

1 **TOWN OF SUNAPEE**

2 **ZONING BOARD**

3 **AUGUST 11, 2016**

4 **PRESENT:** Edward Frothingham, Chair; Daniel Schneider, Vice-chair; Aaron Simpson; Clayton Platt;
5 William Larrow; George Neuwirt, Alternate Roger Landry, Zoning Administrator

6 **ABSENT:**

7 **ALSO PRESENT:** See Sign-in Sheet

8 Chairman Frothingham called the meeting to order at 7:00 pm.

9 **CASE #16-16: PARCEL ID: 0105-0008-0000: SEEKING A VARIANCE OF ARTICLE III, SECTION 3.10 TO**
10 **REDUCE SIDE SETBACK DIMENSION FROM 25 FT TO 15 FT ALLOWING CONSTRUCTION OF A 17 FT BY 6**
11 **FT DECK/ENTRY ON FLOOR LEVEL AND A 17 FT BY 10 FT DECK / OVERHANG ON 2ND LEVEL. 75 SEVEN**
12 **SPRINGS RD, JUNE ADINAH & MICHAEL SKIBBIE.**

13 **CASE #16-17: PARCEL ID: 0105-0008-0000: SEEKING A SPECIAL EXCEPTION OF ARTICLE III, SECTION**
14 **3.50-I TO ENLARGE A PRE-EXISTING NON-CONFORMING STRUCTURE ENTRYWAY INCREASING ROOF**
15 **HEIGHT AN ADDITIONAL 5 FT. 75 SEVEN SPRINGS RD, JUNE ADINAH & MICHAEL SKIBBIE.**

16 Chairman Frothingham explained that the cases will be heard together and then voted on separately.

17 Chairman Frothingham asked and Mr. Landry confirmed that he did not get any calls or people coming
18 to see him with questions or concerns regarding these cases.

19 Michael Skibbie and June Adinah presented the merits of their case.

20 Mr. Skibbie said that the property is a seasonal camp. There is currently no working kitchen and there is
21 a very small bathroom; they previously removed an outhouse from the property. They are proposing
22 removing an entrance way that is only 3 ft from the property line and adding an entrance way with a
23 second floor above it. The new entrance way will be more in the center of the building and further from
24 the property line. It would be 15 ft from the property line at its closest, rather than the 3 ft currently is.
25 The current entrance way is 32 sq ft.

26 Mr. Skibbie said that they believe that this proposal is consistent with the purposes of the Zoning
27 Ordinance as it reduces the encroachment on their neighbor. They think that it will increase the
28 usefulness of the property without reducing the enjoyment of their abutter's use of their property.
29 They think that it is along the lines of the spirit of the setback requirements, which is to encourage use
30 away from the property lines so they are moving the entrance of the property away from the property
31 line. Mr. Skibbie continued that they do not think that there is a concern about their proposal affecting
32 property values in any negative way as they think it will improve the aesthetics and usefulness of their
33 property and he thinks it will improve the value of their abutters' properties as well.

34 Mr. Skibbie said he provided the Board with photos and sketches of the lot as well as a sketch of what
35 they are planning on doing for the renovation. They are working with a contractor and are thinking that
36 there may be a way to make it a more compact addition though they are not sure yet.

37 Mr. Larrow asked and Mr. Landry confirmed that the property is in the Rural Land Zone and the side
38 setback is 25 ft because it is a pre-existing non-conforming lot; if the lot was conforming the side setback
39 would be 50 ft.

40 Mr. Larrow asked how close the neighbor's house is to the lot line. Mr. Skibbie said that it is probably
41 100 ft from the lot line. Their house is on the edge of the lot and the abutter's house is on the opposite
42 edge of his lot. There are some woods between the two houses and they can't really see each other.

43 Mr. Platt asked and Mr. Skibbie confirmed that they will not be moving the house, it will remain in the
44 footprint except for this change to the entrance way. There was further discussion about the existing
45 footprint of the house.

46 Mr. Simpson asked and Mr. Skibbie confirmed that the house does not currently have a second floor.
47 The house currently has an attic; they plan to have a modest second story that will go back to the
48 current ridge line.

49 There was further discussion regarding the proposed layout.

50 Mr. Platt asked how Mr. Skibbie knows where the property line is located. Mr. Skibbie explained that
51 there are metal stakes that are sunk in the ground along each side.

52 Mr. Platt asked if they will still be building the 222 sq ft patio that is on the Shoreland Permit dated
53 7/14/2016. Mr. Skibbie said that the description of the permit was amended at their request because it
54 was not clear when they issued the permit two years ago that it approved the addition of the house,
55 which is why it has a 2014 docket number. Mr. Skibbie said the permit was pulled for two reasons, one
56 was the addition, and the other was landscaping near the water, which they did last spring, including the
57 patio. Mr. Platt said that he thought that a patio was considered a structure. Mr. Landry said that it is
58 not unless it is attached to the house. Ms. Adinah said that the patio is not attached to the house. Mr.
59 Simpson asked about the patio on the plan and Mr. Skibbie showed him that and explained the location
60 of the deck that is attached to the house.

61 Mr. Larrow asked if the deck under the second story will be enclosed and Mr. Skibbie said that it will not
62 be. Mr. Landry said that he would note that condition on the building permit. There was further
63 discussion regarding how far the overhang of the second story will be. Mr. Skibbie said that the
64 enclosed portion will be 17 ft x 6ft and the overhang will be an addition 17 ft x 4 ft. Mr. Skibbie further
65 explained this overhang to the Board with the plan and said that they are trying to work with a
66 contractor to get it so that they do not need to have the cantilever.

67 Mr. Skibbie said that Section 3.50-I allows the Zoning Board to approve a Special Exception for
68 modification of a roofline for a pre-existing non-conforming structure. The maximum allowed by a
69 Special Exception is 25 ft, and they plan to stay below that at 21ft, which is 5ft above the current ridge

70 line. Mr. Skibbie said that they have an elevation of what they hope to do, which does not show the
71 cantilever but still shows the same roof height.

72 Mr. Simpson asked if there is a picture of the proposed cantilever and Mr. Skibbie said that he thought
73 he submitted one but did not.

74 There was a discussion regarding restricting enclosing the entrance below the cantilever, which is not on
75 the lake side.

76 Mr. Simpson made a motion to approve Case #16-17: Parcel ID: 0105-0008-0000: seeking a Special
77 Exception of Article III, Section 3.50-I to enlarge a pre-existing non-conformign structure entryway,
78 increasing roof height an additional 5 ft, 75 Seven Springs Rd, June Andinah and Michael Skibbie, subject
79 to Shoreland Permit #2014-2542. Mr. Platt seconded the motion. The motion passed unanimously.

80 Vice Chair Schneider made a motion to approve Case #16-16: Parcel ID: 0105-0008-0000: seeking a
81 Variance of Article III, Section 3.10 to reduce side setback dimension from 25 ft to 15 ft allowing
82 construction of a 17 ft by 6 ft deck / entry on floor level and a 17 ft by 10 deck / overhang on 2nd level,
83 75 Seven Springs Rd, June Adinah and Michael Skibbie, subject to the provisions of Shoreland Impact
84 Permit #2014-2542. Mr. Platt seconded the motion. Mr. Platt said that the removal of the outhouse in
85 the middle of the lot does not have any bearing on his decision for this case. Mr. Landry said that, while
86 it has no bearing on this case, if they had been talking about lot coverage it could. The motion passed
87 unanimously.

88 **MISCELLANEOUS**

89 Chairman Frothingham told the Board that September 8th will be his last meeting as he is in the process
90 of moving. The Board can determine if they want to nominate a new Chair or have Vice Chair Schneider
91 take over the position. Mr. Landry said that the Board could vote at the September 8th meeting. Mr.
92 Simpson said that he believes that the Board should nominate a new Vice Chair. Vice Chair Schneider
93 said that he would be willing to take the Chair position.

94 There was a discussion about the next meeting and which Board members will be present and if the
95 Zoning Board can take an Alternate from the Planning Board to sit on the Zoning Board.

96 Mr. Platt volunteered to be the Vice Chair. Mr. Larrow nominated Mr. Platt as Vice Chair. Vice Chair
97 Schneider seconded the nomination. The motion passed with four in favor and one abstention.

98 **ZONING AMENDMENTS**

99 The Board discussed proposed Zoning Amendments.

100 The first Amendment discussed was regarding the footnote at the bottom of Article III – Dimensional
101 Controls, and adding it to the table, calling it 3.40-(p), or adding it to 3.40-(i).

102 The second Amendment discussed was regarding the new State of NH Accessory Dwelling Unit law.

103 Mr. Platt said that he thinks that the Zoning Regulations are too hard on people.
104 The third Amendment discussed was adding patios as a minor structure.
105 The Board discussed Amending Article III, Section 3.50-(b) and seeing if they should be looking at both
106 sides of the road, the entire neighborhood, both ways on both sides of the roads, within 250 ft on either
107 sides of the property lines on both sides of the road, etc.
108 The Board discussed changing the fact that a non-conforming structure must be built within the
109 footprint if there is an improvement to the setbacks.
110 Mr. Platt suggested having a monthly review of the cases with someone from both the Planning and the
111 Zoning Boards.
112 There was a discussion about vegetation and tree cutting of more than five trees a year.
113 The Board discussed an Amendment regarding changing the property lines on two non-conforming lots.
114 The Board discussed an Amending changing “pre-existing” lots to “legal” lots.
115 The Board discussed an Amendment to the road definition as well as to where the official roads can be
116 found.
117 There was a discussion about moving the Zoning Board meetings to be before the Planning Board
118 meetings.

119 **MINUTES**

120 Changes to the minutes from the July 14, 2016 Zoning Board Meeting: Change Line 52 to read “...large
121 lot and not more...” Changed Line 250 to read “...that she is worried about...” Change Line 255 to read
122 “...that they do a National...” Change Line 269 to read “...between their two structures is unstable...”
123 Change Line 186 to read “...that the Board can put a condition...” Change Line 305 to read “...riprap
124 around the wall...” Change Line 317 to read “...about Mr. Hawkins’ view...”

125 Vice Chair Schneider made a motion to adjourn the meeting at 8:27 pm. The motion passed
126 unanimously.

127

128 Respectfully submitted,

129 Melissa Pollari

130

131

132

133	_____	_____
134	Edward Frothingham	Aaron Simpson
135	_____	_____
136	Clayton Platt	Daniel Schneider
137	_____	_____
138	William Larrow	George Neuwirt, Alternate