

TOWN OF GILMANTON
ZONING BOARD OF ADJUSTMENT
THURSDAY, NOVEMBER 20, 2008 – 7 p.m.
ACADEMY BUILDING
MINUTES

Chairman Elizabeth Hackett called the meeting to order at 7:00 PM. Additional members in attendance were Carolyn Baldwin, Paul Levesque, Ron LaBelle, Alternate Member Wayne Gray and Land Use Clerk Annette Andreozzi.

Wayne Gray was seated as full voting member for this session.

Request for Re-Hearing Case #11-2008 – Paul & Dianne Preston: Request for Variance from Article VII.B.3 to add 8’x 4’ deck, landing and stairs, which will not meet side setback, off existing 22’ x 30’ single-family dwelling located on .29-acre lot at 3 Fir Avenue in the Residential Lake District; Town Tax Map/Lot #119-11.

Mr. Levesque stated he hasn’t seen any additional information, which makes him feel a rehearing should not be granted.

Ms Baldwin said that there are 2 or 3 reasons to grant a rehearing: new info, something was unlawful or unreasonable. Ms Fletcher’s request point #1 is only her opinion that her property value would be diminished, and point #3 is not here or there.

Ms. Hackett – relating to point #3 where Ms. Fletcher asked to strike something from the minutes – we don’t strike things from the minutes that were said.

Ms. Baldwin stated she didn’t know if it would have made a difference to the Board if a survey had been done of the property, but it was not up to the Board to require a survey, also that there was no new info relating to point #2- hardship.

There was a review of the October minutes relating to what had been discussed about hardship.

Ms Hackett read the original letter from Ms. Fletcher that had been read at the October hearing.

MOTION: Ms Baldwin moved to deny the request for rehearing from Barbara Fletcher because no new information was provided, nor were there submissions indicating anything unlawful or unreasonable. Vote 5- 0 to deny rehearing.

MOTION: Mr. Levesque moved to accept the minutes of the September 18, 2008 meeting, seconded by Mr. La Belle. Motion carried 4-0. Ms. Baldwin abstained because she had not attended.

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The Board decided to wait to approve October's minutes because only 2 members that had attended the meeting were in attendance.

Ms. Hackett went to the NH Municipal Conference, put on by the LGC. One of the Gilmanton cases was used as a class example. It was stated in the class that the decision of the court might have gone either way because there was not a lot of information in the original decision motion.

There was a discussion concerning making the best possible motions using facts not opinions. Also about not pre-judging applications before the Board hearing.

ADJOURNMENT: On a motion made by Mr Levesque to adjourn, vote passed unanimously. Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Annette Andreozzi
Land Use Clerk