

OSSIPEE ZONING BOARD
Meeting Minutes
December 8, 2015

Minutes were recorded by Xann Horn, Board Secretary.
Revisions to these minutes are noted by ***bold/italic*** type.

Call to Order

Chairman Stanley Brothers called the meeting to order at 7:00 p.m.

Members Present by Roll Call

Present: Stanley Brothers, Jim Rines, Ski Kwiatkowski, Ralph Wurster, David Babson, Bob Freeman (alternate). Bill Grover (alternate) as not present.

Old Business – None.

Meeting Minutes

Motion: by Jim, seconded by Ski, to approve November 10, 2015 meeting minutes as presented with attachments. **All in favor, motion passed.**

Currently, under “Note” on the Variance Requirement Checklist, it states completed forms must be returned to the “Office of the Zoning Board of Adjustment”. Ski recommended that this “Note” state that the completed forms must be returned to the “Office of the Selectmen”.

Motion: by David, seconded by Jim, to change the requirement checklist to reflect that “Completed forms must be returned to the Office of the Selectmen, addressed to the Zoning Board of Adjustment”. **All in favor, motion passed.**

New Business

Case #15-13-V – Richard Knowlton, 16 Broad Bay Road, Tax Map 34, Lot 48 has applied for a Variance from Article 6.4.2.a for side setback of 15’ on one side to be able to add to existing garage.

Mr. Knowlton was present and provided a review of what he would like to do. Minimal discussion ensued. Ski asked if this could be placed on the side and Mr. Knowlton stated that to swing a 25’ boat trailer around and back it in on that side would be very difficult. Jim did a site visit and stated that maneuvering with a full size pick-up truck and trailer would be difficult. It did not look like any trees or shrubs would have to come down. A letter was received from Ford (abutter) stating no objections to the request, only that they request that the wooded buffer not be disturbed. Ski would like a condition that this structure never be closed in. Jim noted for clarification that the variance appeal public notice was correct and Dave Senecal’s denial was correct referring to section 6.4.2.a, but Mr. Knowlton referenced section 6.4.2.9 on the application (probably misreading Dave Senecal’s building permit denial). The board was comfortable with Mr. Knowlton’s responses to the five criteria and did not ask him to read through each one. The public hearing was closed.

Motion: by Jim, seconded by David, to approve Variance Case #15-13-V for Richard Knowlton, Tax Map 34, Lot 48 for a side yard setback from section 6.4.2.a to construct an open walled shed on the side of his existing garage with the variance being 15'.

Each of the five criteria supporting a variance was reviewed individually; all board members were in favor of the applicant for all five criteria.

Vote on Motion to Approve Variance Request: All in favor, motion passed.

Findings of fact are: that it will not be contrary to the public interest because it is not removing vegetation, therefore protecting existing buffers; it is in keeping with the spirit of the ordinance because it is a reasonable use of the land; substantial justice is done; surrounding property values will not be diminished as demonstrated by a letter from an abutter; the way the property is developed, any other means of placing this garage would make it more difficult so the use is reasonable.

The Variance is granted and the 30 day appeal period was explained to Mr. Knowlton.

Case #15-14-V – Michael Piche, 8 McConkey Way, Tax Map 53, Lot 7 has applied for a Variance from Article 6.4.2.a for relief from side setback to be able to construct a 28' x 40' garage.

Applicant was not present.

Jim stated that he went to the site and has many questions. Discussion ensued.

Motion: by Jim, seconded by Ski, to not accept the application as complete because:

1. There are no dimensions on how close the garage is going to be to property lines;
2. The list of abutters is incomplete and the applicant has not properly notified all abutters;
3. The applicant has taken a signed stamped plan by a licensed land surveyor and modified it whereas they should have created their own plan by tracing or means of producing a plan that does not have the licensed land surveyor's seal and title block on it, stating that that plan was used for reference.

All in favor, motion passed.

Any Other Business Which May Come Before This Meeting

None.

Adjournment

Motion: by Jim, seconded by David, to adjourn. **All in favor, motion passed.**

The meeting adjourned at 8:00 p.m.

Minutes approved by majority vote of the Board on _____

Stanley Brothers, Chairman