

**SANBORNTON ZONING BOARD OF ADJUSTMENT**

P.O. BOX 124

Sanbornton, NH 03269-0124

**MEETING MINUTES**

**March 26, 2019**

**GENERAL BUSINESS**

Present: Paul Dexter, member, Don Bormes, member, Glenn Frederick, alternate, Melissa Anderson, member, Doug Rasp, member

Paul Dexter made a motion to approve the draft minutes of 2/26. Doug Rasp seconded the motion and the motion passed unanimously.

**PUBLIC HEARING**

**Application for Zoning Variance (ZBA 2019-2)** Sanbornton Zoning Ordinance Article 4, Section X. Applicant: Walter Joslyn, 288 Woodman Rd, Tax Map 4/Lot 58. Applicant seeks to construct accessory dwelling unit (ADU) above detached garage whereas only attached ADUs are permitted per the Ordinance.

(Don Bormes acted as Chair Pro Tem and seated Glenn Frederick as a voting member). Walter Joslyn explained that he would like to construct a garage detached from this home with an accessory apartment above; his daughter's family will move into the main home and he will live in the apartment. The proposed garage will meet all setback requirements. Paul Dexter stated that this apartment will need to meet NFPA safety standards and must include a second point of egress. He noted that many detached apartments already exist in Town and that the ZBA will probably see more requests as the population ages and children move home to care for parents. Walter Joslyn mentioned that he has explored insurance options and it seems that insurance companies would prefer detached apartments versus attached.

Don Bormes asked if all abutters have been noticed; secretary Audry Barriault responded Yes.

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; Rasp/Yes; Frederick/Yes; Bormes/Yes; Anderson/Yes

**Criterion #2: The spirit of the ordinance is observed**

Dexter/Yes; Rasp/Yes; Frederick/Yes; Bormes/Yes; Anderson/Yes

**Criterion #3: Substantial justice is done**

Dexter/Yes; Rasp/Yes; Frederick/Yes; Bormes/Yes; Anderson/Yes

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

Dexter/Yes; Rasp/Yes; Frederick/Yes; Bormes/Yes; Anderson/Yes

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

Dexter/Yes; Rasp/Yes; Frederick/Yes; Bormes/Yes; Anderson/Yes

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

Dexter/Yes; Rasp/Yes; Frederick/Yes; Bormes/Yes; Anderson/Yes

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

Dexter/Yes; Rasp/Yes; Frederick/Yes; Bormes/Yes; Anderson/Yes

Melissa Anderson made a motion to grant the variance to Article 4, Section X of the Sanbornton Zoning Ordinance to Walter Joslyn. Paul Dexter seconded the motion and the motion passed unanimously.

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

**Meeting adjourned at 7:40pm.**

Respectfully submitted, Audry Barriault