

OSSIPEE ZONING BOARD
Meeting Minutes
October 13, 2015

Call to Order

Stanley called the meeting to order at 7:03 p.m.

Members Present by Roll Call

Present: Jim Rines, Ski Kwiatkowski, Ralph Wurster, Stanley Brothers.

Not Present: David Babson, Bob Freeman (alternate)

Bill Grover (alternate) arrived at 7:36 and at that time was appointed as a voting member.

New Business

Case #15-1-EW – Walter and Cynthia Day, 81 Broad Bay Road, Tax Map 31, Lot 32, Application for Equitable Waiver of Dimensional Requirements.

The applicants requested a continuance until the next meeting.

Motion: by Ski, seconded by Jim, to continue Case #15-1-EW until the November 10, 2015 Zoning Board meeting. **All in favor, motion passed.**

Old Business

Case #15-11-V and Case #15-12-V – Eric and Elizabeth Burgon, 75 Broad Bay Road, Tax Map 31, Lot 19, and 73 Broad Bay Road, Tax Map 31, Lot 18 Variance Requests – Continued from September 8, 2015.

Mark McConkey was present on behalf of the applicant and requested to wait until later in the meeting when Bill Grover would be present, therefore, there would be five voting members.

Once Bill Grover arrived and was brought up to voting status, Mark McConkey provided revised plans and an overview of each lot in the neighborhood, the structures on each lot and their relationship to the setbacks. He established that it is common that the homes in this neighborhood do not meet today's town setbacks. More details were provided regarding what is proposed to be built. Public Comments: John Connor, direct abutter, stated that if the plan dated September 21, 2015 is what is built, they no longer oppose it. He asked that the Zoning Board consider the original application also as it has detail that is not included in the revised plan. Where there is a conflict between the ~~applicant application~~ and plan, he believes the plot plan, not the words in the original application, is what should ~~apply control~~. The Brown's, abutters to Lot 19, were present and spoke in favor of the Zoning Board granting the variance. The potential buyers of Lot 19 and Lot 18 were present and were in favor of the application and plan as Mark presented. Jim was ~~the~~ one that suggested ~~to the prior hearing~~ be continued to flesh out ~~some things~~ **more plan details and to address abutters' concerns. He felt the revised plans as submitted did just that.** Jim Rines stated that if any deck post or stairs are in the flood plain, ~~which it~~ will trigger the need for flood insurance.

Lot 18

Motion: by Jim, seconded by Ski, that the Board approve Case #15-12-V for Eric and Elizabeth Burgon, 73 Broad Bay Road, Tax Map 31, Lot 18 for a Variance request that will match the plan submitted and dated September 21, 2015.

Findings of fact are based on the revised plan; that it will not reduce the value of abutting properties; and it is more in keeping with the intent of the ordinance.

Conditions of approval:

1. Comply with all state, local and federal regulations;
2. The approval ~~be consistent with~~ **is for** the September 21, 2015 plan; and
3. That an as-built by a LLS be submitted to the town as demonstration that they have complied with the relief that has been granted.

Each of the five criteria for ~~requesting~~ **granting** 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.

Lot 19

Motion: by Jim, seconded by Ski, that the Board approve Case #15-11-V for Eric and Elizabeth Burgon, 75 Broad Bay Road, Tax Map 31, Lot 19, for a Variance request that will match the plan submitted and dated September 21, 2015.

Findings of fact are there will be no diminution in property values as evidence of testimony of direct abutters; substantial justice will be done as they are difficult lots and the request is reasonable; the spirit of the ordinance has not ~~be been~~ jeopardized; and special circumstances ~~by~~ **are** being existing non conforming lots.

Conditions of Approval:

1. Comply with all state, local and federal regulations;
2. The approval ~~be consistent with~~ **is for** the September 21, 2015 plan; and
3. That an as-built by a LLS be submitted to the town as demonstration that they have complied with the relief that has been granted.

Each of the five criteria for requesting 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.

Variances were granted for both lots, noting the 30 day appeal period which starts October ~~21~~ **13**, 2015.

September 8, 2015 Meeting Minutes

Motion: by Jim, seconded by Ralph, to approve September 8, 2015 meeting

minutes as amended. **All in favor, motion passed.**

Any Other Business Which May Come Before This Meeting

1. 2016 Budget

Discussion ensued. Changes in the budget will include increasing “Salary Secretary” to \$1,800, plus associated percentages for payroll taxes; and increasing “Advertising” to \$1,600.

Motion: by Jim, seconded by Ski, for Stanley to present the budget numbers to the Selectmen and Budget Committee. **All in favor, motion passed.**

2. Invoice from Rick Sager

Motion: by Ski, seconded by Jim, to approve the invoice for payment for a total of \$17.50. **All in favor, motion passed.**

3. Letter from Planning Board to Zoning Board – Stanley reviewed the letter regarding the Zoning Board’s request that the Planning Board consider relaxing the regulations and the Planning Board’s decision that it is not necessary to relax the regulations.

4. Fees - Two public hearings will be schedule for November 10, 2015 and December 8, 2015 to discuss fees.

Adjournment

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

The meeting adjourned at 8:12 p.m.

Minutes approved by majority vote of the Board on _____

Stanley Brothers, Chairman