



**ZBA MEETING/PUBLIC HEARING
CONTINUATION OF THE 4/20/2017 MINUTES
May 4, 2017**

ATTENDANCE: ZBA Board- Paul Tremblay, Frank Frazier, Ernest Brown, Richard Mauser, Susan Weiske, Jessica Robisneau, Secretary, Public in attendance- Marilyn Bushman, John Nelson, Jenn McKown, Martha Pike, Lynn Kirby, Kristin Whitworth, Nate Whitworth, Selectman Rep Brian Robisneau

Meeting called to order- 6:00pm

Roll Call was taken.

Chairman Paul Tremblay opened the meeting by explaining this is a continuation of the 4/20/2017 meeting. Frank Frazier asked the board to review the zoning ordinance whether or not the request is a permitted use. After review, it was agreed that the request was a permitted use. Next, the Board reviewed the prior meeting information to confirm whether or not the request qualifies for a variance or special exception.

Frank Frazier reviewed the property map and discussed this is a conforming lot with a non conforming use. In addition, he stated this appears to qualify as a special exception. After this discussion, Board Member Richard Mauser made a motion:

Motion:

Richard Mauser made a motion to accept the application as a special exception based upon the Brookfield Zoning Ordinance Article V - B. Ernest Brown seconded the motion. All in favor. The motion passes.

Nathan Whitworth explained to the Board the reason for the special exception. The house direction did not qualify for rooftop solar panels. In addition, if the fixed solar panels comply with the zoning setbacks, then the panels would be shaded from the trees or from Moose Mountain. The Solar Array Co mapped out the most efficient area and position for the 2 rows of 15 panels each row, thus causing the front and side setback issue. He explained the panels will be approximately 10' to 11' in height and almost 50' in length. Martha Pike spoke and stated she was opposed to the setback exception and stated the

panels will devalue the neighborhood properties. She stated there should be landscaping and screening to detract from the solar panels. Nathan Whitworth stated they were planning on installing a fence at the road to cover most of the panels. There will be 2'to 3' in height that will still be exposed. Lynn Kirby who owns the property across the street from the Whitworth's stated she would prefer a natural border with vegetation instead of the fence.

The floor was then open for public input. John Nelson asked a few questions to clarify the size of the structure and the setbacks. He also stated that if the Board approves the request, you will be stating a residence in town.

Chair Paul Tremblay asked Mr Whitworth if he would be willing to install a natural vegetation if he special exception is permitted. Mr Whitworth stated he would be willing to either do the fence or vegetation; which ever the public would prefer.

Board member Richard Mauser asked if they would cut trees to allow more sun and comply with the setbacks. Unfortunately, this would not help in the situation of the shade from the mountain.

A motion was made:

Motion:

Frank Frazier made a motion to accept the application as a special exception sought by Nathan and Kristin Whitworth at 199 Governors Rd Brookfield NH under Article V Section B: "A local zoning ordinance may provide that the zoning board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance. All special exceptions shall be made in harmony with the general purpose and intent of the zoning ordinance and shall be in accordance with the general or specific rules contained in the ordinance." In addition, to grant the special exception under Article IIA-3d - Allowing the setback as follows: No structure or part thereof shall be placed within 25 feet of the side and rear lot lines or within 40 feet of the edge of any right-of-way and installing and maintaining natural vegetation of at least 8' The motion was seconded by Ernest Brown and including the following: the approval is subject to the location of the right-of-way determined by the code enforcement officer and the NH Department of Transportation. All in favor. The motion carries.

Meeting adjourned 8:00pm.

Respectfully Submitted,

Jessica Robischeau
ZBA Secretary

(Draft 05/04/2017)