

**OSSIPEE ZONING BOARD MINUTES
OCTOBER 8, 2013
7:00PM**

A meeting of the Ossipee Zoning Board of Adjustment was held on October 8, 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 Absent

Chairman Jean Simpson opened the meeting at 7:00pm. ZEO David Senecal was present.

Case #461 Mahlon & Meadow Welch, property located at 30 Connor Pond Rd. Tax Map 61, Lot 23. Applicants are seeking a Variance from Article 6 Table 2 to allow 150' of shore front.

Jim Rines of White Mountain Survey presented the case for the Welches. He said that they now have a 50 foot easement that is a proscriptive right to use the pond, but they do not have any shore front of their own. 150 feet meets the state requirements, but Ossipee requires 200 feet of shorefront. Two letters of support have been received from abutters.

Jim gave responses to the five points necessary to get a Variance. The proposed use will not diminish surrounding property values, because they will have more shorefront than 24 of the lots around the pond, so the value will increase. The second criteria for a Variance has changed to mean that there must be no harm by granting the Variance, and there would not be any additional users on the pond. Jim said that the hardship on the land was that it is the oldest on the pond, having been in the family for 130 years with only the proscriptive easement to use the water. Substantial justice will be done by giving them a fee interest to the land they have been using. The spirit of the Ordinance is to prevent overcrowding and population concentration and there will be no additional homes.

The Chairman opened the meeting to the public. Mrs. Welch said that the reason for getting 150', instead of 200' is the cost. David Babson said that the cost is not a ZBA problem. Stanley Brothers said that the footage is consistent with the other lots on the pond. Jim Rines, after conferring with his clients, said that they would like to wait until there was a full board. **Ski Kwiatkowski made a motion to continue the case until November 12 upon request of the applicant. David Babson seconded the motion and it carried.** Public comment will still be open when the hearing reconvenes.

Stanley Brothers made a motion to approve the minutes of September 10, 2013. Ski Kwiatkowski seconded the motion and it carried.

There was a brief discussion with the ZEO of several items that they are concerned about.

Another zoning change is in Article 25.3.5 which should be changed from 72 hours to five business days.

The Chairman asked that minutes be e-mailed out to Board Members.

Ski will research "the spirit of the Ordinance" for better understanding of that section of the application for a Variance

Jean found two recent cases that may be affected by confusion about the date of expiration of the Variance, because of wording in the Notice of Decision and a change in the RSA. Attorney Sager will address the issue it may be necessary to send amended Notices of Decision in a few cases.

The next topic for consideration was the budget for 2014. **David Babson made a motion to increase the amount of money in the secretary's wages by 20%. Ski Kwiatkowski seconded the motion and it passed.** This is an increase in the number of hours being budgeted, not an increase in pay.

Ski Kwiatkowski made a motion to adjourn at 8:30. Jean Simpson seconded the motion and it carried.

Patricia Jones
Secretary to the Boards and Commission