

NOTTINGHAM ZONING BOARD OF ADJUSTMENT
November 19, 2019

Approved: January 21, 2020

Members Present: Bonnie Winona-MacKinnon, Chair; Teresa Bascom, vice-Chair; Terry Bonser; Realene Shippee-Rice; Peter White

Members Absent: Kevin Bassett, Alternate

Others Present: JoAnna Arendarczyk, Land Use Clerk;

Call to order: 7:00pm

- The Chair read the meeting procedure to the applicants.

Public Hearings

Public Hearing Opened: 7:05pm

Case 19-012-VA

Application from Deborah and Andrew Harmon for a Variance request from Article II(C)(1)(a) and Article II(C)(2) of the Nottingham Zoning Ordinance. To permit construction of a single loft camp with deck, on a lot without required frontage and within zoning setbacks. The property is located at 40 White's Grove Road in Nottingham, NH and is identified as Tax Map 63 Lot 63.

Andy Harmon and his builder presented the case. They stated that they have received DES approval. Mr. Harmon read the criteria as outlined in the application (file).

Mr. Harmon replied "yes" when asked if the structure would remain seasonal. He added that the new structure would have a loft instead of two (2) bedrooms and also noted that the foundation is a rotting wood foundation so that will be replaced as well.

Public Hearing Closed: 7:21pm- No public present to speak for or against.

The Board discussed the method of voting as they received communication regarding this issue from the Town Planner. They agreed to vote on the five criteria. However they asked the Land Use Clerk to research if the bylaws can be adjusted regarding this change/ update.

Motion Made By: Mr. White to approve Case 19-012-VA- Application from Deborah and Andrew Harmon for a Variance request from Article II(C)(1)(a) and Article II(C)(2) of the Nottingham Zoning Ordinance. To permit construction of a single loft camp with deck, on a lot without required frontage and within zoning setbacks. The property is located at 40 White's Grove Road in Nottingham, NH and is identified as Tax Map 63 Lot 63.

Seconded By: Mrs. Bascom

	Criteria Summary	Board vote - was the Criteria met?
1.	Granting the variance would not be contrary to the public interest because:	5-0-0
2.	If the Variance were granted, the spirit of the ordinance would be observed because:	5-0-0
3.	Granting the variance would do substantial justice because:	5-0-0
4.	If the variance is granted, the values of the surrounding properties would not be diminished because:	5-0-0
5.	Unnecessary Hardship a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary	a. 5-0-0

For the Nottingham Zoning Board of Adjustment ~ JoAnna Arendarczyk; Land Use Clerk

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	hardship because: i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because: ii. The proposed use is a reasonable one because: b. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.	b. 5-0-0
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Vote: 5-0-0 Motion Passed

Case Closed: 7:32

Applicant was informed of the 45 day appeal period.

The Land Use Clerk was asked to seek clarification as to if both a&b in Criteria #5 need to be approved to approve a case.

Staff/ Board Members Update

The Land Use Clerk informed Board of upcoming cases.

Minutes

September 17, 2019

Motion Made By: Mrs. Bascom to approve the September 17, 2019 minutes as amended.

Seconded By: Ms. MacKinnon

Vote: 4-0-0 Motion Passed

October 15, 2019

Discussion- Mr. White- proposed edits for a few of the lines as he expressed that they did not accurately capture what he said.

The Board decided to tabled the minutes due to the number of suggested edits.

A discussion ensued on if general discussions should be detailed in the minutes. It was determined that those discussions should be summarized. It was noted that all discussions as a Board are recorded, in public and minutes are taken.

ADJOURNMENT

Motion Made By: Mrs. Bascom

Seconded By: Mr. Bonser

Vote: 5-0-0 Motion Passed

Adjourn at: 7:59 pm