



TOWN OF WAKEFIELD NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT

JULY 13, 2023

Approved

Don Stewart Chairman via Zoom	✓	Annie Robbins Alternate	Victor Vinagro, Land Use Clerk & Code Enforcement Officer	
George Frothingham, Vice Chairman	✓	Graham Baker Alternate	Town Counsel	
John Crowell		Tristen Plummer Alternate	Site Walk	
Judi DesRoches	✓		Public Hearing	✓
Robert Baxter				

Others present: Christopher Albers and Michelle Keating from Clearview TV.

Pledge of Allegiance & Call the meeting to order

Mr. Stewart called the meeting to order at 7:00

Seat Alternates as necessary

No one available.

Mr. Stewart gave Mr. Albers the option of being heard by three members or rescheduling the meeting until five members could be present. The risk being any decision the three Board members make would have to be unanimous. Mr. Albers chose to move forward.

The Board members introduced themselves.

Election of Officers

Mrs. DesRoches made a motion, seconded by Mr. Frothingham, to have Mr. Stewart serve as Chairman and Mr. Frothingham serve as Vice Chairman. (Vote 3-0)

Public Hearing

Variance Application

Submitted by Christopher Albers for property he co-owns with Laurel Jarmolowicz and Heidi Lyle, located at 2398 Wakefield Road, TM 166-005, a .22-acre lot, located in the Residential I Zone. The applicants are seeking relief from Wakefield Zoning Ordinance, Article 3, Table 2, Minimum Setbacks, noted as 10' for a preexisting, nonconforming lot in the Residential I Zone, in order to install a shed.

Mr. Stewart said the application is complete, the abutters have been notified, fees have been paid and the notice has run.

Mrs. DesRoches made a motion, seconded by Mr. Frothingham, to accept the application. (Vote 3-0)

Mr. Albers filed an amendment to the application which was to move the shed slightly from the original location.

Mr. Frothingham made a motion, seconded by Mrs. DesRoches, to accept the amendment to the application. (Vote 3-0)

Mr. Albers explained that they had a very small lot and are limited to where they can put any structure. This shed will be used for lawn mower, yard tools, snow blower etc. which are now scattered around the yard. The shed will be 10'x7' made of plastic with a steel frame. He was agreeable to move the shed an additional three feet from the property line and that will be a condition.

Mr. Albers read the following:

1. The proposed use would not diminish surrounding property values because:
A SMALL SHED WILL NOT AFFECT PROPERTY VALUES BUT ONLY IMPROVE THEM, THE SHED WOULD ADD VALUE TO THE PROPERTY, THUS POSITIVELY IMPACT SURROUNDING PROPERTIES.
2. Granting the Variance would not be contrary to the public interest because:
PUBLIC INTEREST WOULD BE POSITIVELY IMPACTED BECAUSE WE WOULD HAVE A PLACE TO STORE YARD / GARDEN TOOLS VERSUS BEING LEFT OUTSIDE.
3. Granting the variance would do substantial justice because:
WE WOULD HAVE A CONVENIENT LOCATION TO STORE OUTDOOR TOOLS & EQUIPMENT, IN ADDITION, A SHED IN THIS LOCATION WILL HELP BLOCK NOISE FROM A BUSY WAKEFIELD RD
4. The use is not contrary to the spirit of the ordinance because:
THE PROPERTY IS VERY SMALL AND HAS LIMITED SPACE, THEREFORE, LIMITED LOCATIONS DUE TO SLOPING BACK YARD
5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because:
WE DO NOT HAVE A PLACE TO STORE OUTDOOR EQUIPMENT AND TOOLS, THEY ARE LEFT OUTSIDE AND CONSTANTLY CLUTTER UP VALUABLE YARD SPACE.

Mr. Albers showed the Board a picture of the shed. There will be no water or power, simply storage. Mr. Stewart asked if anyone opposed the variance. No comments were made. Mr. Stewart closed the public session of the meeting.

Mr. Frothingham made a motion, seconded by Mr. Stewart, that all five criteria have been met. (Vote 3-0)

1. Mr. Stewart made a motion, seconded by Mr. Frothingham, that the applicant has met the criteria for number 1. (Vote 3-0)

2. Mr. Stewart made a motion, seconded by Mr. Frothingham, that the applicant has met the criteria for number 2. (Vote 3-0)

3. Mr. Stewart made a motion, seconded by Mr. Frothingham, that the applicant has met the criteria for number 3. (Vote 3-0)

4. Mr. Stewart made a motion, seconded by Mr. Frothingham, that the applicant has met the criteria for number 4. (Vote 3-0)

5. Mr. Stewart made a motion, seconded by Mrs. DesRoches, that the applicant has met the criteria for number 5. (Vote 3-0)

Mr. Stewart announced that the amended variance has been granted.

Mr. Stewart made a motion, seconded by Mrs. DesRoches, to amend their decision to grant, with the condition that the shed will be three feet further from the property line as was demonstrated at the site walk. (Vote 3-0)

Mr. Stewart explained the waiting period to Mr. Albers.

Board Business

Correspondence

None

Approval of Minutes

Mr. Stewart made a motion, seconded by Mr. Frothingham, to approve the minutes of April 17, 2023. (Vote 3-0)

Set Next Meeting Date

August 17, 2023, if there is an application.

Adjournment

Mrs. DesRoches made a motion, seconded by Mr. Stewart, to adjourn the meeting at 7:30. (Vote 3-0)

Respectfully submitted for approval at the next ZBA meeting,

Priscilla Colbath, ZBA Secretary