

TOWN OF OSSIPEE
ZONING BOARD OF ADJUSTMENT
Meeting Minutes
June 14, 2022

Minutes have been recorded for the convenience of summarization by Angela Eldridge, Boards & Commissions Interim Secretary and are deleted once the minutes are board approved; any amendments to the minutes are noted in ***bold & italic*** type.

Call to Order: Roy Barron called the meeting to order at 7:03 p.m.

Members Present by Roll Call: - Chairman - Roy Barron, Vice-Chairman, Daniel Fischbein, Dallas Emery, Jim Rines

Meeting Minutes: Review to Approve Meeting Minutes of May 10, 2022

A **Motion** by D. Fischbein to approve the minutes of May 10, 2022, as written. Barron seconded. Rines abstained. **Motion passed.**

New Business:

- **Case #22-02-V:** Larry Klingler of 3 Route 16B. Tax Map: 095 Lot: 013 is requesting a Variance from Article 6.4.1 (a) for a wood fence structure at the height of 8 ft. 6 in., for a short distance along the property line on Route 16B to be allowed with in the zoning setback from the highway. (Continued from May 10th, 2022)

No one was here to represent Klingler.

Discussion: It was asked if Klingler has corresponded to continue this case. Secretary Angela Eldridge advised that there has been no contact made by Klingler regarding this case. Rines advised that this case has been going on for a long time. Both Roy Barron and Dallas Emery mentioned that he has received a lot of leeway.

A **Motion** by J. Rines was made to deny this Variance. Emery seconded. All in favor. **Motion passed.**

- **Case #22-06-V:** Clifford R. Baird III Trustee & Brenda K. Baird Trustee of 69 Broad Bay Road. Tax Map 031, Lot 016 is requesting a Variance of Article VIII, 8.1 of the Zoning Ordinance to add a 10' x 12' shed within 5 feet of the side setback. Per Article 6.4.2(a)-the side setback is 25'.

Baird presented his case. He advised that he only has 50 feet of frontage so he can't meet the 25-foot setback requirement. Emery asked if the 10x12 foot shed is the one in the picture presented. Fischbein advised that is says proposed so yes. Emery mentioned that it shows it will be placed 30 feet from the road. Baird confirmed. Rines explained that he was seeking relief from the property line. There was discussion over setback requirements and Mr. Baird didn't understand so Rines clarified that the setback requirements are from the property line and not the edge of the traveled way. Fischbein asked for clarification because J. Smith shows it going 5 feet from the property line and the plan shows 10 feet. He asked which is correct. Baird explained that it can't go further than about 7 feet because of the dry well in that area. Discussion ensued. Barron asked Baird if he had his paperwork to go over the criteria. He borrowed a copy. Barron advised Mr. Baird that he is entitled to a full Board so he can ask for a continuance until the board has enough members. Barron advised that if one criteria gets voted against then it will fail. Baird is ok with proceeding. Baird proceeded to read the criteria. Rines asked a question in criteria 2. He asked if the Steve Moore shed is closer to the road than the proposed one. Baird advised it was closer. He continued to read through the criteria with no questions from the Board.

Public Input:

John Connor is a direct abutter and he read a statement into record. He believes Baird has not met the criteria. Connor had complaints about the first shed that was put on that property as well as boats being stored too close to his property line. He believes it is a violation. Barron discussed the pre-existing house. Jim Rines advised that this application requires a scaled drawing and the one provided is not to scale. Rines suggests a surveyed plan showing accurate structures. Baird discussed that he had a signed permit for the first shed on the property and that a previous Building Inspector approved it based on the submitted documents. Mr. Connor showed the Board the previous documentation. Baird advised that he showed the Inspector where that first shed was going, and he signed off on it. D. Fischbein would like to view all previous documents. Barron suggests this case get continued as the Board has questions that need to be answered before a decision can be made. Barron advised that there should have been a variance on the first shed and that it was built in a different location than the sketch that was provided with the original documents indicates. Discussion ensued. Mr. Baird asked for a continuance to clarify some issues. Discussion ensued. After some back and forth between Connors and Baird, Barron called for order. Mr. Baird advised that the new shed would not be seen from the road. Discussion ensued.

Jim Rines made a **Motion** to continue case# 22-06-V to the August 9th ZBA meeting at 7PM at the Freight House. Dallas Emery seconded. A unanimous vote was taken.

Discussion ensued. Barron advised that everything needs to be kept to the concerns of this case. He asked to have the former Building Inspector verify the first shed is where he said to put it. The permit references that it shows it is 25 ft, but the applicant is telling the Board something different than what the application is stating. Baird asked what will happen if he can't get Steve to verify that. He was told that he would be in violation and would also need a variance for that shed as well. Discussion ensued.

Any Other Business Which May Come Before This Meeting:

Employee of the year nomination was briefly discussed but no nomination was made.

Next Regular Meeting: July 12, 2022 @ 7:00 pm

Adjournment:

A Motion by Jim Rines to adjourn the meeting. Fischbein seconded. No discussion. A unanimous vote was taken. **Motion passed.** The meeting adjourned at 8:04 p.m.

Minutes were approved by majority vote of the Board:

_____	_____	Or	_____	_____
Roy Barron, Chairman	Date		Daniel Fischbein, Vice Chair	Date
			<i>(In the absence of the Chairman)</i>	