

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

**Regular Meeting**

**May 20, 2015**

**Minutes**

Present:           Members:       Bob Stephens, Russ Nolin, Bob Zewski, Ken Bickford, Robert St. Peter  
                          Alternates:     Jerry Hopkins, Richard Jenny, Paul Onthank, Nick DeMeo  
Staff Present:   Town Planner, Bruce W. Woodruff; Administrative Assistant, Bonnie Whitney

**I.       Call to Order**

As Chairman, Mr. Stephens called the meeting to order at 7:00 PM and introduced the members of the board to the public.

**II.      Pledge of Allegiance**

**III.     Approval of Minutes**

**Motion:**       Mr. Nolin moved to approve the Zoning Board of Adjustment Minutes of May 6, 2015, as written, seconded by Mr. Stephens, motion passed, three (3) in favor (Stephens, Nolin, St. Peter) and two (2) abstentions (Zewski, Bickford). Mr. Zewski and Mr. Bickford noted they abstained as they were not present for the meeting.

**IV.     Hearings**

1.       Strayer Family Trust; Frances Strayer et al Trustees (236-13)(117 Echo Landing Road)  
          Variance from Article III.B.4

Mr. Stephens stated that this is a request for a waterfront setback variance.

Frances Strayer presented the application for variance for the removal of an existing structure, rebuilding it in the footprint along the shoreline, expanding it five feet away from the shoreline, approximately 50 sq. ft. Ms. Strayer commented that it may be possible to rebuild the bunkhouse in kind, not requiring a variance, but noted that it would be far more expensive.

Planner Woodruff reviewed his staff memo, giving a brief summary of the request and background. He stated that if the applicant were to keep the existing third bedroom bunkhouse which has been there for a very long time, in the same size, and applied for a building permit for the new addition, it would only require a building permit as it would fall under the new aspect of zoning. However, their proposal is to tear down the existing bunkhouse, taking away all grandfathering rights, which is why they are before the board. The condition of the bunkhouse is really bad. Rehabbing is something they could do with a building permit however that is not their intent. They have received a Shoreland Permit by Notification for the project. This quantifies both the temporary impact of 582 sq. ft. area, and permanent additional impervious surface from the expansion of approximately 74 sq. ft. which results in a net increase of approximately 50 sq. ft. The total impervious area on the parcel remains at under 20%. The Planner reviewed the criteria for the granting of a variance specifically that their hardship argument is centered on the concept that the bunkhouse traditionally served as the third bedroom for the camp and that

it is unreasonable to prohibit its recreation simply because its condition makes rehab impossible or impracticable. He stated that he recommended the granting of the setback variance with the conditions that all best management practices be employed.

Members discussed the application with several agreeing that the proposed addition is filling in a corner or notch of a nonconforming structure and that it is not encroaching further into the shorefront setback. Members questioned what measures would be taken for stormwater management and erosion control. Contractor Rich Benton explained the proposed infiltration drip trench to be installed around the bunkhouse. No trees will be removed for construction of the bunkhouse.

There were a few members who had gone to the site, noting that all of the camps are small and close to the lake in the neighborhood and were constructed prior to zoning.

Mr. Stephens opened the hearing for public input at this time, noting there was none.

Mr. Stephens asked if there were any additional questions from the board at this time, it was noted there were none. He closed the public hearing and the board went into deliberative session to discuss each of the criteria for the granting of the variance at 7:14 PM and came out of deliberative session at 7:19 PM.

There was no further input from the board or public. The voting members were Bob S., Russ, Bob Z, Ken and Rob.

**Motion:** Mr. Zewski moved to grant the request for a variance from Article III.B(4) for The Strayer Family Trust, Frances Strayer et al, Trustees, Tax Map 236, Lot 13, subject to the following condition that the granting of the variance for the bunkhouse does not constitute a footprint for any future request for the expansion of a nonconforming structure and that all best management practices be employed; and further to close the public hearing and to direct staff to draft a formal Notice of Decision for Board discussion only, based on the Finding of Facts during tonight's hearing, which will be reviewed for accuracy only and signed by the Chair at the next scheduled meeting, seconded by Mr. Nolin, motion passed, five (5) in favor (Stephens, Nolin, Zewski, Bickford, St. Peter) and none (0) opposed.

Mr. Stephens noted the right to appeal in accordance with NH RSA 677:2 would begin tomorrow.

## **V. Correspondence**

## **VI. Unfinished Business**

1. Review and possible authorization for the Chair to sign the formal Notice of Decision for the May 6, 2015 granting of a variance for John C. Mendes & Margaret A. Geanisis (169-36)(96 Lake Shore Drive).

The Board reviewed the Draft Notice of Decision prepared by staff, as directed by the Board at the Hearing on May 6<sup>th</sup>. There were no changes made to the draft.

**Motion:** Mr. Nolin moved to direct the Chairman to sign the Notice of Decision as written, for John C. Mendes & Margaret A. Geanisis (169-36)(96 Lake Shore Drive) and staff to mail said notice to the applicant or applicant's agent, seconded by Mr. Stephens, motion passed, three (3) in favor (Stephens, Nolin,

St. Peter) and two (2) abstentions (Zewski, Bickford). Mr. Zewski and Mr. Bickford noted they abstained as they were not present for the meeting.

2. Review and possible authorization for the Chair to sign the formal Notice of Decision for the May 6, 2015 granting of a variance for Joseph & Susan Couture (99-112)(254 Paradise Drive).

The Board reviewed the Draft Notice of Decision prepared by staff, as directed by the Board at the Hearing on May 6<sup>th</sup>. There were no changes made to the draft.

**Motion:** Mr. St. Peter moved to direct the Chairman to sign the Notice of Decision as written, for Joseph & Susan Couture (99-112)(254 Paradise Drive)and staff to mail said notice to the applicant or applicant's agent, seconded by Mr. Nolin, motion passed, three (3) in favor (Stephens, Nolin, St. Peter) and two (2) abstentions (Zewski, Bickford). Mr. Zewski and Mr. Bickford noted they abstained as they were not present for the meeting.

3. Review and possible authorization for the Chair to sign the formal Notice of Decision for the May 6, 2015 granting of a variance for James & Carla Salerno (263-91)(78 Long Island Road).

The Board reviewed the Draft Notice of Decision prepared by staff, as directed by the Board at the Hearing on May 6<sup>th</sup>. There were no changes made to the draft.

**Motion:** Mr. Nolin moved to direct the Chairman to sign the Notice of Decision as written, for James & Carla Salerno (263-91)(78 Long Island Road)and staff to mail said notice to the applicant or applicant's agent, seconded by Mr. St. Peter, motion passed, three (3) in favor (Stephens, Nolin, St. Peter) and two (2) abstentions (Zewski, Bickford). Mr. Zewski and Mr. Bickford noted they abstained as they were not present for the meeting.

## VII. Adjournment

**Motion:** Mr. Nolin made the motion to adjourn at 7:32 PM, seconded by Mr. Zewski, carried unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Administrative Assistant