

Memorial Building

7:00 P.M.

The following are to be considered draft minutes only until approved by the Board at their next meeting.

Members Present: Susan Chiarella (Chair), Bryan O' day, Gene Hayes, Justin Hastings, B Manning, and alternates Peter Abair, Cynthia Hayes, and Karen Cook

Others Present: Sandra Hastings, George McCusker, Doug Peel, Mark Brunelle, Hilary Cole, and Leigh Callaway

Review of October minutes: Bryan made a motion to accept the minutes, second by Justin and unanimously approved.

Continued Brunelle Hearing: Susan stepped down from the board. Bryan announces to everyone that He, Justin Hasting, B Manning, Cynthia Hayes, and Karen Cook are hearing this case. Mark Brunelle addressed the board. He presented a surveyed map as requested with the five requested surveyed points by the ZBA, which were:

- from the front of the deck to the Highwater mark.
- from the N/E back corner of the house to the Wetland
- from the Leechfield to the Wetland
- from the South Rear corner of the structure to the center line road
- from state property line to the closest point of the septic.

The board reviewed the new surveyed map and looked at all dimensions. After looking at the new map and measurements Bryan asked if there were any questions before the board went into deliberations. The board reviewed following questions to make sure the facts support the request.

1. The variance will not be contrary to the public interest because:
2. The spirit of the ordinance is observed because:
3. Substantial justice is done because:
4. The values of surrounding properties are not diminished because:
5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship owing to special conditions of the property that distinguish it from other properties in the area because:

A. No fair and substantial relationship exists between the general public purpose of the ordinance and the specific application of that provision to the property because:

B. The proposed use is a reasonable one because:

The board agreed that there were substantial facts to support the request. Bryan felt that everything was met and the following variances were granted with conditions:

- A 43' variance from the front of the deck to the Highwater mark.
- A 75' variance from the N/E back corner of the house to the Wetland
- A 50' variance from the Leechfield to the Wetland
- A 15' variance from the South Rear corner of the structure to the roadside

Conditions as follows:

1. Removal of shed on property
2. Make a stone retention ditch 3' deep 1' minimum across the front of the structure
3. Driveway is not to go past the house
4. To comply with the NHDES shoreland permit 2013-01321
5. Maintain natural vegetation other than the foot path to the lake
6. Maintain the right of way

B makes a motion to removed condition number 7 that was on the first notice of decision, second by Justin and unanimously approved: read as follows:

The state pin is to be shown on the map (map will be checked by Chairman and upon approval Mr. Brunelle may start work)

Motion was made by B to approve all four variances with conditions, second by Justin and unanimously approved.

Mark asks the board if they can waive the 30 day appeal, as he feels there wasn't a proper appeal filed. B feels that a new decision was made therefore the 30 day appeal is a state statute and not something the board can waive. The rest of the board agreed.

Hearing closed @7:40

Susan Chiarella returns to the board. Susan wanted to let the board know that there is a meeting on November 26th regarding home occupations. Leigh states that he would like representation from both boards.

Cynthia wanted to talk a little bit about the appeal and/or letter from selectman. Gene felt the board had no choice but to rehear the case. There was some discussion on how the board handled the appeal and rehearing. Board also agreed for future cases when it is apparent that more than one variance may be needed then a surveyed map should be required.

Bryan made a motion to adjourn the meeting, second by Justin and unanimously approved.

Meeting adjourned@8:15 p.m.

Minutes submitted by,

Susan Abair