

Newton Board of Appeals  
2 Town Hall Road  
Newton, NH 03858

**MINUTES OF THE MEETING of October 1, 2018**

CALL TO ORDER at 7:30 PM by Chair Tom McElroy

ROLL CALL: Chair Tom McElroy, Vice Chair Alan French, Jack Kozec, Michael Connolly and Alternate Frank Gibbs.

Mr. McElroy appointed Frank Gibbs a voting member in Brad Cardoso's absence.

**ACCEPTANCE OF MINUTES:** A motion to accept the minutes of the meeting of August 13, 2018 was made by Mr. Kozec. Second by Mr. Connolly. Motion carries.

It should be noted there were no minutes from the scheduled September 10, 2018 meeting. The meeting was cancelled due to the lack of a quorum.

**Mr. Kozec made a motion to continue the Public Hearing for Robert Ferrara until the November BOA Meeting. Mr. Gibbs second with unanimous vote. The date to be determined due to Veterans' Day Holiday.**

**Public Hearing:** Sandra Nierman  
106 Pond Street  
(Map 4 Block 2 Lot 3 & 1-2)

Mr. McElroy opened the Public Hearing.

Ms. Nierman told the Board members she'd like to tear down an old 15' x 30' cottage and replace it with a 24' x 30' cottage. She has received State approval from DES.

The Board members reviewed the Variance Standards (also known as criteria). Board members unanimously voted "yes" on each criteria standard.

**Mr. Kozec made a motion to approve a variance of twenty four feet, seven inch variance on the Southeast side of property; And eleven feet, four inch variance on the Southwest side of the property. Variance is based on a plot plan prepared by Paul Nichols, PE, LS dated May 31, 2018, job number 551-99. Second by Mr. Gibbs with unanimous vote.**

The Board voted unanimously to approve the Appeal of Newton Zoning Ordinance, Section XXVII, Paragraph 8.b:

Mr. Kozec made a motion to close the Public Hearing. Second by Mr. Gibbs. All in favor.

**Old Business/Correspondence:** None

At 7:55 PM, a motion to adjourn was made by Mr. Kozec. Second by Mr. French. All in favor. Motion carries.

Meeting adjourned at 7:55 PM.

NEXT MEETING TBD

Respectfully submitted,

Gail M. LeBlanc, Secretary  
Board of Appeals

**Newton Board of Appeals  
2 Town Hall Road  
Newton, NH 03858**

**October 1, 2018**

**NOTICE OF DECISION**

A Public Hearing for Sandra Nierman of 106 Pond Street, Newton, NH (Map #04-Block 2-Lot 03) was held Monday, October 1, 2018 at 7:30 PM in the Town Hall, Newton, NH, to act on the request for a Variance of Newton Zoning Ordinance, Section XXVII (Wetland Zoning Ordinance), Paragraph #8.b (no building activity permitted with 50' of any poorly drained soil). The Board voted unanimously to approve the Appeal of Newton Zoning Ordinance, Section XXVII, Paragraph 8.b:

- Twenty four feet, seven inch variance on the Southeast side of property;
- Eleven feet, four inch variance on the Southwest side of the property.

Variance is based on a plot plan prepared by Paul Nichols, PE, LS dated May 31, 2018, job number 551-99.

**Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty (30) days of this notice. 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 a rehearing must set forth all the grounds on which you will base your appeal.**

**See New Hampshire Statutes, RSA Chapter 677, for details.**