

SANBORNTON ZONING BOARD OF ADJUSTMENT

P.O. BOX 124

Sanbornton, NH 03269-0124

MEETING MINUTES

March 27th, 2018

GENERAL BUSINESS

Present: Paul Dexter, member, Tim Lang, Chair, Melissa Anderson, member, Don Bormes, member, Secretary Audry Barriault (seated as member)

Paul Dexter made a motion to approve the draft minutes of 2/13. Melissa Anderson seconded the motion and the motion passed unanimously.

Old Business

Chair Lang read an email from Clean Energy Collective where Giuseppe Perniciaro stated CEC is withdrawing their application for a use variance for the solar energy farm. Members voted unanimously to accept the withdrawal.

New Business

Chair Lang stated that Glenn Frederick is interested in becoming an alternate member on the ZBA. He made a motion to recommend Glenn Frederick as an alternate to the Board of Selectmen; Paul Dexter seconded the motion and the motion passed unanimously.

PUBLIC HEARING

Application for Zoning Variance (ZBA 2018-1) Sanbornton Zoning Ordinance Article 7, Section A - Sharon Bouchard & Chris Ryba, 465 Lower Bay Road Sanbornton, NH 03269 (Map 12, Lot 1) - Chris Ryba explained that he has lifted his house to alleviate water issues underneath and would like to make changes to its footprint while he is already working on it. An addition on the house will add 6 feet on one side and 8 on the other. The house is grandfathered in because of its lot size of 2 acres, but a variance is still needed since it is on a non-conforming lot. He stated that the structure will still meet all setback requirements with this addition.

The ZBA reviewed the variance application against the five variance criteria and voted as follows:

Criterion #1: The variance will not be contrary to the public interest

Dexter/Yes; Lang/Yes; Bormes/Yes; Anderson/Yes; Barriault/Yes

Criterion #2: The spirit of the ordinance is observed

Dexter/Yes; Lang/Yes; Bormes/Yes; Anderson/Yes; Barriault/Yes

Criterion #3: Substantial justice is done

Dexter/Yes; Lang/Yes; Bormes/Yes; Anderson/Yes; Barriault/Yes

Criterion #4: The values of surrounding properties are not diminished

Dexter/Yes; Lang/Yes; Bormes/Yes; Anderson/Yes; Barriault/Yes

Criterion #5: Literal enforcement of the ordinance would result in an unnecessary hardship

Dexter/Yes; Lang/Yes; Bormes/Yes; Anderson/Yes; Barriault/Yes

Sub-Category A: "The Relationship Test" or "The Reasonable Use Test"

Dexter/Yes; Lang/Yes; Bormes/Yes; Anderson/Yes; Barriault/Yes

Sub-Category B: "The Strict Conformance with the Ordinance Test"

Dexter/Yes; Lang/Yes; Bormes/Yes; Anderson/Yes; Barriault/Yes

Paul Dexter made a motion to grant the variance from Article 7, Section A to Chris Ryba and Sharon Bouchard. Don Bormes seconded the motion and the motion passed unanimously. Chair

Lang noted that there is a 30-day period when any abutter can appeal the ZBA's decision in this case.

Meeting adjourned at 7:09PM.

Respectfully submitted, Audry Barriault