



ZONING BOARD OF ADJUSTMENT  
TELEPHONE (603) 363-4624



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

You are hereby notified that at its Thursday, June 11, 2020 the Zoning Board of Adjustment meeting the Board reviewed the **Joy Street, LLC** application requesting an appeal of an Administrative Decision made by the Code Enforcement Officer, Ted Athanasopoulos, in relation to Article 203.4c, Coverage: Building coverage shall not exceed 10% of the area of a lot. Total impermeable coverage shall not exceed 20% of the area of the lot to permit a pervious paving system. The property is located at 217 Route 9A in Spofford (Tax Map 5L, Lot A8)

*The application is DENIED based on the following items:*

- 1. Code Enforcement letter of 11/17/2019 was in fact accurate and appropriate.*
- 2. Chesterfield NH does not consider permeable pavers as permeable and is a requirement above and beyond what the Shoreland Protection NHDES permits.*
- 3. As required by the first Shoreland Permit, it was to allow them to replace items, not expand which is what happened and therefore why the second permit was secured.*
- 4. No guarantee that the ZBA has heard that sand and salt will not run into the lake when the pavers are not properly maintained.*
- 5. The applicant never obtained a permit from the Town of Chesterfield.*

The motion was seconded and carried unanimously.

Kristin McKeon  
Chairman  
Zoning Board of Adjustment

Date: 6/15/20

NOTE: Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty days of the date of this decision. The necessary first step, before any appeal may be taken to the courts, is to apply to the Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677

NOTE: Variance is based on oral and written intentions (including maps, plans, and written statements) and assurances of applicant and/or it's representative and must be implemented in a way which adheres to those intentions and assurances. "The scope of a variance is dependent upon the representations of the applicant and the intent of the language of the variance at the time it is issued".

*Town of Rye v. Ciborowski, III N.H. 77 (1971)*

**A site plan review may be required of the Chesterfield Planning Board, as a result of this decision.**