

44 **Mr. Pierce made a motion to close the public part of the hearing. All in favor.**

45
46 **Mr. Pierce made a motion to move to deliberations. All in favor.**

47
48 Ms. Jensen asked the board if there was an impact to the wetlands where the project extends into
49 the 25 ft no disturbance buffer; and will Timberland share the location with the other commercial
50 business that neighbors them. Mr. Durbin replied that the project is for Timberland only due to
51 downsizing needs and the desire to reuse the building to potentially bring in tenants, which will
52 make the addition and walkway more appealing to those potential tenants.

53
54 Lucy Cushman, member of the Zoning Board of Adjustment, stated that the Conservation
55 Commission reviewed the plans and had no concerns and that the Board is basically reviewing this
56 application to extend the approval and not reviewing the ruling.

57
58 **Ms. Cushman makes a motion to approve the application for Case #691: 200 Domain LLC**
59 **(Applicant & Owner), 200 Domain Drive, Stratham Tax Map 1, Lot 3, Zoned Industrial. The**
60 **Applicant seeks a variance from section 11.5.3 of the Stratham Zoning Ordinance to allow**
61 **for a small building addition and paver patio within the 50' wetland buffer and partially**
62 **within the 25' non-disturbance buffer on the property. Request for a one-year extension.**
63 **Originally approved June 4, 2024, set to expire June 4, 2026, Mr. Eastwood Seconds, all in**
64 **favor. Motion passes 4-0.**

65
66 **B. Case #690: Charles Wagner (Owner), 11 Fifield Lane, Tax Map 6, Lot 122, Zoned Residential**
67 **Agricultural. Request for approval of a Special Exception from Section 5.1.3 Expansion of**
68 **Non-Conforming Structures, to provide a 240 SQFT addition that provides fully accessible**
69 **access in a wheelchair to each level of the home, including the basement storage, 1st floor**
70 **living, and 2nd floor bedroom areas.**

71
72 Alen Roscoe, TFM Engineers, representing the owner, Mr. Charlie Wagner, started by mentioning
73 that the architect, Brandon Holden, is present with him. He states that they are proposing an
74 addition at 11 Fifield Lane for the purpose of an elevator to provide access to both floors of the
75 dwelling due to the owner needing to be more mobile. He mentions that the addition will be
76 constructed within the setbacks of the side yard. He presents a photo of the site plan to the board.
77 He states that there is plenty of distance between abutting properties. He states the addition is
78 around 240 sqft. He mentions that the property has plenty of trees for a visual buffer. He talked
79 about the surveyed plan and the layout of the property.

80
81 Charles Wagner, owner of 11 Fifield Land, talks about his need for the addition due to medical
82 needs, equipment storage, and access to other floors of the dwelling.

83
84 Mr. Roscoe shows the board the drawings of the proposed plan.

85
86 Mr. Roscoe discussed the criteria for a Special Exception.

87
88 *a. The proposed expansion must intrude no further into any setback area than the existing*
89 *structure.*

90
91 Mr. Roscoe states, as referenced in the general description, the existing residence is situated
92 approximately 7 ft. from the former ROW line of Fifield Lane, and the proposed addition will be

93 located no closer than 9 ft. from said ROW line, therefore satisfying this stipulation, and will be
94 no closer to the property line than the existing residence.
95

96 *b. The expansion must have no further adverse impact on the view, light, and air of any*
97 *abutter.*
98

99 Mr. Roscoe states the expansion is done tastefully and blends with the existing home in terms of
100 style and scale; said addition blends with the existing upscale homes in the area and will be
101 consistent with other homes in the community. The addition (28-ft. ht. to peak); will not extend
102 higher than the existing residence (to the roof peak measured at 32-ft.), and the architecture meshes
103 with the existing colonial style. The addition is west-facing and will not cast a shadow not already
104 present from the existing residence and will not restrict airflow/wind to any abutting property,
105 especially given the substantial tree growth and building separation distances described
106 hereinabove.
107

108 *c. The expansion must not cause property values to deteriorate.*
109

110 Mr. Roscoe states the addition is designed to meet the needs of the homeowner and is tastefully
111 presented and will blend with the existing constructed environment of the neighborhood. As such,
112 the addition will add to the value of this home and thus in turn also increases the appeal and value
113 of surrounding properties as well.
114

115 *d. The expansion must not impede existing rights of access or egress.*

116 Mr. Roscoe states the addition is 240 sf and is located on the opposite side of the residence from
117 where the driveway is located and is no closer to the property line than the existing residence for
118 abutters or pedestrian and vehicular access and egress (to and from the Site) is not impeded to the
119 general public nor to abutters or the Owner.

120 *e. That portion of the proposed expansion which will intrude into the setback, must, in no*
121 *event, exceed the footprint square footage of that portion of the structure which presently*
122 *intrudes into the setback, regardless of the number of applications made over time under*
123 *this subsection.*
124

125 Mr. Roscoe described the survey measurements, including placement of the side setback line on
126 the existing residence; the plan measurement yields a total existing sf of the residence footprint
127 within the existing side setback of 284 sf. The portion of the proposed addition within the same
128 setback is 123 sf and is less than half of the area of the existing home within the setback in the
129 existing condition. Therefore, the proposal conforms to this requirement/condition.
130

131 *f. In the event the non-conforming structure contains a commercial use, there must be no*
132 *adverse impact on access, traffic, parking, lighting, or other safety or visibility features of*
133 *the existing structure.*
134

135 Mr. Roscoe stated this is not applicable as there is no commercial use component associated with
136 the proposal, and therefore, will not adversely impact access, traffic, parking, lighting, or other
137 related features as described herein above.
138

139 g. *A Special Exception under this subsection may be granted only as to expansions into the*
140 *front, side, and rear setbacks, and is not available for expansions which violate height*
141 *restrictions of the ordinance.*
142

143 Mr. Roscoe states the total height of the addition is 28 ft. and is less than the existing height of the
144 main residence (32.0 ft. to the roof peak). Additionally, the expansion only occurs within the side
145 yard setback; however, it does not increase the non-conformity of the setback; therefore, the
146 Section g) criteria is met or is not applicable.
147

148 **Mr. Pierce opens the hearing to the public.**
149

150 No one was present to speak.
151

152 **Mr. Pierce opens the hearing to deliberations of the board.**
153

154 Brent Eastwood, Vice Chair, mentions that the bay window on the plans extends from the building.
155

156 Mr. Pierce asked Ms. Price if there is any leniency for handicap access, and Ms. Price replied that
157 state law does, but the zoning ordinance does not talk about ADA compliance; that is a building
158 code requirement. Ms. Cushman agrees; zoning doesn't state any leniency, but she is in favor of
159 allowing residents to stay in their own home if they have medical issues that require in-home care.
160

161 Mr. Pierce has the board review the findings of facts for the criteria.
162

- 163 1. The proposed use meets the standards provided by this Ordinance for the particular use
164 permitted by Special Exception.
- 165 2. No hazard to the public or adjacent property on account of potential fire, explosion, or release
166 of toxic materials will result.
- 167 3. No detriment to property values in the vicinity or change in the essential characteristics of a
168 residential neighborhood on account of the location or scale of buildings and other structures,
169 parking area, access ways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat,
170 vibration, or unsightly outdoor storage of equipment, vehicles or other materials will occur
171 because: the addition will retain similar style of the existing house.
- 172 4. No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion
173 in the vicinity as a result of the proposal because: the project will not change the use of the
174 property.
- 175 5. The use will not result in the excessive demand on municipal services, including, but not
176 limited to, water, sewer, waste disposal, police and fire protection, and schools, which is not
177 applicable to this case.
- 178 6. There will be no significant increase of stormwater runoff onto adjacent property or streets as
179 a result of the proposed use because the plans clearly show that this doesn't exist.
180

181 Mr. Eastwood asked the board if there are any other conditions to review, and none of the members
182 had anything to add.
183

184 **Mr. Eastwood made a motion to approve Case #690: Charles Wagner (Owner), 11 Fifield**

185 **Lane, Tax Map 6, Lot 122, Zoned Residential Agricultural. Request for approval of a Special**
186 **Exception from Section 5.1.3 Expansion of Non-Conforming Structures, to provide a 240**
187 **SQFT addition that provides fully accessible access in a wheelchair to each level of the home,**
188 **including the basement storage, 1st floor living, and 2nd floor bedroom areas. Ms. Jensen**
189 **seconded the motion. All in Favor. Motion Passes 4-0.**

190
191 Mr. Pierce and Ms. Price talked about training opportunities for the board members.

192
193 Ms. Cushman discussed non-public sessions listed on the agenda and RSA 91.a.

194
195 Mr. Pierce suggests adding the pledge of allegiance to the beginning of the meeting and the board
196 agrees.

197
198 The board talks about the need for additional members.

199
200 **4. Adjournment**

201 Mr. Pierce stated that the meeting was adjourned at 7:37 p.m.

202
203 *Respectfully submitted by Michael Lamb*