

DRAFT



TOWN OF NEWMARKET NEW HAMPSHIRE

Zoning Board of Adjustment

August 11, 2025 7:00 PM

Town Council Chambers

DRAFT MEETING MINUTES

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

Absent: Dylan Tooch, Al Zink

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

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

1. Pledge of Allegiance

2. Acceptance of Minutes

a. July 14, 2025

Action

Motion: Wayne Rosa moved to approve the minutes of July 14, 2025.

Second: Bob Daigle

Discussion: None

Vote: 2-0-1 (*James Drago abstained due to not being present*)

Motion fails.

Action

Motion: James Drago moved to continue the minutes of July 14, 2025.

Second: Wayne Rosa

Discussion: None

Vote: Approved 3-0-0

3. Regular Business

- a. Public hearing for a Special Exception request by Dwain Robert Sargent pursuant to Newmarket Town Code Section 32-5(2)a to permit the horizontal expansion of a non-conforming structure on real property with an address of 2-4 Elder Street, Tax Map U2, Lot 169, located in the R3 Zoning District.

The Chair read the above into the record.

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.

The applicant agreed to proceed.

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Rob Sargent, applicant, explained the special exception request for on the back of the duplex, to replace a small porch with a 12' by 12' deck with a pre-fabricated three-season covering. It will have no electricity or plumbing, and the deck will use pressure treated lumber underneath the decking, as detailed in the application (<https://newmarketnh.portal.civicclerk.com/event/2307/files/attachment/6356>). There will be a ramp on one side for accessibility, and stairs on the other side, which will serve as secondary egress for both sides of the duplex.

The public comment opened at 7:04 PM

There were no public present.

The Chair asked about the distance for the setbacks; **Mr. Sargent** explained that for the deck, there is a 6' buffer to the 15' setback, so 21' distance in total to the neighbor. The duplex is a non-conforming structure due to it not meeting the road setback.

The public comment was closed at 7:05 PM

Action

Motion: **James Drago** moved to approve the special exception application from Dwain Robert Sargent 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 structure at 2-4 Elder Street (Tax Map U2, Lot 169) within the R3 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**

4. New/Old Business

a. Zoning Administrator Items

Dave mentioned having a training for the board in October with the town attorney. Possible topics could include review of procedures for new members, such as quorum, ex parte communication, and reasoning for the difference between variances and special exceptions.

5. Adjournment

Action

Motion: **James Drago** moved to adjourn the meeting at 7:09 PM.

Second: **Wayne Rosa**

Discussion: None

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

Respectfully submitted,
Bridgette Grotheer
Land Use Administrator

DCAT:
https://videoplayer.telvue.com/player/XSekkdEeRsk0JHQVHAVKJVka7_5VjxKP/videos