearing will be rescheduled for October 9, 2018.

- **Elizabeth Lowe** requests a Special Exception from Article II Section 204.3 (A) of the zoning ordinance to permit home occupations located in residences or accessory buildings, subject to compliance with the additional requirements of Section 402. This parcel is located at 44 Chandler Road in Spofford, NH 03462 (Map 10A Lot F8) R/A District

Present: Elizabeth and Stephen Lowe

Parisi stated that Chesterfield Heights is named as an abutter and doesn't feel that Chesterfield Heights is an abutter to this application. He noted that he is a resident of Chesterfield Heights and he does not feel the need to recuse himself from this Special Exception request. The ZBA members did not feel that there would be a problem for Parisi to serve as a board member for this hearing. Parisi noted that there are two homeowners associates within, what are referred to as The Heights.

Elizabeth Lowe was given a courtesy call to inform her that all property owners are required to sign approval of all ZBA applications to proceed with the hearing. Stephen Lowe, also owner of 44 Chandler Road, provided a letter to the ZBA dated September 11, 2018 to the ZBA for giving his approval for the Special Exception.

The ZBA also received a letter dated September 10, 2018 from abutter Donna Kennedy of 35 Wilde Road, Spofford of her approval of this application. Another letter was received from residents Peter and Cornelia Jenness, property owners of 32 Chandler Road, Spofford of their support of this application.

Elizabeth Lowe stated that Steve Dumont, Chesterfield's Health Officer, completed a health inspection for the Child Care Program (Wild Roots Nature School) located at 44 Chandler Road in Spofford, NH. The copy provided was dated August 11, 2018 with comments and is included in the ZBA file folder.

Lowe also noted that there are two driveways on the property. There will be no other employees for this child care program. The program will run from September through May, on Monday, Tuesday and Wednesday at the hours of 9:00 a.m. to 2:00 p.m. for children ages 4 years to 6 years old. There will be no more than six children enrolled in the child care program. Lowe will provide an outdoor play area with swing set.

McKeon noted that if this application is approved, the applicant must come back to the ZBA for approval of any changes requested for this child care program.

Zannotti moved to close the public portion. Evans seconded the motion.

Vote called: Evans – yes; Zannotti – yes, Parisi – no; McKeon – yes

Motion passed by majority vote.

Parisi acknowledged that Lowe also owns #9 abutting property. He stated that if that property is sold, the buyers should be notified of the child care program.

McKeon stated that this road has had a day care center with more than six children.

Evans moved to approve the Special Exception by virtue as presented. Zannotti seconded the motion.

Zannotti made a motion to amend the motion for the following provisions:

1. *Child care will be conducted on the premises on Monday, Tuesday and Wednesday.*
2. *Hours of operation are 9:00 a.m. to 2:00 p.m. from September through May.*
3. *There will be no more than six (6) children maximum for ages of 4 years to 6 years.*
4. *There will be no other employees for this child care agency.*

McKeon seconded the amendment.

Vote called on the amendment: *Motion to the amendment passed unanimously.*

Vote on the original motion called.
The motion passed unanimously.

Vote called on the motion: (4) Yes; (0) No

The next scheduled meeting is October 9, 2018.

With no further issues to discuss, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,
Patricia Grace
Secretary

Approved

Kristin McKeon, Chairman
Zoning Board of Adjustment

Date