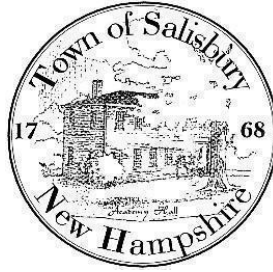


Town of Salisbury, NH  
Zoning Board of Adjustment



---

Meeting Minutes  
July 14, 2022

**Board Members Present:**

John Bentley	ZBA Chair	Present
David Kelly	ZBA Vice-Chair	Present
Loretta Razin	ZBA Member	Present
Gary Williams	ZBA Member	Present
Trisha Thompson	ZBA Member	Present
Eric Maxwell	ZBA – Alternate	Present
Vacant	ZBA – Alternate	
Vacant	ZBA – Alternate	
Vacant	ZBA – Alternate	
Vacant	ZBA – Alternate	
April Rollins	ZBA Assistant	Absent
Jennifer King	ZBA Recording Secretary	Present

**Members of the Public:**

Meghan Whyte, John Whyte, Jocelyn Henry

**Zoom Attendees:** Kathleen Doyle, Ann Breen.

Chair Bentley called the meeting of the Salisbury Zoning Board of Adjustment to order at 7:05 p.m.

Approval of Minutes

Loretta Razin **motioned** to approve the minutes from June 6, 2022. David Kelly **seconded** the motion and which passed successfully.

Application Review

PUBLIC HEARING. Chair Bentley opened the Public Hearing at 7:05 p.m.

John Whyte was sworn in to speak by Chair Bentley.

John Whyte explained that he and his wife Meghan built a large chicken coop on their property. It started as an 8'x10' structure on cinder blocks with an 8'x10' floor. They have had several problems with animals attacking their chickens over the past few months, so they added a penned-in area around the coop and added a roof on top of that as well. Because this makes the footprint of the structure larger, it exceeds the size for which a building permit is required, so they approached the town to apply for one. During this process, it was determined that they are 7 feet into the setback so the structure will need to be moved. While they weren't aware of a complaint on the location of the coop, they will move it wherever they are requested to, though it will cost them quite a bit of money. They are seeking guidance on what they need to do to bring the structure into compliance.

Vice-Chair Kelly recused himself from this discussion as a Planning Board member for the Public Hearing portion of the meeting so that he could speak on the matter as an abutting property owner.

David Kelly said that the chicken coop is a gorgeous structure; his only issue with it is that it is within the required 35' setback.

Eric Maxwell asked if the unit is bothering anyone where it is at, and will it bother people less if it is moved 7 feet?

Tricia Thompson clarified that the fact that the run has a roof is what qualifies it as a larger structure. The problem is the setback issue. If the run itself didn't have a roof, it would just be a fence and not a part of the structure.

Abutting property owner Jocelyn Henry asked if there was not another location on their property they could have built this structure. Meghan Whyte answered that they put it where they did so it didn't take up their backyard but also, the place they selected is in a low spot on their property nestled behind a tree so it is less conspicuous.

Meghan Whyte said that she understands the setback problem. Other than not being in compliance, what else would they have to gain by moving it back the 7 feet required? Chair Bentley answered that being in compliance with town ordinances is what they have to gain.

Tricia Thompson said that it is important to understand the purpose of the setbacks. It helps to provide for extra room in case of emergencies on the road, and it also helps to keep everyone spaced apart adequately.

Jocelyn Henry said that this encroaches on a piece of their property that they have future plans for. ~~It is right in their view.~~ They have the opportunity to do other things with their property, but they should not be eliminated from that option because someone else built over the setback line. They were never given the opportunity to express concerns about this structure because of how things occurred. She requests that a site visit be done by the ZBA to verify the measurements being discussed.

Meghan Whyte said that even if the coop is moved back, it is going to be even more visible.

Chair Bentley closed the Public Hearing at 7:39 p.m.

Deliberative session:

Chair Bentley motioned to appoint Eric Maxwell as a voting member for this meeting. Loretta Razin seconded the motion which passed successfully.

Tricia Thompson **motioned** that they ask the Building Inspector to perform a site visit and obtain official measurements of the structure and property located at 221 Raccoon Hill Road. Gary Williams **seconded** the motion which passed successfully.

Chair Bentley asked what sort of information they should be seeking from the Building Inspector. Board members decided to request the following:

- Setback measurements,
- Size of structure,
- Elevation and topography,
- Line of sight photos
- Wetlands location info

Recording Secretary Jennifer King will communicate with Town Administrator Rollins to draft a letter to the Building Inspector requesting a site visit report to include the criteria above.

Chair Bentley **motioned** to continue this matter to the next regular meeting. Loretta Razin **seconded** the motion which passed successfully.

#### ZBA Rules of Procedure

Chair Bentley said that he would like to review the ZBA Rules of Procedure at an upcoming meeting.

#### Adjournment

Tricia Thompson **motioned** to adjourn the meeting. Dave Kelly **seconded** the motion which passed successfully.

The Board adjourned at 7:52 p.m.

Respectfully Submitted,  
Jennifer L. King  
Recording Secretary