

ZONING BOARD OF ADJUSTMENT

MINUTES

February 8, 2024

APPROVED: March 5, 2024

AGENDA: MINUTES APPROVAL
BYLAW AMENDMENTS
APPLICATION FORMS AMENDMENTS
CASES: – SNYDER - 24VAR01 - 116-028 – 110 Timber Lane - continued

ATTENDING: Melody Mansur (Chair), Larry Denton, Lorraine Bohmiller, Andrew Litz and Steve Carten

OTHER: **Staff:** Joanne Bailey (Land Use Manager) and Donna Sullivan (Land Use Administrative Assistant). Christina Goodwin (Town Administrator) attended **via Zoom**.

With a quorum present, Chair Mansur opened the meeting at 6:57 pm.

MINUTES:

The minutes from the non-public session held November 29, 2023, were reviewed by the Board. Following review, Mr. Carten motioned to approve the non-public minutes. Mr. Denton seconded. The motion carried 5-0-0.

The Board reviewed the minutes of December 5, 2023. Mr. Carten motioned to approve the as presented. Ms. Bohmiller seconded. The motion carried 4-0-1. Mr. Litz abstained because he was not present at that meeting.

ZONING BOARD OF ADJUSTMENT (ZBA) BY-LAW AMENDMENTS:

Ms. Sullivan presented the changes made to the ZBA By-laws. She stated that these were being brought up to date for the time of meetings, (Article 8) - abutter notice with verification vs. certified return receipt required, (Article 9) the timing of filing to 12 pm with other changes based on approval of verified mail change, and (Article 10) case review changes required by RSA. She reviewed the changes with elaboration on the reasoning behind them.

Discussion followed on each change. The discussion of the abutter's notices included the description of the RSA governing this, the savings that could be gained by not requiring a return receipt, and the issues of postal timing. Review of time changes and other changes included addressing each of the areas in Article 9 that would need adjustment based on other changes discussed.

More discussion followed about proper approval process of the amendments based on By-laws.

Mr. Denton motioned to approve the Amendments to the ZBA By-laws as presented. Ms. Bohmiller seconded. The motion carried 5-0-0.

LAND USE APPLICATION FORMS - UPDATES:

Ms. Sullivan presented several Land Use Applications that the office had updated to allow for more consistency of format and ease of use. The Board reviewed each of the forms.

Discussion followed by the Board regarding the criteria and other issues faced with experience of use of the application forms.

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LAND USE APPLICATION FORMS - UPDATES: continued

Chair Mansur asked if the ZBA checklist would be included with these applications. Ms. Sullivan indicated it would be. Ms. Bohmiller suggested that a change to the checklist should be considered regarding photos required. She indicated it should include language to require the photos to be current. Following discussion of outdated photo submissions, it was determined that this will be updated to include language requiring current photos taken within the last 30 days from the date of the application. Ms. Sullivan indicated this will be updated on the checklist for future review.

Ms. Bohmiller motioned to approve the Amendments to all Application Forms as presented. These were read as the *Administrative Appeal Application*, *Equitable Waiver Application*, *Motion for Rehearing Application*, *Special Exception Application*, and *Variance Application*. Mr. Litz seconded. The motion carried 5-0-0.

CASE UPDATES:

Ms. Bailey thanked Ms. Sullivan for all her great work in 2023 with Land Use cases. She then updated the Board with the status of pending cases. She indicated the Snyder case #24VAR01 was continued at applicant's request to March.

Ms. Bailey continued her update indicating that she and Mike Lacasse did a site visit recently and the property owner was told he will be required to get a variance to continue with a use on his property. This application is expected by the deadline to be on the March agenda.

Another update was shared for the Kelly property. Ms. Bailey indicated a survey was completed and the office was waiting for the officially stamped survey to be submitted. She explained to the Board that if the lot survey indicates that the structure is conforming no application would be necessary, but if still considered non-conforming a new application would be presented. Because this case was initially denied, the Board asked why this case should be reconsidered. There was discussion about the Board granting the rehearing appeal, the specificity of the reason for the appeal and the necessary documentation to be provided. Ms. Goodwin indicated that because the appeal was granted the case would need to be reheard as a new case.

COMMUNICATIONS: None

NEXT MEETING: March 5, 2023

ADJOURNMENT:

With no other business before the Board, Mr. Denton moved to adjourn at 7:30 pm; Ms. Mansur seconded. The motion carried 5-0-0.

Respectfully submitted,

Janet F. Cote
Land Use Associate