

TOWN OF GILMANTON
ZONING BOARD OF ADJUSTMENT
THURSDAY, FEBRUARY 16, 2012 – 7 PM.
ACADEMY BUILDING
MINUTES

Chair Elizabeth Hackett called the meeting to order at 7:02 PM.

Members attending: Elizabeth Hackett, Paul Levesque, and Perry Onion.

Members not attending: Israel Willard and Ron LaBelle

Also in attendance: Annette Andreozzi, Land Use Clerk.

The Chair made introductions and explained the ZBA procedures; there would be no public input for the rehearing request.

Request for Rehearing –Case # 2012-00003 – Kevin Gannon, owner: request for variance from ZBA Notice of Decision Case # 3-98 condition “f”. Property located at 120 Varney Rd., Map/Lot# 106-39 in the Rural Zone.

Ms. Hackett stated that the ZBA minutes of April 1998 containing case# 3-98 were not available when Mr. Gannon presented his case. Copies of these minutes were made available by Mr. Gannon.

Mr. Levesque didn't feel there was any new information. He had talked to a previous ZBA board member, who said the property was too narrow for another structure. Mr. Levesque said that when the decision was made for case# 3-98 it should have said structure not dwelling if they meant no more buildings. A garage is not a dwelling.

Mr. Onion said the wording on Decision #3-98 is ambiguous.

There was a discussion about whether condition “f” on the notice of decision meant no other buildings, or no other dwellings, or that the dwelling to be built could only be a 2 bedroom.

Ms. Hackett said that a bedroom and loft was the original proposal, but a 2 bedroom was requested and granted.

Mr. Onion stated the minutes didn't talk about any other structure.

Ms. Hackett said she thought the previous ordinance required green space.

Mr. Levesque said the sticking point is dwelling vs. building.

Mr. Onion said the issue is not missing info but a mistake of reading what “f” means.

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Ms. Hackett said that if there are issues then the board should grant a rehearing for next month.

Mr. Levesque was concerned about “f” stating dwelling not structure; he said it was a dilemma. He wanted to be fair.

Ms. Hackett asked the Board if they wanted to then give the applicant a rehearing.

Mr. Levesque said he did not know the intent of the previous board.

Ms. Hackett said the present zoning ordinance is not concerned with additional buildings on the lot.

MOTION:

Mr. Levesque moved to grant a new hearing.

Mr. Onion seconded. **Motion passed unanimously.**

Ms. Hackett explained to Mr. Gannon what the procedure would be from here, and that the ZBA would look at his property and all its issues. The rehearing will have the same case number.

Ms. Hackett reported about her appearance with the planning board related to zoning issues.

ADJOURNMENT: Motion made by Mr. Levesque and seconded by Mr. Onion to adjourn, vote passed unanimously. Meeting adjourned at 7:55 PM

Respectfully submitted,

Annette Andreozzi, Land Use Clerk