



TOWN OF
BROOKLINE, NEW HAMPSHIRE

BOARD OF ADJUSTMENT

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BOARD OF ADJUSTMENT
MINUTES

Wednesday November 16, 2011

Present: Webb Scales, Clerk

Marcia Farwell, Member

Kim Bent, Member

Charlotte Pogue, Alternate

Absent: Peter Cook, Chair, George Foley, Vice-Chair, and Joyce O'Connor, Alternate.

Marcia opened the meeting and said the Chairman and Vice-Chairman will not be here tonight they have to vote in a chairperson for the night.

Webb made a motion that Marcia Farwell be the Chairperson for tonight's meeting. Kim seconded. Vote yes 3-0.

Marcia asked Charlotte to vote for Peter tonight. Charlotte agreed.

Case 362:

In attendance for this hearing is the applicant Margaret Monachelli.

Marcia read the hearing notice: "Notice is hereby given that a hearing will be held at or about 7:30 p.m. on Wednesday, November 16, 2011 in the Town Hall meeting room concerning a request for a Special Exception regarding Section 800.03 of the Brookline Zoning Ordinance. Applicant Margaret Monachelli is requesting a special exception to be allowed to replace the existing 9x29 porch with a 40x16 addition that will be in line with the front of the house, located in the front setback. The lot number is K-26, 49 South Main Street, in the Residential Agricultural district."

Kristen said fees were paid and abutters were notified.

Margaret showed the Board the picture of her home from the road and where the addition would be built.

Margaret was going to renovate the barn for the veterinarian practice but it would have been too costly and she is ready to move forward with this new plan.

The house sits 40 feet 4 inches from the street center line and it sits in the front setback.

Webb asked if the Planning Board has already signed off on the new plan for the home business.

Margaret said yes the Planning Board has already signed off on the Home Business at the meeting on November 3rd, 2011 and they just need a copy of the Special Exception, if granted, from the Zoning Board that will allow the addition to be built.

Marcia said the 9x29 porch will be removed and a 40x16 addition will be put in its place. Margaret said yes and the porch is set back just a bit and the addition will be flush to the house. Webb said this addition will just further encroach into the setback.

Marcia read section 800.01 of the Brookline Zoning Ordinance:

- c. Except for proposal "B" (see diagram in section 800.03), any alteration, expansion or change of a nonconforming use or structure shall only be permitted by special exception by the Zoning Board of Adjustment if it finds that:
 1. the proposed alteration, expansion or change will not change the nature and purpose of the original use; and
 2. the proposed alteration, expansion or change would involve no substantially different effect on the neighborhood; and
 3. any increase in heated living space which, in the judgment of the Zoning Board of Adjustment, is capable of increasing the number of bedrooms for a nonconforming dwelling or lot, may require that the septic system be approved by the NH Division of Water Supply and Pollution Control and the Town of Brookline in accordance with the provisions of RSA 485-A:38 and the Town's regulations for the number of bedrooms currently in the home or proposed for the home.

Marcia asked if they would be adding any more bedrooms or bathrooms. **Margaret** said this will not create new bedrooms or bathrooms. **Marcia** said she thought they had just replaced the septic system. **Margaret** said they did and it is oversized. They have more than what they need for the house so it should be fine but will ask the septic company.

Webb made a motion to grant the request for a Special Exception from Section 800.03 of the Brookline Zoning Ordinance allowing the applicant to expand the structure to further aggravate the front set back on lot K-26 located at 49 South Main Street. **Kim** seconded. Vote yes 4-0.

Minutes

Kim moved to approve the Zoning Board minutes from October 12, 2011 as written. **Webb** Seconded. Vote yes 3-0.

Marcia moved to adjourn at 8:00 pm. **Kim** Seconded. Vote yes 4-0.

Minutes submitted by **Kristen Austin**.

Webb Scales, Clerk _____

Marcia Farwell, Member _____

Kim Bent, Member _____

Charlotte Pogue, Alternate, _____