

**GOFFSTOWN ZONING BOARD OF ADJUSTMENT
MINUTES TO MEETING OF FEBRUARY 10, 2026**

In attendance were: Chairman Denise Langley, Vice Chairman Jason Cote, Len Stuart - member, John Beliveau - member, Bruce Buttrick – member, Christopher Leach – alternate member, Charley Farley – alternate member, Davis Allen – alternate member and Kristen Dawes – alternate member. Also present: Jack Shephard Building Inspector/Zoning Code Enforcement Officer.

Chairman Denise Langley called the meeting to order at 7:00 p.m.

Approval/Correction of the January 6, 2026 Minutes:

Len Stuart motioned to approve subject to non-substantive typo corrections, seconded by Jason Cote. Vote all in favor, with Bruce Buttrick abstaining (4-0-1).

Correspondence:

- 1) Email from Bethany & Michael Roy of 71 Warren Avenue, stating their concerns with regard to the Variance request for the Adam Danis Application, Map 16, Lot 224.

At this time the Board took a 15-minute recess as the applicant for the public hearing was running late and on his way.

The Chairman led the Board in the Pledge of Allegiance. She welcomed the public to the meeting of the Goffstown Zoning Board of Adjustment. The Zoning Board of Adjustment is an elected Board of five (5) members and up to five (5) alternates appointed. We currently have five (5) members and four (4) alternates. She explained the procedures the Board would follow for the hearing and the deliberations. She explained that, for any motion to pass, it needs to have an affirmative vote of at least three (3) members. Tonight, we have all five regular members. If an applicant is aggrieved by a decision made by the ZBA tonight, they have the right to appeal to the Superior Court or the New Hampshire Housing Appeals Board but must first request a rehearing before this Board to preserve your right to appeal. Rehearing requests must be filed within 30 days of the decision and state all the reasons why the decision was unlawful or unreasonable. Failure to request a rehearing may forfeit your ability to appeal. She asked the Board to introduce themselves.

PUBLIC HEARINGS:

Adam Danis, Owner/Applicant, is seeking two Variances to build an attached garage addition with bedroom above to the side of an existing single-family home, as well as a mudroom addition to the front of the existing home. The Variances are required as the garage addition will be 5 ft. from the side property line whereas a 15 ft. side setback is required, and the mudroom addition will be 21 ft. from the front property line whereas a 25 ft. front setback is required. Both these setbacks are required per Section 4.3 (Table of Dimensional Regulations) of the Goffstown Zoning Ordinance. The property is located at 69 Warren Avenue, (Map16, Lot 224), Zoned: Residential-2.

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Jason Cote motioned that there was no regional impact, seconded by Bruce Buttrick, Vote all in favor, (5-0-0), motion carries.

Presentation was given by Adam Danis, the homeowner.

Adam Danis explained that he was looking to upgrade his home to what is consistent with the neighborhood with a garage and a master suite above. I currently do not have a garage and this would go where a section of my driveway already exists. No changes to the driveway just will be shortened. Currently the house is a three-bedroom one bathroom which really doesn't work in today's world and I would like to add another bathroom. The first floor has the only one bathroom that is fairly small. Adding the additional master bedroom home and bathroom would help with others needing to use the bathroom and wait time. This will go to a four bedrooms. The proposed mudroom, which about 6' X 6' off the front of the house is a place to take your shoes off and hang your jacket. If you look at the current layout you will not see any real closet space. This house was built without closets really and this would give space for shoes and jackets. At this time Adam reviewed the criteria for granting the variances. It wouldn't be contrary to the public interest as it approves the curb appeal, safety and overall aesthetics of the home which improves and contributes to the neighborhood. For safety it does not create any traffic or drainage or safety issues. Regarding the spirit of the ordinance, the encroachment is minimal and nearby homes are closer to the road. Also, there is an existing 6 ft. privacy fence on the proposed garage addition side. On that side there is only the roofline and there is no windows there to look in with regard to privacy. The only place they can see is from the back you can see each other's back yards and that doesn't change. Substantial justice and denial would only burden myself without any public benefit as similar conditions already exists nearby and the majority of properties on Warren Avenue was already within that 25 ft. setback. Adam explained there are two neighbors that are 10 ft from the road and they can't really even park there parallel to the road without sticking out into the road. Again, this will not impact traffic flow. The proposed addition will increase property values and will not diminish other property values. The unnecessary hardship is the homes placement itself as it limits reasonable expansion. Strict enforcement would prevent common residential improvements making the variance necessary for reasonable use. I've talked to some of my neighbors around the neighborhood and I haven't received any objections and the additions are modest. It is well screened and consistent with the neighborhood and I respectfully ask the Board to grant the variances.

Bruce Buttrick asked if the privacy fence would stay and Adam Danis stated yes.

Denise Langley asked who owns the privacy fence.

Adam Danis stated the neighbor at 71 Warren Avenue.

At this time Bruce Buttrick noted that an email came in from the abutter of 71 Warren Avenue (Roy) who has some fire safety and building code compliance concerns which he similarly has.

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They have a carport and you are proposing 5 ft. from the lot line and the building code has some certain requirements. It also may have to be fire resistant type of construction. This would be with the building permit process with Jack, as well as the opening sizes of the windows may be limited as well and fire separation. Bruce stated drainage and water runoff is a big concern as well depending on the way the roof is shedding the water and hopefully stays on your property. But if the water flows onto his property we would want somehow the drainage addressed properly, so they don't get flooded from a rainstorm and it also gets shedded away from your foundation as well. Again, that is part of the function of the building permit. It's the grading and again it's not the ZBA from a zoning standpoint it is from the building standpoint.

Adam Danis stated that neighbor is uphill so in terms of that issue I would say there is absolutely zero concern. It would come back to him and his house does have gutters and he would follow the same thing and have gutters that will connect the other system. Adam explained that he does have sometimes issues with water in the basement and explained the steps he's taken with gutters and waterproofing.

Bruce Buttrick stated with a common fence they may each need to do work to their homes and have access to each side and they may need an easement or an agreement to follow the land so that a new owner realizes that he can go on your property and on his to do maintenance as 5 ft may not be enough for you to stay within your property if you needed to do maintenance. You may want to discuss something legally to have both of you to cross onto each other's property. Again, this really isn't under our purview but a suggestion to prevent a neighbor from saying you can't go on my land. Bruce stated this does not impact the character of the neighborhood as other homes are closer to the street. So, this request is less severe than some of the existing neighboring homes and setbacks.

Chris Leach stated part of the spirit of the ordinance is to prevent overcrowding and this section of town is so tight already.

Len Stuart stated he measured the fence out on GIS and the fence is probably already within the setback.

Denise Langley stated you cannot go by the GIS as it is not always accurate so you cannot go by that.

The Board discussed the spirit of the ordinance to not have overcrowding.

Charley Farley asked if they could put the addition on the other side of the house.

Adam Danis stated it is possible but it would affect future plans and he is planning on adding and ADU on the other side and also building a new driveway. In this situation he is repurposing driveway space for garage space and feels it is the least impact and most cost effective.

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Kristen Dawes asked how they came up with the measurement of 5 ft. and where was the measurement from.

Adam Danis stated he got a measurement from someone at Town Hall and he got a distance from the corner of the house to the edge of the property line and could reference that and double check and he was only given one reference point off of a survey.

Bruce Buttrick asked if Jack Shephard requires a certified foundation plan and Jack Shephard stated yes.

Bruce Buttrick stated if it comes back less than 5 ft. he will need to come back.

Adam Danis asked if in addition to this process, is he being required to certify the foundation and Bruce Buttrick stated it will be a requirement of the building permit.

Denise Langley asked what was the accuracy of the information that was provided to him and Jack Shephard stated 80% plus or minus.

Jason Cote asked if the addition would follow the roof of the house.

Adam Danis showed an architectural rendering of the proposed addition and reviewed the rendering with the Board that will stay with the original roof line. Adam Danis explained he already had a permit approved to dormer the back side of the home and explained the already approved building permit to the Board.

Kristen Dawes stated the chimney needs to be a certain height from the roof if the roof will be higher.

Jack Shephard stated 3 ft. and when within 10 ft.

With no further questions and no one else from the public present, the Chairman closed the public hearing.

Variance for the mudroom addition will be 21 ft. from the front property line whereas a 25 ft. front setback is required:

Bruce Buttrick reviewed the criteria and stated this is not contrary to the public interest. This is not in conflict with the explicit or implicit purpose of the ordinance. This does not alter the essential character of the neighborhood or threaten public health, safety, welfare or otherwise injure public rights. The character of the neighborhood is already tight and compact. Yes he is adding to the footprint but the others have as well. Bruce explained the spirit of the ordinance and feels this does not go against that and the mudroom expansion is less than others already there that are closer to the road than this. Substantial justice is done by this and the general public is not harmed by this for the front setback for the mudroom. The hardship is this is

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burdened by the zoning restriction in that they need the expansion in the front to add a mudroom. They need the relief to put the mudroom.

Len Stuart motioned to approve the variance based on Bruce Buttrick's statement that this request meets the criteria for granting the variance. Motion was seconded by John Beliveau, vote all in favor, (5-0-0), motion carries.

Variance for the garage addition that will be 5 ft. from the side property line whereas a 15 ft. side setback is required:

Denise Langley stated how the owner builds the garage addition with a 5 ft. buffer is not in the Boards purview we can't tell the owner what they should and should not do. In the past when we have had something built close to the property line we have required a certified surveyed plan. Denise stated she would want that as part of the approval.

Len Stuart stated the certified foundation plan is for his protection too.

John Beliveau stated he wanted to clarify that it's a shed that is near the property line on the abutter's property not the carport. The carport is at least 14 to 15 feet away from the fence. John Beliveau stated the abutter's property is also uphill, so water will not drain onto the abutter's property. John Beliveau stated the aesthetics as shown in the drawings that were submitted with the design will work as explained by the owner.

Board discussed that any fire rated requirements are a building permit issue.

John Beliveau motioned to approve, seconded by Bruce Buttrick.

Bruce Buttrick reviewed the criteria and stated he struggled with the overcrowding and moving the garage to the other side would require another curb cut for a driveway and wouldn't be a practical. Bruce reviewed the criteria and stated this proposal is constant with the neighborhood. Board reviewed the neighbor's email and discussed the spirit of the zoning ordinance.

Charley Farley asked what was the special condition of the property that makes it unique.

The Board discussed and agreed the existing location of the driveway and where the proposed garage will at the end of the existing driveway is already close to the property line, which is the special condition.

The Board agreed this meets the criteria and added to the motion to require a certified survey plan of the property line prior to pouring the foundation plan to certify the location of the proposed garage addition. The proposed garage addition cannot be closer than 5 ft. to the property line. John Beliveau amended is motion and Bruce Bruttrick seconded to amend the

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motion to include as a condition that the owner be required to submit a certified surveyed plan of the lot line location and where the proposed garage is going, and that the garage addition is

not less than 5 ft. to the property line. The Board found that this meets the criteria. Vote on motioned to approve, all in favor , (5-0-0), motion carries.

ADJOURNMENT:

At 8:00 p.m., Len Stuart motioned to adjourn, seconded by Jason Cote. Vote all in favor, (5-0-0), Motion carries.

Respectfully submitted,

Patricia Gale
Patricia Gale, Planning & Zoning Assistant

These minutes are subject to approval by the ZBA.