

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

**MINUTES OF THE MEETING of October 16, 2017**

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

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

**Mr. McElroy appointed Frank Gibbs a voting member in the place of Mr. Cardoso and Mr. Connolly.**

**IN ATTENDANCE: Coleman McDonough, Tom Lekborg, Northern Constructors and Scott Frankiewicz, Brown Engineering**

**ACCEPTANCE OF MINUTES: A motion to accept the minutes of the meeting of September 11, 2017 was made by Mr. Kozek. Second by Mr. French. All in favor. Motion carries.**

**Mr. Gibbs excused himself from the table.**

**New Business: Coleman McDonough/125 Development, Lot 27-2 Puzzle Lane (Map 14 Block 1 Lot 27-2) Application for Variance, Section XXVII 8b – Activity within 50 feet of wetlands**

**The continuation of the Equitable Waiver public hearing has been abandoned.**

**Mr. Scott Frankiewicz presented on behalf of Mr. McDonough. He stated that 125 Development is seeking two variances: one variance of 17 feet from the wetlands and one variance of 15 feet from the wetlands. He stated that the variances would not have any impact on the wetlands.**

**After discussion and review of the criteria, Mr. Kozec made a motion to approve the variance of 17' on the North Side and approve the variance of 15' on the East Side for Lot 27-2 Puzzle Lane (Map 14 Block 1 Lot 27-2) per the plans by Brown Engineering dated August 4, 2017, job 4678-13. Second by Mr. French with unanimous vote.**

**Preliminary Review: Frank Gibbs, 87 Smith Corner Road (Map 8 Block 2 Lot 6) requesting a 12” (twelve inch) variance from Newton Zoning XI, Non-Conforming Lots, Structures and Uses: to join two garage structures together. After reviewing Mr. Gibbs application, the BOA agreed to go forward with the public hearing November 13, 2017.**

**Mr. Gibbs joined the Board again.**

**Correspondence: none**

**Budget: The BOA reviewed the budget for preparation of the 2018 budget. Mr. Kozec made a motion to submit the 2018 budget request identical to the 2017 budget. Mr. Gibbs second with unanimous vote.**

**At 8:12 PM, a motion to adjourn was made by Mr. Kozec. Second by Mr. French. All in favor. Motion carries.**

**Meeting adjourned at 8:12 PM.**

**NEXT MEETING will be Monday, November 13, 2017 at 7:30 PM.**

**Respectfully submitted,**

**Gail M. LeBlanc, Secretary  
Board of Appeals**



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October 16, 2017

**NOTICE OF DECISION**

A Public Hearing for Coleman McDonough, 125 Development, Lot 27-2 Puzzle Lane, Newton, NH 03858 (Map 14 Block 1 Lot 27-2) was held on Monday, October 16, 2017 to act for a variance from the Town of Newton Zoning Ordinance:

Section XXVII 8b – Activity within 50 feet of any poorly or very poorly drained soil except as provided in subsection (c) of this section

- at two points: 33 feet where 50 feet required and 35 feet where 50 feet required.

**The Board voted unanimously to grant the waiver for 17' on the North side of the wetlands and 15' on the East side from the wetlands.**

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 Adjustments 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.