

**DRAFT MINUTES
NEW DURHAM ZONING BOARD OF ADJUSTMENT
12 JANUARY 2016**

Vice Chair Swenson called the meeting to order at 7:02 pm.

Roll Call: Joan Swenson (Vice Chair), Stephanie Richard, Dave Shagoury (Alternate), Recording Secretary Amy Smith.

****NOTE**** Due to inclement weather that created a driving hazard, Vice Chair Swenson ‘called’ the meeting. Ms. Smith notified Tom Varney, the agent for the applicants, and ZBA members of this. Ms. Richard, Vice Chair Swenson, and Mr. Shagoury agreed to attend the meeting so the hearings could be recessed instead of re-notified.

Vice Chair Swenson designated Mr. Shagoury to sit in as a voting member.

Public Hearing - Case 2015-04- Application submitted by Thomas Varney, PE on behalf of Chris & Karen Shorette. The applicant is seeking a Variance to Article XIV Section C 1 (b), (c), (e) [Shorefront Conservation Overlay District Section] and Article XX Sections C 1, 2 and E 1 (a), E 2 (b), (c) [Non-Conforming Buildings, Land or Uses Section] of the New Durham Zoning Ordinance in order to tear down an existing cottage and build a new home and garage 50’ from the lake and install a septic tank less than 125’ to the lake and leach bed less than 10’ to the property line. The building size will be greater than 15% of the lot area. The property in question is located at 379D Merrymeeting Road (Tax Map 110, Lot 23).

Ms. Smith read a letter from Mr. Varney dated 14 December 2015 requesting the application be withdrawn. Ms. Smith noted she had spoken with Kate Varney, who had made a mistake on one of the numbers. Case 2015-6 has the corrected numbers.

Vice Chair Swenson made a motion to accept the request to withdraw the application for 2015-04. Mr. Shagoury seconded the motion. The motion was unanimously approved.

Board members briefly discussed when the two remaining applications should be recessed to. “ZBA Night” (the second Tuesday of the month) is the Primary Election. Due to the election and the meeting schedule of other Boards/Committees the Board agreed on 23 February 2016. Ms. Smith noted that is a Conservation Commission night but ZBA preempts Conservation Commission.

Public Hearing - Case 2015-05 - Application submitted by Thomas Varney, PE on behalf of Freeman & Joan Goodrich. The applicant is seeking a Variance to Article XIV Section C 1 (b) [Shorefront Conservation Overlay District Section] and Article XX Section E 2 (b) [Non-Conforming Buildings, Land or Uses Section] of the New Durham Zoning Ordinance in order to tear down an existing cottage and build a new home with attached garage 50’ from the lake. The property in question is located at 375 Merrymeeting Road (Tax Map 110, Lot 27).

Vice Chair Swenson made a motion to recess the public hearing (2015-05) for an application submitted by Thomas Varney, PE on behalf of Freeman & Joan Goodrich. The applicant is seeking a Variance to Article XIV Section C 1 (b) [Shorefront Conservation Overlay District Section] and Article XX Section E 2 (b) [Non-Conforming Buildings, Land or Uses Section] of the New Durham Zoning Ordinance in order to tear down an existing cottage and build a new home with attached garage 50' from the lake. The property in question is located at 375 Merrymeeting Road (Tax Map 110, Lot 27) until 23 February 2016 at 7 pm at the Town Hall. Ms. Richard seconded the motion. The motion was unanimously approved.

Public Hearing - Case 2015-06- Application submitted by Thomas Varney, PE on behalf of Chris & Karen Shorette. The applicant is seeking a Variance to Article XIV Section C 1 (b), (c), (e) [Shorefront Conservation Overlay District Section] and Article XX Sections C 1, 2 and E 1 (a), E 2 (b), (c) [Non-Conforming Buildings, Land or Uses Section] of the New Durham Zoning Ordinance in order to tear down an existing cottage and build a new home and garage 31' from the lake and install a septic tank less than 125' to the lake and leach bed less than 10' to the property line. The building size will be greater than 15% of the lot area. The property in question is located at 379D Merrymeeting Road (Tax Map 110, Lot 23).

Vice Chair Swenson made a motion to recess the public hearing (2015-06) for an application submitted by Thomas Varney, PE on behalf of Chris & Karen Shorette. The applicant is seeking a Variance to Article XIV Section C 1 (b), (c), (e) [Shorefront Conservation Overlay District Section] and Article XX Sections C 1, 2 and E 1 (a), E 2 (b), (c) [Non-Conforming Buildings, Land or Uses Section] of the New Durham Zoning Ordinance in order to tear down an existing cottage and build a new home and garage 31' from the lake and install a septic tank less than 125' to the lake and leach bed less than 10' to the property line. The building size will be greater than 15% of the lot area. The property in question is located at 379D Merrymeeting Road (Tax Map 110, Lot 23) until 23 February 2016 at 7 pm at the Town Hall. Mr. Shagoury seconded the motion. The motion was unanimously approved.

ZBA Alternate Update

Ms. Swenson informed Board members that she has again brought up the need for ZBA Alternates and the need for the Selectmen to act on applications submitted for Alternates at a recent Selectmen's Meeting. Vice Chair Swenson was authorized to speak on behalf of the ZBA regarding the lack of Alternates by a vote occurring at the 14 July 2015 ZBA meeting.

Amy Smith

Vice Chair Swenson thanked Ms. Smith for her work with the ZBA and stated she was very appreciative of her knowledge, accessibility, and willingness to help. Mr. Shagoury and Ms. Richard agreed. Vice Chair Swenson requested the statement of appreciation be included in the minutes.

At 7:26 pm Vice Chair Swenson made a motion to adjourn. Ms. Richard seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith
Recording Secretary