

TOWN OF RICHMOND
NEW HAMPSHIRE
Zoning Board of Adjustment

FINAL MINUTES OF PUBLIC HEARING and BOARD MEETING
Taylor Van Brocklin Building

January 4, 2024

7:00 PM

Members Present

Dr. Thomas Tague, Chairman
Antoinette Cincotta, Vice Chairman
Mark Beauregard
David Bryan
Robert Gow, Alternate

Members Absent

Lloyd Condon

1. Meeting called to order/roll call:

Meeting call to order at 7:00 PM.
Robert Gow was seated for Lloyd Condon.

Chairman Tague explained how the hearing would be handled with all question's going through the Chairman.

2. Public Hearing Map 408 Lot 33:

Public Hearing called to order at 7:02 PM.

This is a Public Hearing concerning a proposed variance for Map 408 Lot 33 owned by Mark and Susan Lanen located at 230 Bullock Road, Richmond, NH. The applicant is seeking a proposed Variance from Article 6 Wetland Conservation District, under 601 "General," concerning the 75-foot setback in the Wetland Conservation District to erect a carport. Mr. Lanen was asked by Chairman Tague to read his application to the board supporting his request. Mr. Lanen introduced himself and his wife Susan Lanen to the board and stated their address:

Mark & Susan Lanen from 230 Bullock Road.

Section 1106, Variances

Section 1106.1 - Granting the variance will not be contrary to the public interest:

Lanen responded: Because we are simply putting a roof over where we already park our vehicle. We are asking for a carport.

Section 1106.2 – The use is not contrary to the spirit of the ordinance because:

Lanen responded: It does not change our property use one iota and does not add anything into or out of our pond.

Section 1106.3 – Granting the variance would do substantial justice because:

Lanen responded: It allows us to protect our vehicle from snow cover and keep an old man from having to shovel snow.

Section 1106.4 – The proposed use would not diminish surrounding property values because:

Lanen responded: It has no bearing on any surrounding property.

Section 1106.5 Denial of the variance would result in unnecessary hardship to the owner because.

Lanen responded: We are seniors who must shovel snow on and around a vehicle without this carport.

Section 1106.5.1.1 – That no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restrictions on the property because:

Lanen responded: We already park a vehicle in the gravel space near the garage where we want to erect a carport.

Section 1106.1.2 – The proposed use is a reasonable one.

Lanen responded: Same as above. We already park a vehicle in the gravel space near the garage where we want to erect a carport.

1106.5.1.3 – The Zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment such that:

Lanen responded: Same as above. We already park a vehicle in the gravel space near the garage where we want to erect a carport.

Mr. Lanen was asked if there was anything else he's like to add to his proposed application.

Lanen responded no.

Chairman Tague read a letter into the record from abutter Steven Goslee showing no objections to the proposed car port for Mark and Susan Lanen.

Chairman Tague asked for questions from the public with no response.

Chairman Tague asked for question from the board.

Vice Chairman Cincotta asked for the floor and discussed the difference between a variance and a special exception with Mr. Lanen. It was decided by the board that Mr. Lanen should have requested a special exception. A new hearing date was set for January 25, 2024, at 7:00 PM located at the Taylor Van Brocklin Municipal Building. The notices will be sent out and posted

at no cost to Mr. Lanen. Mr. Lanen thanked the board for their help and will begin their process for the special exception.

Gow asked for the floor and asked the applicant some questions regarding the construction of the carport. All questions were answered to Gow's satisfaction.

Discussion among the Board on whether to deny the variance or continue the hearing. It was decided that a new hearing and notice needs to be done. Notice will contain the information that there is a change in application as the reason for the new notice.

Hearing will be continued until January 25, 2024, pending additional information.

3. Minutes of October 19, 2023:

Vice Chairman Cincotta explained that the minutes of a hearing must be detailed but the minutes of a meeting need not be. She suggested that the ZBA have a two-step process like that used by the Richmond Planning Board concerning their minutes. Under this process, draft minutes are posted and then after the Board reviews the draft minutes, only the final approved minutes are posted to the Town of Richmond website. The board agreed to do the minutes in the two-part manner starting with October 19, 2023. In the future, the final proposed minutes will be sent to each member electronically for review and approval under 91-A:2(I)(B). The member will send any proposed changes to the board. The final revised minutes will then be reviewed at the next meeting. Once finalized, the board will vote on whether to approve the final minutes and only the approved final minutes will be posted on the Town of Richmond website.

Motion made by Vice Chair Cincotta to have revised draft minutes sent to all members for review, approval of the final minutes at the next board meeting, and only final minutes posted to the Town of Richmond website as a matter of board policy. Seconded by Bryan. All in favor. None opposed. Motion carries.

Motion made by Beauregard to accept the changes submitted for the October 19, 2023, minutes. Seconded by Bryan. Four in favor. One opposed. Motion carries.

Vice Chair Cincotta will send the final minutes for October 19, 2023 to board members for review and approval at the next board meeting and will also send the copies of the revised applications to the members for review and approval.

4. Proposed Draft Applications:

5. Other:

Motion made by Beauregard to adjourn. Seconded by Vice Chairman Cincotta. All in favor. None opposed. Motion carries.

Meeting adjourned at 9:50 p.m.