

**Town of Newington, NH**  
**ZONING BOARD OF ADJUSTMENT**

Meeting Minutes – February 27, 2012

**Call to Order:** Chair Matt Morton called the February 27, 2012 meeting at 6:30 PM.

**Present:** Matt Morton, Chair; Ted Connors; Ralph Estes; John Frink; Steve Prefontaine; Planning Board Rep, Mike Marconi; Town Planner, Tom Morgan; and Jane Kendall, Recorder

**Public Guests:** David and Kellie Mueller, E.J. Hoyt, John Klanchesser, Guy Young

**1) Public Hearing:** Request by David and Kellie Mueller to construct a 9'x16' addition to their home on 5 Coleman Drive, Tax Map 11, Lot 6 that would be set back less than 40 feet from Coleman Drive. Article VI of the Zoning Ordinance requires a 40-foot setback.

Town Planner, Tom Morgan passed around a letter dated February 19, 2012 from abutters, Jane and Mike Mazeau stating that they had no objections to the Muellers application for a building variance.

Applicant, Kellie Mueller said they purchased the home through a private sale ten years ago after renting for five years. The Muellers applied for the building permit in November 2011 and were not aware of any setback issues because the new closed in stairway structure being built extends out 9 feet, and the previous decking extended 12 feet. They also believed their property extended to the edge of Coleman Drive, and were not aware that it did not. The purpose of the construction is to close up the interior stairway, thus increasing their living and storage space, as well as building an additional bathroom for their family of five.

ZBA Chair, Matt Morton asked Mueller if they knew the location of their property line, and Mueller said the last survey was prior to the purchase of the property, but they believe the addition is 32 feet from the property line, and are asking for an 8 foot hardship variance. Abutter, Mike Marconi said he had looked at the deeds and said it's difficult to site the exact property line because there's no pin, but says it looks right, and believes it is a safety improvement and will be set back from the previous deck.

Board member, Ralph Estes asked if there were any issues from abutters, and none were expressed.

Board member, Ted Connor moved to grant the variance as proposed. Steve Prefontaine seconded the motion. John Frink said the proposal seemed to meet all the criteria. The motion passed unanimously.

**Adjournment:** Steve Prefontaine motioned to adjourn. Ralph Estes seconded, and all were in favor. The meeting adjourned at 6:50 p.m.

**Respectfully**

**Submitted by:** Jane K. Kendall, Recording Secretary