

OSSIPEE ZONING BOARD
Meeting Minutes
December 13, 2016

Minutes were recorded by Laura Nash, Board Secretary.
Revisions of these minutes are noted by ***bold/italic*** type.

Call to Order: Stanley Brothers, Chairman called the meeting to order at 7:30 p.m.

Members Present by Roll Call: Stanley Brothers, Dave Babson, Ralph Wurster, Ski Kwiatkowski, and Steve McConarty (ZEO). **Absent:** Jim Rines, Bob Freeman (Selectmen's Rep) and Bill Grover (alternate).

Meeting Minutes:

Meeting Minutes of November 8, 2016 were reviewed. **Motion:** by Ski K., and seconded by Stanley B., to approve November 8, 2016 minutes as submitted along with the letter to the Selectmen.

Discussion: Brief discussion over determining a response time period for letters sent to the Selectmen.

All voted in favor, motion passed.

Stanley Brothers, Chairman: addressed the Applicants (under RSA 674:33) – If there is not a full 5 member board, even with alternates serving. The applicant has the option of postponing the hearing until all members are present. If the applicant chooses to proceed with the hearing, he/she should be advised that a 3- or 4- member board will not be grounds for an appeal hearing in the event the application is denied.

Stanley: asked each applicant prior to hearing their case.

New Business

- **Town of Freedom: Board of Selectmen** – per RSA 677:2 Motion for Rehearing from the Ossipee ZBA's decision of 10/08/2016, for Administrative Appeal for Planning Board's decision of Case #16-3-SPR – WWSCR, Site Plan Review approval on September 20, 2016.

Stanley B., advised Anne Cunningham, Freedom PB Chairperson and Paul Elie, Freedom CC of not being able to provide a 5 member board per RSA 674:33. Since Anne C., and Paul E., are only here to observe and do not have a letter authorizing them to make decisions for the Town of Freedom – Selectmen or Attorney John Ratigan. **Motion:** by Stanley B., and seconded by David B., to continue until next meeting on January 10, 2017, due to fault of the Board not being able to provide a 5 member board per RSA 674:33. All voted in favor, motion passed. **Abstained:** Ski K.

- **Case #16-5-SE: Ed & Patricia Gaj** – 36 Long Sands Rd.; Tax Map: 51 Lot: 07 – has applied for a Special Exception from Article 23.2.3 of the Ossipee Zoning Ordinance to remove existing garage with existing apartment and rebuild a larger garage with a full second story larger apartment.

Stanley Brothers, Chairman: *addressed the Applicants (under RSA 674:33) – If there is not a full 5 member board, even with alternates serving. The applicant has the option of postponing the hearing until all members are present. If the applicant chooses to proceed with the hearing, he/she should be advised that a 3- or 4- member board will not be grounds for an appeal hearing in the event the application is denied.*

Ed Gaj agreed to proceed and presented his case. Wanting to demo existing non-conforming garage with apartment and rebuild garage and enlarge apartment to full size. Non-conforming because built prior to 1988. Moving footprint of building 4 feet away from lake. Has Shoreland Permit and has letters of support from several abutters. Provided letter from Dale McConkey verifying engineering stamp.

PB discussion: Several questions and concerns were addressed. Ski K., asked for clarification on question #5 section: M of the application. Wording states “a two story apartment above the garage.” Ed Gaj revised the application to a one story apartment above the garage.

Motion: by David B., and seconded by Ski K., to accept the application as complete and approve Case # 16-5-SE for Ed & Patricia Gaj – 36 Long Sands Rd.; Tax Map: 51 Lot: 07 for a Special Exception from Article 23.2.3 of the Ossipee Zoning Ordinance. Which states to remove existing garage with apartment and rebuild a larger garage with a full second story larger apartment. The garage and apartment will meet all Local, State, and Federal Regulations and esthetically match the other building on the property.

All voted for criteria's 1 – 5 as one vote by roll call.

Ski K., - Yes Ralph W., - Yes David B., - Yes Stanley B., - Yes

Motion passed unanimously.

Stanley B., noted there is a 30 days appeal process of the ZBA decision which starts tomorrow morning.

Amend Motion: by David B., and seconded by Stanley B., to attach the Special Exception Approval to plans dated March 24, 2016 drawn by Dale McConkey, to include the moving back the structure by 4 feet.

All voted in favor, amended motion passed.

- **Case # 16-12-V: White Mtn. Survey & engineering, Inc. c/o Angus McFarland Limited Partnership** – 25 Gile Rd.; Tax Map: 123 Lot: 52 – has applied for a Variance from Article 6.4 & 23.3.2 of the Ossipee Zoning Ordinance to “Retain existing structure started under building permit B-14-62 dated 09/30/2014. Present structure replaced an existing non-conforming structure, plus A 11.5 sq. ft. non-conforming expansion. Construction began spring of 2015 but has voluntarily ceased due to expiration of building permit & request of town.”

- **Case # 16-13-V: White Mtn. Survey & engineering, Inc. c/o Thomas Green of American Campgrounds, LLC** – 115 Newman Drew Rd. Tax Map: 17 Lot: 1 – has applied for a Variance from Article 15.1.3 of the Ossipee Zoning Ordinance to “Relocate two existing non-conforming campsites to another non-conforming site to allow the installation of a new sewage disposal system.”

- **Case # 16-14-V: White Mtn. Survey & engineering, Inc. c/o Marcin Jarmoc** – 5 Fubur Rd. Tax Map: 44 Lot: 74 – has applied for a Variance from Article 23.3.2, 6.4.1 (c), and 6.4.2, (a) of the Ossipee Zoning Ordinance to “Remove an existing non-conforming detached garage & replace it with an attached garage with living space above.”

(Request for Continuance by Jim Rines for the 3 cases listed above until January 10, 2017 meeting)

Motion: by Stanley B., and seconded by David B., to grant the continuance of all 3 cases of White Mountain Survey & Engineering until January 10th, 2017 ZBA meeting. **All voted in favor, motion passed.**

Old Business:

- **Case #16-11-V: Mark McConkey c/o Dummer Boys** – 1605 Route 16; Tax Map: 53 Lot: 30 – has applied for a Variance from Article 35.2.p of the Ossipee Zoning Ordinance to permit alterations to existing building to make 1 bedroom apartment. (Continued from 10/11/2016 ZBA meeting)

(Request for Continuance by Mark McConkey until January 10, 2017 meeting)

Motion: by Stanley B., and seconded by Ski K., to grant the continuance until January 10th, ZBA meeting.

All voted in favor, motion passed.

- **Case # 16 – 2 – SE:** Letter submitted by Jody Ameden c/o Irving Energy indicating conditions have been met and a letter received today from Fire Chief Michael Brownell RE: Irving Energy conditions met.

Motion: by Stanley B., and seconded Ralph W., to approve condition of Case #16 – 2 – SE have been met.

All voted in favor of Granting final approval, motion passed.

Any Other Business Which May Come Before This Meeting

- Budget & Revenue Report – 11/01/2016 – 11/04/2016
- Approval of Variance instructions & application – Continued until January 10, 2017 meeting.
- Approval of Special Exception instructions & application – Continued until January 10, 2017 meeting.
- Approval of Motion & Decision of Rehearing – Continued until January 10, 2017 meeting.
- Annual Christmas Potluck Luncheon notice
- Letter received via email from Carol and Robert Sargent RE: Case # 16-14-V: White Mtn. Survey & engineering, Inc. c/o Marcin Jarmoc
- Ski K., addressed starting to prepare the annual report for cases heard between the PB & ZBA.
- David B., discussed amending the procedure for sending Notice of Decisions via certified/registered mail as a means of tracking.

Next Meeting: January 10, 2017 @ 7:00 pm

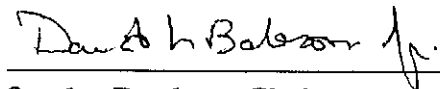
Adjournment

Motion: by Stanley B., seconded by Ski K., to adjourn the meeting.

All in favor, motion passed.

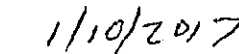
The meeting adjourned at 8:39 p.m.

Minutes approved by majority vote of the Board on:



Stanley Brothers, Chairman

Vice Chair


Date