

SANBORNTON ZONING BOARD OF ADJUSTMENT

P.O. BOX 124

Sanbornton, NH 03269-0124

MEETING MINUTES

Tuesday, March 26th, 2024

Old Town Hall, 19 Meeting House Hill Rd

6:00pm

Members present: Brittany Davis, Mark Ledgard, Theo Brackett, Doug Rasp (in late)

Alternates present: Randy Gaudette (in late), Erica Webb, Mark Brown

(Erica and Mark B seated as voting members)

- a. **Minutes** – Mark Ledgard made a motion to approve the draft minutes of 1/25. Mark Brown seconded the motion and the motion passed unanimously.
- b. **Discussion of ZBA procedures** – Selectman Ralph Carter stated that members who did not attend ZBA training with NHMA this past year should attend the next time it is offered. He explained that motions should be made to either grant or deny, but the intent of the person making the motion should go in line with the approval or denial, i.e. do not make a motion to approve and then vote No. He added that if there is a motion to approve and no second, then the motion fails and this must be detailed in the minutes. A second to a motion may be needed just to get the motion on the table for discussion in some cases.

Mark Ledgard stated that he will get clarity about the procedure for voting on the worksheet (the “five questions”) and this procedure should be noted in the ZBA’s Rules of Procedure document as well as on the worksheet itself to remind members of its purpose.

- c. **Membership changes** – Selectman Ralph Carter stated that he must resign given as he is now a Selectman. Mark Brown made a motion to regretfully accept the resignation. Mark Ledgard seconded the motion and the motion passed unanimously.

Brittany Davis made a motion to nominate Mark Ledgard as Chair. Theo Brackett seconded the motion and the motion passed unanimously.

Chair Mark Ledgard made a motion to nominate Brittany Davis as Vice Chair. Mark Brown seconded the motion and the motion passed unanimously.

- d. **Withdrawal of KNM Holdings variance application** – Brittany Davis made a motion to accept the withdrawal of KNM’s variance application per applicant request (case 2024-2). Theo Brackett seconded the motion and the motion passed unanimously.
- e. **Cont’d discussion of “Application Types, Hearings, Appeals, and Application Instructions” document** – Mark Brown stated that NHMA has a document about how to fill out variance applications and will send that to Audry to be distributed; Chair Ledgard has a guide for this as well that he will send. Members finished the edits to the Application Types document; Audry will finalize and send to Chair Ledgard and Brittany.
- f. **Application for Variance (ZBA 2024-3)**
Sanbornton Zoning Ordinance Article 15, Section F.1(b)
Applicant: Jeremy & Robin Banks
Location: Circle Point Rd, Tax Map 8/Lot 75

Applicant seeks variance to construct home closer to wetlands than as permitted per the ordinance.

Chair Ledgard explained that a variance for this property was granted in 2022; this has since lapsed and the applicant must re-apply and this will be treated as a new application.

Jeremy Banks (participating remotely) explained that he had a home design done in 2019 which was used as part of the previous variance approval but since then he has decided to go with a smaller design. He stated that he is hoping to have the same variance approved, for a home twenty feet from the wetlands at closest point and septic 75 feet from the wetlands, to allow for room to move the smaller home if needed due to ledge. Chair Ledgard asked if the septic system would be moved if the home is smaller and Jeremy responded that he has asked his septic designer and was told No, the septic will stay the same even if the home moves further from the wetlands.

Chair Ledgard stated that the ZBA will need to see where the smaller home will be exactly on the lot before granting a variance and members agreed. He added that reasoning needs to be given for why the whole building could not be moved further away from the wetlands to be less encroaching.

Chair Ledgard made a motion to continue the hearing to April 23rd at 7pm when the applicant will have new plans to present. Mark Brown seconded the motion and the motion passed unanimously.

Meeting adjourned at 7:35pm. The next meeting is scheduled for April 23rd at **6pm** (workshop start time).

Respectfully submitted,

Audry Barriault