



# Town of Newton, NH

Newton Town Hall: P.O. Box 378, Town Hall Road, Newton, NH 03858

Town Hall Hours: Monday - Wednesday, 8am - 4pm; Thursday 12pm - 8pm

## March 15, 2016 Board of Appeals Minutes

Newton Board of Appeals  
2 Town Hall Road  
Newton, N.H. 03858

MINUTES OF THE MEETING of March 15, 2016

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

ROLL CALL: Chairman Tom McElroy, Brad Cardoso, Michael Connolly,  
Jack Kozec, Alternate Frank Gibbs

Absent: Vice-Chairman Alan French, Alternate Ken Pelletier

Mr. Gibbs was made a voting member in the absence of Mr. French, who arrived 5 minutes later.

Guest: Mr. John Meserve, former President of the Merrimac Savings Bank.

ACCEPTANCE OF MINUTES: A motion to accept the minutes of the meeting of February 16, 2016 was made by Mr. Kozec. Second by Mr. Connolly. All in favor. Motion carries.

PUBLIC HEARING: North Shore Bank  
29 South Main Street  
Newton, NH 03858  
(#011-05-023)

Mr. Meserve, serving as the representative of the Bank, explained the request for variance now with all the new measurements. The Bank wishes to add an egress for the second floor of the existing structure, for employee use, not for customer service. The proposed addition does not meet the existing dimensional requirements for the 65' center of road setback from a public way (Grebstein Drive). There are only 38'3" from the center line, therefore a variance of 26'9" is requested, according to the measurement that the structure encroaches on the required setbacks. Both the stairway and the landing have a covering/overhang, a pitched roof. It is an open-concept structure.

Mr. Cardoso wishes to discuss the exposed construction. Will it look like a deck? Yes, an elevated 12'x12' deck, sitting on piers. This is just to give them the flexibility to use the second floor. The pressure treated deck the railing, spindles etc.

Mr. Cardoso points out that according to the Town Zoning Ordinances, Commercial Design Standards A (2f) "the architectural treatment of the front façade shall be continued, in its major features, around all visibly exposed sides of the

building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors, and details.”

This means that the requested stairway must have its (pressure-treated) deck, stairs, railings, spindles, trim boards etc. all painted to match the original structure (the building), since they will be exposed. Everyone is in agreement.

**Review of the Criteria/ Variance Standards:**

- 2-Area variance: all agree that this is necessary and that there are no other ways this can be achieved.
- All agree this would not violate any basic ordinance objectives
- All agree this will not be contrary to the Public interest
- All agree that the value of the surrounding properties will not be diminished
- All agree that substantial justice is done

A motion is made by Mr. Cardoso to grant a variance on the NorthEast side of the building of 26’9” from the edge of the proposed building to the center line of Grebenstein Drive, as seen on the Plan prepared by Civil Construction Management Inc dated February 2016, Job #15103, with the condition, as per section “Commercial Design Standards, Section A(2f)”, all pressure-treated wood shall be covered with fascia-board and painted to match the building, the railing should have colonial spindles and painted to match also.

Second by Mr. Kozec. All in favor. Motion carries.

Chairman McElroy informs Mr. Meserve of the 30-day waiting period.

Public Hearing ends at 8:48 pm.

**OLD BUSINESS: 2016 Budget**

As per the directive from the Selectmen, all Departments were to prepare a new version of the proposed budget with a 3% budget challenge (decrease) off the default budget, and to submit them by March 22<sup>nd</sup>.

The Board of Appeals voted unanimously to take the 3% (\$180) from Legal fees (item 4192118). A motion was made by Mr. Kozec to reduce the Legal fee item by 3%. Second by Connolly. All in favor. Motion carries.

No other new/old business

Chairman McElroy shared a few comments about the Rockingham Planning Commission meeting, which he and his wife attended las week. Agricultural properties are decreasing. From 2002 to 2012, farmland has decreased by 1/3. This is a significant amount especially since NH is one of the 3 largest farming areas.

At 7:58 pm, a motion to adjourn is made by Mr. Kozec. Second by Mr.Connolly. All in favor. Motion carries.

**NEXT MEETING** will be Tuesday, April 19, 2016.

Respectfully submitted,  
Jeannette S. Clark, secretary

