APPROVED

ANDOVER ZONING BOARD OF ADJUSTMENT

July 18, 2023

Members present: Jon Warzocha, Co-Chair; Jeff Dickinson, Co-Chair; and Andrew Guptill, Alternate appointed to the vacant position. Katherine Stearns joined the meeting at 7:30 p.m. and Jeff Newcomb joined the meeting at 7:40 p.m.

Also present for duration of appropriate items: Sterling & Kaitlyn Baker; Frank Baker III; Nancy Teach; Bill Hoffman; Doug Phelps; Donna Duclos; Pat Moyer, Planning & Zoning Administrator; and Lisa Meier, Recording Secretary

The meeting was opened by Co-Chair Jon Warzocha at 7:05 p.m.

Roll call was completed.

Public Hearing: A request from Sterling & Kaitlyn Baker for a Special Exception as specified in the Andover Zoning Ordinance, Article V Section A2(a) to allow construction of a single-family dwelling in the Forest / Agricultural District. The property is located at 390 Tucker Mountain Road, Tax Map 30, Lot 547,211

Warzocha opened the public hearing at 7:16 p.m. and explained to the applicant that due to not having a full board, they have the option to move forward with less than a full board, or postpone until a full board is available and that if they opt to move forward without a full board, should the application be denied, they cannot appeal based on not having a full board. The applicants opted to move forward without a full board. Baker explained that they would like to have a single-family home constructed with an attached 2-bay garage with an ADU (accessory dwelling unit) for Kaitlyn’s mother. There is an approved driveway and the septic is already in place. Warzocha asked what size the lot is and the response was 7.50 acres. Warzocha asked where along Tucker Mountain Road this lot is located and the response was it runs along Pieters Road. Dickinson asked if the septic was designed to include the ADU and the response was yes. Guptill asked if there had been a previous house or camp on this lot and the response was not on this lot. Moyer stated that a letter had been received from an abutter and it was read into the record and will remain a part of the file. There being no further discussion, the public hearing was closed at 7:25 p.m. Dickinson made a motion to grant the Special Exception. Guptill seconded the motion and the motion was unanimously approved.

Public Hearing: A request from the Andover Historical Society (AHS) for a Variance as specified in the Andover Zoning Ordinance Article IV Section F to permit construction of a Concord Coach shed within the 30’ front setback. The property is located at 89 Depot Street, Tax Map 27, Lot 770,093 in the Village District

Warzocha opened the public hearing at 7:30 p.m. and explained to the applicants that due to not having a full board, they have the option to move forward with less than a full board, or postpone until a full board is available and that if they opt to move forward without a full board, should the application be denied, they cannot appeal based on not having a full board. The applicants opted to move forward without a full board. Teach and Hoffman explained that this structure would house the Concord Coach currently owned by the Andover Lions Club. The coach is currently stored in a box trailer in Potter Place. There is a requirement for a 30’ front setback in the Andover Zoning Ordinance and this structure would not meet that. Hoffman presented a model of the proposed structure which is the same scale as the rail station. The structure would be an atmospherically controlled flow-through style with windows on the front for the preservation of and viewing of the coach. Photos of the property were presented and it was asked if the Historical Society owned the property and the response was yes. Phelps stated the building would encroach onto the state right-of-way (the rail trail). Warzocha asked if the boxcar is in the right-of-way and the response was yes. Warzocha also asked if there is a property plan and the plan was presented indicating the edge of the building would be 24’ from the road. Stearns asked what the total amount of footage is the variance for. Dickinson noted that the current building plan is for a 20’ x 30’ building and asked if the State is aware of this size as the previously information indicated a smaller structure. The response was yes, the State is aware. Warzocha asked what lot the existing building is on and the response was Tax Map 27, Lot 070,093 which is 0.490 acres. Warzocha asked what distance this would be off the centerline of the road and Phelps responded it would be 6’. Guptill asked if the property has been surveyed and the response was yes. Warzocha stated that in order to protect the Historical Society, the board needs confirmation from Department of Transportation (DOT). Warzocha stated that the last survey of the railroad line was between 1960 and 1964 and asked if anyone from the Historical Society has read all the deeds and the response was no. Phelps stated that the State emailed them indicating they are okay to use the 2009 agreement. Teach stated that Lou Baker of NHDOT emailed them allowing the society to slightly encroach on their property. Stearns asked what the total footage is from the back of the society property. Warzocha stated the building straddles two properties and there is no issue with the front variance; however, the board cannot grant a rear variance on property not owned by the Historical Society and the State would need to apply for a rear variance for the board to grant one. Guptill asked if there is a deed for the property and the response was yes, but they did not have it with them. Warzocha stated two more variances are needed both for a 0’ setback – one for the Historical Society and one for the State. Warzocha made a motion to continue the hearing and recommends that the Historical Society work on the “State” issue. Guptill seconded the motion and the motion passed.

Additional items for consideration

Dickinson indicated that the Master Plan Update Committee would like to have an all-board meeting with the Planning Board at some point.

There being no further discussion, the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Lisa Meier, Secretary

Andover Zoning Board of Adjustment