



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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ZONING BOARD OF ADJUSTMENT (ZBA)
MEETING MINUTES

Tuesday, May 7, 2018 at 6:30 PM

Town Office, Sydney Crook Conference Room, 375 Main Street

MEMBERS PRESENT: Douglas W. Lyon (Chair), W. Michael Todd, Katharine Fischer, Frank Anzalone, Bruce Hudson (Alt.), Stan Bright (Alt.)

MEMBERS EXCUSED: Ann Bedard, Heidi Lauridsen (Alt.).

STAFF PRESENT: Nicole Gage, Zoning Administrator

1. Call to Order - Chair Lyon called the meeting to order at 6:32pm.
2. Roll Call – Chair Lyon welcomed Stan Bright to the Zoning Board of Adjustment.
3. Review Minutes of April 17, 2018

IT WAS MOVED (W. Michael Todd) AND SECONDED (Doug Lyon) to approve the minutes from the April 17, 2018 meeting with the amendment to add “Mr. Bowers presented the following information in support of his request for variance”. THE MOTION WAS APPROVED UNANIMOUSLY.

Katharine Fischer discussed her concern that when Mr. Bowers presented his case, he read from the form. It’s misleading to read it in the minutes because it makes it look like the Zoning board accepted it as fact. She suggests that before #1 it be stated that “Mr. Bower’s presented the following information in support of his request for a variance”. Mr. Todd stated that the minutes should only reflect general comments about discussion that occurs at the meeting. As much as we want to do a thorough job, we only need to do what the courts require.

4. **Case #ZBA18-03 – John Ryan, Applicant** concerning property owned by Timothy & Lucinda Carlson located at 293 Lamson Lane, Parcel ID 062-008-000, zoned Residential District R-2 (R2) in the Shoreland Overlay District. Appeal of an Administrative Decision, involving Article V, Section C(2) and Article XX Section B(5)(b)(ii) of the Zoning Ordinance that a building permit unlawfully permits owner of 293 Lamson Lane to voluntarily replace an existing structure within twelve (12) feet from side lot line.

IT WAS MOVED (Doug Lyon) AND SECONDED (Frank Anzalone) to accept the withdrawal of the application and to lift the stop work order on the Carlson’s so work can begin again on this project tomorrow. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (W. Michael Todd) AND SECONDED (Doug Lyon) to prepare a letter or document asking the Board of Selectmen to amend the building permit application to include a voluntary/involuntary check box when there is a demolition involved.

DISCUSSION: The board discussed the difference between an expansion, a rebuild, a voluntary demolition and an involuntary demolition. It might be clearer for applicants if they are aware there are two sets of rules for a voluntary and involuntary demolition with checkboxes that would alert them there is an election to make.

When the Rules of Procedures are reviewed, Chair Lyon would like to look at the 20 day timeframe to further define it so it is reasonable. In this case, it appears that there was enough notice this was occurring. Michael Todd would like to amend the rules to say it should be changed to say it is 20 days from when the shovel hits the ground.

Nicole Gage noted that the timeline she put together to summarize key times that activity happened wasn't a complete record, but included what was relevant.

Ms. Gage also mentioned that she found an earlier version of a New London building permit that had a similar check box that simply said to check if it is an alteration, a replacement or an expansion. She made a note to possibly add it to the building permit process. It was discussed with the Town Administrator that our building permits state they must be posted and visible from the road. Some towns require it to be posted immediately to alert the neighborhood. Chair Lyon noted they can require the permit to be posted immediately but still say that the notification period starts when the site is disturbed.

Chair Lyon noted what is being suggested is a change in the form, and as we look at rules and procedure, careful consideration be given to finding a way to extend the notification period so it is fair. Legal review will be obtained as well.

THE MOTION WAS APPROVED UNANIMOUSLY.

A letter will be drafted to go to the Board of Selectmen requesting to amend the form and as the policies and procedures are reviewed, thought will be given to how the notification period is worded.

5. Motion to Adjourn

IT WAS MOVED (Doug Lyon) AND SECONDED (Michael Todd) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting was adjourned at 7:13pm.

Respectfully submitted,

Trina Dawson
Recording Secretary
Town of New London