

OSSIPEE ZONING BOARD MINUTES

FEBRUARY 12, 2013

7:00 PM

A meeting of the Ossipee Zoning Board of Adjustment was held on February 12, 2013 at the Ossipee Town Hall.

Roll Call

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

Chairman Jean Simpson opened the meeting at 7:00pm. ZEO Dave Senecal was absent.

The chairman raised Alternate Bob Freeman to voting status to replace Stanley Brothers who recused himself.

Case #454 Northern Blue Sky, Ralph Floria, property located at 1650 Rte 16, Tax Map 53, Lots 11, 12,

13, 14. Applicant is seeking a Variance from 6.4.1a and 6.4.2a for setbacks and Article 4.4 to have two principal buildings on the same lot. It was agreed by the Board that the lots were all merged at an earlier date. However, the number of the new lot is not known. At the last meeting, Jean Simpson questioned whether the concrete foundations have been inspected by an engineer to see if they are structurally sound. Ralph Floria submitted a letter from Bruce R. Knox, PE, PMP saying that they appear to be in satisfactory condition and it is more probable than not that they would be acceptable for the intended use.

The Chair asked for public input. There being none, she closed public comment. **David Babson made a motion to grant the Variances from 6.4.1a and 6.4.2a for setbacks and Article 4.4 to have two principal buildings on the same lot using foundations found to be safe, tied to the plan submitted and meeting all local, state and Federal regulations. Bob Freeman seconded the motion and everyone voted in favor.** David Babson expressed his concern about traffic problems. The Chair spoke of the 30 day appeal process.

Case # 455 Tammy & Dennis Belliveau, property located at 18 Stoneview Road, Tax Map 272, Lot 40. Applicants are seeking a Variance from Article 34.1c for a multi-family dwelling. Stanley Brothers returned to the Board and David Babson recused himself. The applicant explained that he wants to have a third apartment in the basement of his building. He submitted a letter from Land Tech saying that the lot would support the expansion and that the new bedrooms would necessitate a NHDES approved septic design. Members of the Board raised a number of issues brought about by changing from a two family dwelling to a multi-family one. Bob Freeman said that there could be a number of additional requirements from the Fire Department- sprinklers, water storage tanks, alarm systems The owner posed another scenario where he would just be staying there once in awhile, not renting a third apartment. The Board suggested to him that he do some more research, then decide what he wants to do. He agreed and asked the Board for a continuance of Case #455. **Ski Kwiatkowski made a motion to continue Case #455 until May 14, 2013. Stanley Brothers seconded the motion and everyone voted in favor.**

Case #456 OSS Coastal LLC, property located at 42 Long Sands Rd, Tax Map 67, Lot 21. Applicant is seeking a Variance for setbacks to build a new house. David Babson returned to the Board, so an alternate was not needed. Mark McConkey presented the case for the applicant. He explained that the lots on Long Sands Rd are very narrow, so it is difficult to adhere to the permitted setbacks. The new building will actually be more conforming than the old. It meets Ossipee setbacks on the lakeside, but must apply for DES Shoreland permit and state septic approval. The new driveway will be permeable which will reduce the amount of impervious land. The house will not block anyone's view. The extra structures will be removed. The abutter present did not have any problems with the plan, so the Chair closed the public input session. **Stanley Brothers made a motion to grant the Variances for side setbacks- 8.8' on the east side and 19.69' on the west side conditional on state septic approval and Shorefront regulations, tied to the plan presented, including elevations and meeting all local, state, and Federal regulations. Len Shurtleff seconded the motion and everyone voted in favor.**

Rehearing Case #448 Alexander Bakman, property located at 12 Old Broad Bay Road 1, Tax Map 35, Lot 15. Applicant is seeking a Variance from Article 6.4.2 for setbacks. David Babson made a motion to continue the scheduling of the rehearing to March 12, 2013. Len Shurtleff seconded the motion and everyone voted in favor.

The chair asked that an agenda be prepared before each meeting and sent to Board Members.

In response to questions about the Mountain Grainery status, on July 17, 2012 they were approved to construct a large building addition to the existing retail building to accommodate a large hardware store, a small specialty shop and a full sit-down restaurant. In November they asked to amend the Site Plan Review by changing it into two phases. On December 4, 2012 they withdrew their amended Site Plan Review.

Issues were raised about the need for the ZEO to attend ZBA meetings and a procedure for checking on whether conditions contained in decisions are being met and with regularity.

David Babson made a motion to adjourn at 8:40, Bob Freeman seconded the motion and everyone voted in favor.

Patricia Jones

Secretary to the Boards and Commission Notice of Decision and PB agenda