

Brentwood Board of Adjustment Minutes August 22, 2022

Members Present: Chairman Doug Cowie, Vice Chair Ken Christiansen, Frank Albert, Russ Kelly

Cowie opened the meeting at 7:00 pm and explained the procedures to those present.

Public Hearing: Applicant/Owner: Alan Gay. Applicant requests variance from Article VII, Sections 700.004.002.001, 700.004.002.002 and 700.004.002.003 of the zoning ordinances to build an addition to our existing home that is within the 300' buffer zone of the Exeter River. Property is located at 19 Sherman Avenue, Brentwood, NH 03833, referenced by tax map 214.104.000.

Applicants Alan Gay and Sara Gay were present.

Gay went through the 5 criteria they have provided to support granting the variance.

1. *Granting the variance would not be contrary to the public interest:*

Gay explains that there will be no impact to abutters' properties, they will be impacting the environment but trying to minimize that, have reduced addition from 1,180 sq ft to less than 600 sq ft. No abutters present.

2. *If the variance were granted, the spirit of the ordinance would be observed because:*

Gay believes they would be improving soil erosion due to storm runoff, from impervious areas of the structure. Gay believes they would just be improving what they already have, they are not making it less conforming or building closer to the river.

3. *Granting the variance would do substantial justice because:*

Applicants will add additional natural/native vegetation and plantings to support and protect the Exeter River.

4. *If the variance were granted, the values of the surrounding properties would not be diminished:*

Applicant states they have the smallest house in the neighborhood, this addition would likely increase the home values in the neighborhood.

5. *Unnecessary Hardship: A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:*

i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:*

There are no conditions in the requested project that would negatively affect the general public.

And

ii. *The proposed use is a reasonable one because:*

Applicants purchased this property with the intention of being lifelong Brentwood residents, would like to continue living in their home with their 2 children, would be more comfortable and manageable with more space.

Members agree that applicant has met all 5 criteria.

Christiansen motions to approve the variance document as presented, Kelly 2nds, all in favor.
Motion carried.

Board Business

Motion made by Kelly, 2nd by Christiansen to approve the minutes of June 6, 2022: the motion carried.

Motion made by Albert, 2nd by Christiansen to adjourn at 7:30: all were in favor, motion carried.

Respectfully Submitted,

Jillian Benedix
Administrative Assistant