

## OSSIPEE ZONING BOARD MINUTES

September 11 2013

7:00PM

A meeting of the Ossipee Zoning Board of Adjustment was held on September 11, 2013 at the Ossipee Town Hall.

### Roll Call

Jean Simpson Present	David Babson Present	Ski Kwiatkowski Present
Stanley Brothers Present	Alt. Bob Freeman Absent	Lynn Clarke Present

Chairman Jean Hansen opened the meeting at 7:00pm. ZEO David Senecal was not present.

Case #459 Gordon White, property located at 230A Ossipee Mountain Rd, Tax Map 64, Lot 10. Applicant is seeking a Variance from Article 34.2c for a repair garage in the rural zone.

The Chair determined that all of the Board had looked at the property. She spoke about her discussion with the assessor. **After the close of public input, Stanley Brothers made a motion to grant the Variance from Article 34.2c for a repair garage in the rural zone, meeting all local, state, and Federal regulations, with the condition that state inspections can be done within a year and no more than 3 vehicles not owned by Mr. White will be parked outside. David Babson seconded the motion. Each of the 5 points required for a Variance passed, so the Variance is granted with the conditions included in the motion.** The applicant was informed of the 30 day appeal period and that the Variance is good for 365 days.

Case #460 Lawrence & Lois Thatcher, property located at 21 Patriots Way, Tax Map 44, Lot 32. Applicant is seeking a Variance from Article 6.4.2b for rear setbacks.

The applicant would like to enlarge his deck to 12'x32'on the rear of the house. The shortest rear setback will be 8' from the boundary line. A Variance was granted in 1992 for this project by the former owner, but it was not needed. **Ski Kwiatkowski made a motion to grant the Variance from Article 6.4.2b for rear setbacks not less than 8' to expand the rear deck, meeting all state, local, and Federal regulations. David Babson seconded the motion. Then David Babson amended the motion to include – tied to the signed plan.** Stanley Brothers seconded the motion and everyone voted in favor. All five points necessary to obtain a Variance passed, so the Variance was granted and must meet all local, state, and Federal regulations and be tied to the signed plan. The applicant was advised of the 30 day appeal period and the 365 days from this date when the Variance will become null and void.

**Stanley Brothers made a motion to approve the minutes of the August 13th meeting. David Babson seconded the motion and it carried.**

David Babson left the meeting at this time.

The Chair asked the status of the Consolidated Auto & Marine case. The secretary read the decision from the minutes of the Planning Board Meeting. Condict Billings made a motion to grant the Site Plan Approval based on these plans, meeting all state, local, and Federal regulations, contingent on any required ZBA decision. Peter seconded the motion and it carried.

The ZBA took no action at this point saying that the Planning Board must send a letter to Matt telling him to apply to the ZBA

The remainder of the meeting was spent discussing unfinished issues. **Stanley Brothers made a motion that the ZBA follow the advice of our attorney regarding the expiration of past approvals. Ski Kwiatkowski seconded the motion and it carried.**

Article 25.3.3 says the Zoning Enforcement Officer, unless prevented by good cause, shall attend all hearings. The ZEO has not attended all meetings, so the secretary was directed to write a letter to the Selectmen, asking that he be present whenever possible. **Ski Kwiatkowski made a motion to send a letter to the Selectmen requiring the ZEO to attend all ZBA meetings unless prevented by good cause. Lynn Clarke seconded the motion and everyone present voted in favor.**

Article 25.3.5 seventy-two hours should be changed to 5 business days. The Chair asked the secretary to e-mail copies of the NOTICE OF DECISION to the Board.

The Chair will find a form for requesting a continuation to give to the applicant. Building height and seasonal home conversion and fire -ruined buildings were also discussed briefly. The chair will write a letter to Mr. Stone.

**Stanley Brothers made a motion to adjourn at 9:45.Ski seconded the motion and it carried.**

Patricia Jones  
Secretary to the Boards and Commission