

1 **TOWN OF SUNAPEE**

2 **ZONING BOARD**

3 **NOVEMBER 8, 2012**

4 **PRESENT:** Edward Frothingham, Chair, Dick Katz, Aaron Simpson, Clayton Platt, Daniel Schneider, Roger
5 Landry, Zoning Administrator

6 **ABSENT:** William Larrow, Alternate

7 **ALSO PRESENT:** See Attached Sign-In Sheet

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

9 **ZONING ADMINISTRATOR**

10 Mr. Landry reported that the Planning Board met on September 20, 2012. One of the items on the
11 agenda was the owners of the Pizza Market building wanted to be able to open the convenience store.
12 They were informed that the grandfathering on the convenience store had expired and they need to
13 come before the Zoning Board for a Special Exception which they have not applied for yet. The other
14 case was a lot merger of 215 and 217 Lake Ave.

15 The Planning Board met last week for the building at 14 Sargent Rd., the old Chiarella Realty building. It
16 was approved for Dunnells' Heating and Plumbing to use the building for the business as well as for a
17 two bedroom apartment. There was also a discussion on the recommended Zoning Amendments, most
18 of which the Planning Board accepted. The Planning Board will have another meeting on November 15,
19 2012 to discussion the wording Michael Marquise, Town Planner, will complete. Subject to any changes,
20 there will be a public hearing on December 20, 2012 on the proposed changes to then go to the Town
21 Warrant for approval.

22 **CASE # 12-21: PARCEL ID: 0210-0052-0000; SEEKING A SPECIAL EXCEPTION TO REDUCE ROAD FRONT**
23 **SETBACK FROM 75' TO 58' ALLOWING CONSTRUCTION OF A NEW DECK. ANN GARDNER AND**
24 **DEBORAH WEBB, 156 TROW HILL ROAD.**

25 Ann Gardner presented the case to the Board. Ms. Gardner explained that the house had a handicap
26 ramp and a small deck which is falling apart. She is looking to replace it with a deck that is
27 approximately 23' x 12' and it was brought to her attention that she is within the 75' setback. There is a
28 neighbor who has a garage that is much closer to the road so she is applying for a Special Exception. Ms.
29 Gardner also explained that there are no stairs from the house and she would also like to add a small 6'
30 x 8' deck with stairs.

31 Mr. Landry explained that the property is in the Rural Lands Zoning District which requires a 75' setback
32 from the center line of the road. Mr. Platt asked about the lot size and Ms. Gardner said that it is 86
33 acres. Mr. Landry continued that she is replacing a porch with a slightly larger one and as she doesn't
34 meet the setbacks she is seeking a Special Exception.

35 Mr. Schneider said that on the Plan Ms. Gardner presented it shows a proposed side deck and Mr.
36 Landry explained that the side deck is not affected by the setback regulations as it is a direct
37 replacement.

38 It was noted that there are no abutters in attendance.

39 Daniel Schneider made a motion to approve Case 12-21: Parcel ID: 0210-0052-0000; Seeking a Special
40 Exception to reduce road front setback from 75' to 58' allowing construction of a new deck. Ann
41 Gardner and Deborah Webb, 156 Trow Hill Road as requested. Dick Katz seconded the motion. The
42 motion passed unanimously.

43 **CASE #12-22: PARCEL ID: 0134-0015-0000; SEEKING A VARIANCE TO ADD 5 SQUARE FEET TO A**
44 **REPLACEMENT ADDITION AND WALKWAY TO AN EXISTING STRUCTURE WITHIN 50 FEET LAKE FRONT**
45 **SETBACK. SAVAGE ONE FAMILY TRUST, 241 LAKE AVENUE.**

46 Mr. Landry presented copies of the Plans to the Board.

47 Everett Pollard from NorthCape Design presented the case along with the owner Jeffrey Savage. Mr.
48 Savage presented copies of letters from his neighbors in support of his case. Mr. Simpson asked if there
49 were any neighbors who refused to give letters of support. Mr. Savage explained that there is one
50 neighbor who moved who his son spoke to on the phone about the proposal who didn't seem to have
51 any objections but he did not get a letter from her.

52 Mr. Savage explained that his property is a seasonal camp that was built by his great grandmother in
53 1900. The property was built in stages, the original part on the lake side was built as a platform for tents
54 and then they added to that part. The back part, which is the kitchen and the bathroom, were added at
55 different times and these parts are what they would like to replace. On the second floor you can't walk
56 without ducking and they are hoping to make the space more usable and also make it last. Mr. Pollard
57 explained the Plans to the Board; they are seeking a Variance as the house is almost entirely within the
58 50' setback. They want to square off the addition and the Variance is for the 5 square feet addition. The
59 land is very steep and they don't really want to go far up the bank. The only excavation that will be
60 taking place is the hand digging for the piers and to push the stone wall back. They also want to change
61 the walkway which takes about 24 square feet of lot coverage off. There was further discussion about
62 the walkway.

63 Mr. Landry asked about the Department of Environmental Services (DES) Permit. Mr. Pollard said that
64 they have the Shoreland Permit.

65 Mr. Pollard said that they will be improving the property. They will be bringing the interior stairway up
66 to code, they will be correcting the headroom issues, and the house will be safer. Mr. Pollard explained
67 that there was a certified boundary survey done on the property per the Regulations.

68 Chairman Frothingham asked if there were any comments from the Board. Mr. Schneider
69 recommended that any motion be subject to the DES Shoreland Permit. Mr. Platt said he feels as
70 though the application is very thorough.

71 Dick Katz made a motion to accept Case #12-22: Parcel ID: 0134-0015-0000; Seeking a variance to add 5
72 square feet to a replacement addition and walkway to an existing structure within 50 feet lake front
73 setback, Savage One Family Trust, 241 Lake Avenue, assuming that it meets the DES conditions under
74 Shoreland Impact Permit #2012-02582. Aaron Simpson seconded the motion. The motion passed
75 unanimously.

76 Changes to the minutes from the October 11, 2012 meeting: Line 123 should read "...must have a
77 licensed land surveyor certify that the garage will not be less than 7' from the boundary line..." Line 133
78 should read "Mr. Platt confirmed that it is part of a State law." Aaron Simpson made a motion to accept
79 the minutes with the changes. Dick Katz seconded the motion. The motion passed unanimously.

80 Mr. Simpson had a question regarding procedure as normally, after someone makes a motion and there
81 is a second, there is then discussion on the motion. Mr. Simpson asked why this is not done for this
82 Board as for most boards there is deliberation after a motion has been made. Mr. Simpson explained
83 that Robert's Rules and Procedures say that after a motion has been made, the only thing that is
84 relevant at that point is for a second or to move on; after the motion is made is when you are supposed
85 to discuss the motion. The Board was agreeable with this procedure change.

86 Dick Katz made a motion to adjourn the meeting. Aaron Simpson seconded the motion. The motion
87 passed unanimously. The meeting was adjourned at 7:35 PM.

88 Respectfully submitted,

89 Melissa Pollari

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93 Edward Frothingham

_____ Aaron Simpson

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95 Dick Katz

_____ Clayton Platt

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97 Daniel Schneider

_____ William Larrow