

Moultonborough Zoning Board of Adjustment
P.O. Box 139
Moultonborough, NH 03254

Regular & Organizational Meeting

March 21, 2012

Minutes

Present: Members: Bob Stephens, Russ Nolin, Joseph Crowe
 Alternates: Ken Bickford; Town Planner: Bruce W. Woodruff
Excused: Alternates: Robert Zewski, Natt King

I. Call to Order

Mr. Stephens called the meeting to order at 7:30 PM and introduced the members of the board to the public. Mr. Stephens appointed Ken Bickford to sit on the board with full voting privileges until such time that he is sworn in as an elected member.

II. Pledge of Allegiance

III. Organizational Meeting

2012 Board Organization – Election of Officers and Review of Policies and By-Laws

Mr. Stephens stated this was the business portion of their annual Organizational Meeting. As Senior Member, Mr. Stephens called the Organizational Meeting to order.

Mr. Stephens indicated his interest to serve as Chairman, and Mr. Nolin indicated his interest to Serve as Vice Chairman.

Motion: Mr. Nolin moved to nominate Bob Stephens as Chairman, seconded by Mr. Bickford, carried unanimously.

Motion: Mr. Stephens moved to nominate Russ Nolin as Vice Chair, seconded by Mr. Crowe, carried unanimously.

Motion: Mr. Stephens moved to designate staff to act in the capacity of Secretary pertaining to Minutes and Applications to the Zoning Board, seconded by Mr. Crowe, carried unanimously.

Review of Policies and By-Laws

Board members were provided with a copy of the Policies that were approved in 2011, which had two minor changes made to the document for 2012 to correctly reference the Land Use Office now as the Office of Development Services. Members reviewed these policies.

Mr. Crowe questioned if there should be a policy relating to the withdrawal of applications by applicants once the board has deliberated on such application. Mr. Woodruff glanced at the statutes and stated that there appeared to be nothing addressing this, but if the board felt that it was needed, they could add language to their Policies. After a brief discussion it was the decision of the board to move forward with the Policies as presented this evening and to revisit this at a future date if they felt it was necessary.

Motion: Mr. Nolin moved to approve the Moultonborough Zoning Board of Adjustment Policies as presented this evening, seconded by Mr. Crowe, carried unanimously.

IV. Approval of Minutes

Motion: Mr. Nolin moved to approve the Zoning Board of Adjustment Minutes of February 15, 2012, as written, seconded by Mr. Crowe, carried unanimously.

V. Hearings

1. James M. Quinlan (99-182)(71 Sunrise Drive)
Variance from Article III, B(3)

Mr. Stephens noted that there were only four members seated at this time and that applicants are entitled to a full board of five members. If the applicant is willing to proceed with a board of four, they then forfeit their right to request a rehearing on a basis of a board of four. Mr. Stephens noted that applicant may request a continuance to the next available date. Mr. Quinlan stated he would proceed forward with a board of four.

Mr. Stephens stated that this hearing for an application for a variance. James Quinlan presented his application for variance, briefly describing the Lot and existing non-conforming dwelling. The proposed variance is to permit the construction of a 20' x 6' farmer's porch that will encroach into the sideline setback. Mr. Quinlan stated that the dwelling was built 40 +/- years ago, close to the property line. The existing dwelling encroaches into the side setback, and they are proposing to move the porch in two (2) feet further from the line. Mr. Quinlan answered any questions from the board.

Board members questioned what the distance from the line the porch was proposed. It was noted the existing dwelling is ten (10) feet from the sideline and the proposed porch will be twelve (12) feet.

Bob Goffredo spoke in favor of the proposal, stating that any work done to the property would be an improvement to the neighborhood.

Mr. Stephens asked if there were any additional questions from the board or the public, it was noted there was none. The board went into deliberative session to discuss each of the criteria for granting the variance at 7:57 PM and came out at 8:00 PM. There was no further input from the board or public.

Motion: Mr. Stephens moved to direct staff to draft a Notice of Decision to approve the variance for **James M. Quinlan (99-182)** and to continue the Public Hearing to April 4, 2012, seconded by Mr. Nolin, carried unanimously.

VI. Correspondence

1) Mr. Stephens noted the board was in receipt of a **Motion for Rehearing relating to the Appeal of Administrative Decision, Building Permit Granted December 19, 2011, for Map 200, Lot 12,** received February 27, 2012, filed by Christopher T. Meier, Esq., on behalf of Irene B. George, Trustee of the Irene George Trust, Gail Childs and Douglas and Stephanie Desjardins. Board members reviewed the request for Rehearing.

Mr. Nolin stepped down from the board for this discussion.

The Board discussed the request and based on their discussion, found that there were no procedural errors made by the Board and that there was no indication in the submittal that new evidence exists that they did not hear during the adjudication of the appeal, therefore denying the request for rehearing.

Motion: Mr. Crowe moved to deny the request for rehearing as requested in the **Motion for Rehearing relating to the Appeal of Administrative Decision, Building Permit Granted December 19, 2011, for Map 200, Lot 12**, seconded by Mr. Stephens, carried in favor 3 to 0.

Mr. Nolin returned to the board at this time with full voting privileges.

2) Mr. Stephens noted a letter dated March 20, 2012, from Jerry Hopkins, expressing his interest to serve as an Alternate Member of the Zoning Board. Mr. Hopkins was present at the meeting to answer any questions the board may have. Members noted they knew Mr. Hopkins and his background, most recently serving as an elected member of the ZBA. After a brief discussion the following motion was made.

Motion: Mr. Stephens moved to appoint Jerry Hopkins as an Alternate Member of the Zoning Board of Adjustment for a term of three (3) years, terminating on March 31, 2015 seconded by Mr. Nolin, carried unanimously.

3) Planning Board Draft Minutes of February 22, 2012, Planning Board Draft Work Session Minutes of February 29, 2012, and Planning Board Draft Minutes of March 14, 2012, were noted

4) Board of Selectmen Draft Minutes of February 16th, March 8th & March 15th were noted.

VII. Unfinished Business

VIII. Adjournment

Motion: Mr. Stephens made the motion to adjourn at 8:15 PM, seconded by Mr. Nolin, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant