

**ZONING BOARD OF ADJUSTMENT
OCTOBER 4, 2016 FINAL MEETING MINUTES**

Present: Chairman - Jack Dearborn, Member - Stu Richmond, Member - Malcolm Wright, Member - Marc Morette, Alternate ó Donald Rogers, Alternate ó Michael Meyer, Land Use Coordinator ó Chip Meany, Minute Taker ó Tina Ripley

Guests: Ellen Dokton

I. CALL TO ORDER

The meeting was called to order by Jack Dearborn at 7:30pm.

II. ADMINISTRATIVE ITEM

Jack Dearborn said we have two cases this evening and they are Case #0916 and #1016. Jack Dearborn had Chip Meany speak to Case #0916. Chip Meany said there was a report made to the Building Department regarding the operation of an illegal stable in a residential zone, as it appears upon further examination the property card that was made in the decision from was wrong. Chip Meany said they re-examined the zoning maps and said they are legal for the type of business they are zoned in. Chip Meany said they have been referred to the Planning Board for a site plan. Jack Dearborn asked Chip Meany if he rescinded the Cease and Desist Order and Mr. Meany said yes. Jack Dearborn said basically they are not coming back and Chip Meany said that is correct there is no need. Jack Dearborn said Case #0916 has been cancelled and there is no need to deal with it.

Jack Dearborn said for Case #1016 there is no one here to speak on the case.

III. MINUTES

Marc Morette moved to accept September 13, 2016 as amended. Stu Richmond seconded. Motion passed. 5-0-0.

IV. MISCELLANEOUS

Chip Meany said secretary; Wendy has been going through the latest version of the Town Reports and updating the spreadsheet that Sheila did. Jack Dearborn asked if it included the variances and Chip Meany said yes. Chip Meany said they found quite a few discrepancies in the zoning map and said they are working with Southern NH Planning to get that done. Jack Dearborn said there was a zoning map that was adopted by the Town at town meeting and said it has never been incrementally updated. Jack Dearborn said there have been many town meetings that have changed the zones and variances that changed the zone of land. Chip Meany said in the zoning manual is what they have done is add when it has been changed and said he thinks some of it has already been done.

V. PUBLIC HEARING

Case #1016: Steven Schmidt & Ellen Dokton are requesting a Special Exception to Article 19.1.10, accessory attached apartment at 9 Pondsides Road, Map 108, Lot 80 in a residential zone.

Jack Dearborn read the first page of the application. The board introduced themselves ó Marc Morette ó Member, Stu Richmond ó member, Jack Dearborn ó Chairman, Donald Rogers ó Alternate, Malcolm Wright ó Member.

Jack Dearborn stated how he will run the meeting.

Marc Morette motioned to accept Case #1016. Stu Richmond seconded. Motion passed. 5-0-0. Jack Dearborn said there is check sheet, special exception 1-7, list of abutters, warranty of deed, sort of a diagram of where everything is on the lot, dimensional diagram of the building and a tax map.

Malcolm Wright asked if they needed this for a stove and if so, he wondering if it is complete. Jack Dearborn said he thinks they want a functionally kitchen. Jack Dearborn said they are asked to go through this process so they can be compliant and said the last piece is to install a stove, at that point it would be classified as an accessory apartment. Malcolm Wright said in the application he doesn't see any measurements or marks for the petition door and no plans for the accessory apartment. Jack Dearborn asked Ms. Dokton if the outside was going to change at all and was told no. Jack Dearborn asked Ms. Dokton if there was a way to exit the building without using the front door and was told yes.

Motion passed 5-0-0.

Ellen Dokton said she has a family member that is aging and said they would like to have her close. Ms. Dokton read the special exception into record.

SPECIAL EXCEPTION

The undersigned hereby request a special exception as provided in Article 19, Section 1.10 of the Zoning Ordinance. The following seven (7) conditions per Article 6, Section 6.1.4 of Zoning Ordinance must be met in the positive to warrant the granting of a special exception:

- 1) The specific site is an appropriate location for such use or uses in terms of overall community development:

The specific site is an appropriate location for such use or uses in terms of overall community development. There is a full basement in the house that has been upgraded to include a bathroom. A close relative needs a place to live independently while she will be able to receive assistance as needed.

- 2) The proposed use will not adversely affect the neighborhood and shall produce no significant reduction of real estate values in the neighboring area:

The proposed use will not adversely affect the neighborhood and shall produce no significant reduction of real estate values in the neighboring area since there is no impact on the real estate value in the area by adding a stove to the basement area.

- 3) The proposed use will not be a nuisance or serious hazard to vehicular traffic or pedestrians:

Adding a stove to the basement will not cause any hazards to vehicular traffic or pedestrians.

- 4) The proposed use will not cause an undue burden on the Town through the provisions of basic Town services:

No additional town services will be required due to the proposed use.

- 5) Adequate off-street parking be provided if determined necessary by the Zoning Board of Adjustment:

The driveway ends at the house. There is adequate parking for up to four cars. Currently, there is only one car at the house.

- 6) A buffer may be required to screen neighboring uses from the proposed use. Buffers may be fence screens, dense planting of suitable trees and shrubbery, or naturally occurring shrubs and trees:

No buffers are necessary.

- 7) The Zoning Board of Adjustment, in granting any special exception, may include such restrictions or conditions to insure compliance with this section:

Any and all conditions or restrictions required by the ZBA will be accepted and followed.

Jack Dearborn read zoning 19.1.10 accessory apartment. Donald Rogers asked about exterior door, egress and windows. Ms. Dokton drew them on the map for the Board.

Jack Dearborn asked for approving abutters. There were none.

Jack Dearborn asked for disapproving abutters. There were none.

Jack Dearborn asked for public at large. There were none.

Jack Dearborn closed the public hearing.

Malcolm Wright moved to approve Case #1016. Marc Morette seconded. Motion passed. 5-0-0.

VI. ADJOURNMENT

Malcolm Wright motioned to adjourn at 8:00 pm. Marc Morette seconded. Motion passed. 5-0-0.

Tina Ripley