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TOWN OF NEWMARKET NEW HAMPSHIRE

Zoning Board of Adjustment

July 14, 2025 7:00 PM

Town Council Chambers

DRAFT MEETING MINUTES

Present: Bob Daigle (Chair), Wayne Rosa (Vice-Chair), Al Zink, David Evans (Zoning Administrator)

Absent: James Drago, Dylan Toooh

The Chair called the meeting to order at 7:00 PM.

The voting members will be: **Bob Daigle, Wayne Rosa, and Al Zink.**

It was explained that applicants are entitled to a five-member board, and as only three members are present tonight and they need three like votes for an approval, applicants may request a continuance to the next regular meeting date if they would prefer to.

1. Pledge of Allegiance

2. Acceptance of Minutes

a. June 9, 2025

Action

Motion: Wayne Rosa moved to approve the minutes of June 9, 2025 as written.

Second: Al Zink

Discussion: None

Vote: Approved 3-0-0

3. Regular Business

- a. A Special Exception request by Altus Engineering for a horizontal expansion of a nonconforming structure pursuant to Newmarket Town Code Section 32-5(2)a to permit the expansion of the existing single family home on real property with an address of 21 Moody Point Drive (Tax Map R2, Lot 43-2) in R1 zoning district

The Chair read the above into the record.

Eric Saari, Altus Engineering, introduced himself as a representative for the applicant. It was explained that the lot has frontage on the river with a dock. The existing house was built in the late 1980's, and 99.7% of the lot is within the water setback. They are seeking relief for construction of an addition for a mudroom and an awning, which will also result in 25 SF of less impervious surfaces.

Mr. Saari continued to confirm that the proposal meets the special exception criteria, and referred to the plans included with the application. The path will be permeable

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pavers, which are technically part of the impervious surface calculation even though they are permeable. It was also confirmed that the application went to the Conservation Commission, and there were no comments from them.

The special exception criteria was reviewed, confirming that: it will be no closer to water; it is not in the 100-year flood plain; no place on lot is buildable in terms of ordinance; the property has operational septic and well, with the septic from 2020; it is on an already developed portion on lot; does not affect abutting properties as it is a modest addition that likely can't be seen from neighboring properties; and confirmation that it will be code compliant.

The public comment was opened at 7:08 PM.

AI asked regarding no portion of the lot being considered buildable. It was explained that it is due to the current zoning ordinance setbacks, and it was reiterated that it is not going any closer to the river than currently.

Some further discussion ensued regarding the history of the lot.

Action

Motion: **AI Zink** moved to approve the special exception application from Altus Engineering petitioning the Zoning Board of Adjustment for approval under 32-5(2)(a) of the Municipal Code of the Town of Newmarket to permit the horizontal expansion of a nonconforming single-family home at 21 Moody Point Drive (Tax Map R2, Lot 43-2) within the R1 zoning district, as the application satisfies the enumerated standards, pursuant to Sec. 32-5(2)(a) of the Municipal Code of the Town of Newmarket, New Hampshire.

Second: **Wayne Rosa**

Discussion: None

Vote: **Approved 3-0-0**

- b. A Variance request by Heath Kramer seeking relief from Town Code Section 32-87 Dimensions Table to permit a structure to violate the current setback by 5 feet on real property with an address of 11 Bayview Drive (Tax Map R1, Lot 25) in the R1 zoning district.

The Chair read the above into the record.

Heath Kramer introduced himself from Blackdog Builders as a representative for the owners, **Brian and Romy McGlasson**, who were also present. It was explained that they are looking to encroach into the setback for the construction of a deck and screened-in/covered porch to the northeast of their property. It was clarified that the stairs extend to the northwest.

Mr. Kramer continued to review the application, highlighting that they are seeking relief for a 35' setback where the setback in ordinance is 40'. The house was built in 2019.

The Chair referred to the application and variance criteria as submitted.

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The public comment opened at 7:27 PM.

There were no public comments.

The public comment closed at 7:28 PM.

Action

Motion: **Wayne Rosa** moved to grant a variance request from variance request by Heath Kramer seeking relief from Town Code Section 32-87 Dimensions Table to permit a structure to violate the current setback by 5 feet on real property with an address of 11 Bayview Drive (Tax Map R1, Lot 25) in the R1 zoning district, as the petition satisfies the 5 part test of the variance statute, pursuant to RSA 674:33.

Second: **Al Zink**

Discussion: None

Vote: **Approved 3-0-0**

4. New/Old Business

a. Zoning Administrator Items
(None)

5. Adjournment

Action

Motion: **Al Zink** moved to adjourn the meeting at 7:30 PM.

Second: **Bob Daigle**

Discussion: None

Vote: **Approved 3-0-0**

Respectfully submitted,
Bridgette Grotheer
Land Use Administrator

DCAT:
https://videoplayer.telvue.com/player/XSekkdEeRsk0JHQVHAvKJVka7_5VjxKP/videos