

Zoning Board of Adjustment
Hinsdale NH
February 28, 2017

Present: Chair John Smith, CDC Kathryn Lynch, James MacDonell, Jim Waters, Todd Page (arrived at 7:15), and Alternate Ken Howe. Lewis Major was excused. Twelve members of the public were present.

7:00 p.m. Chair Smith called the meeting to order. Mr. MacDonell made a motion to go in to a non-meeting. He was seconded by Mr. Howe. The motion passed unanimously.

7:25 p.m. The Board resumed their meeting. Chair Smith read the public notice for Rehearing of case #1116. Application for an Administrative Appeal submitted by Stephen and Carlene Momaney, for tax map 49 lot 3, 49 Highland Ave., in the Residential District. The applicant seeks a variance from Article V, Section 6 of the Regulations of the Zoning Ordinance to permit chickens on their lot. Mr. MacDonell asked the applicant if he wishes to proceed since the chickens and coop are being removed. The applicant, Mr. Momaney, explained that no he doesn't wish to proceed but wanted an explanation on why there is a rehearing. Chair Smith explained that the Board made a mistake by granting the variance, we are volunteers. What we did was wrong and the decision was our error. Mr. Momaney understood. Mr. MacDonell made a motion to vacate the Boards original decision. He was seconded by Mr. Howe. The motion passed with Mr. Waters abstaining.

7:30 p.m. Chair Smith read the application for a Variance submitted by Carol Gandolfo, for tax map 34 lot 12-4, 817 Plain Rd., in the Rural Agricultural District. The applicant seeks a variance from Article VII, Section Development of Rear Lots. Applicant proposes a subdivision of 1 lot off an existing rear lot. Each lot will have 50' of frontage and will share a private driveway, case #0217. Carol, her daughter and son in law were present along with the applicant preparer Wendy Pelletier of Cardinal Surveying and Land Planning. Ms. Pelletier had a large map of the area and pointed out where the existing home is, and the two 50' area of frontage. She explained that they wish to use the road access off Plain Road and create a two-twelve-acre lot. Both lots will have frontage but they do not wish to create a drive off Oxbow Road due to steep slopes, trees and a tremendous amount of money to construct. Ms. Gandolfo explained that she wishes the Board take special consideration since her and her husband retired and moved here to live, then her husband past six months later. She wishes to have her daughter and son in law move close for company. Her lot is 72 acres.

Hearing no further questions or comments from the public Chair Smith closed the public portion of the hearing and summarized the case.

- Area Variance is requested to sub-divide lot into two lots.
- Lot sizes to be determined.
- Proposing three lots use one driveway.

The Board discussed the Statement of Reasons.

1. Mr. MacDonell has concerns about the shared driveway. Mr. Howe explained he does not feel the sub-division would impact the surrounding property values.
2. Mr. Howe explained using the driveway would be contrary to the public.
3. Mr. MacDonell explained that if the variance is denied they can still build if they choose to construct a second driveway and get an Area Variance. The applicants explained that the driveway is only shared for the first 100' off Plain Rd. Then the driveway splits to the existing homes and would also to the proposed home. Our lots will not have town water we have wells.

Mr. MacDonell made a motion to continue the hearing to Wednesday, March 15th at 7pm to consult with the Town's Attorney. He was seconded by Mr. Howe. The motion passed unanimously.

Mr. MacDonell made a motion to approve minutes dated 12/13/17 and 1/24/17. He was seconded by Mr. Page. The motion passed unanimously.

Mr. Page made a motion to adjourn. He was seconded by Mr. MacDonell. The meeting ended at 7:55 p.m.

Respectfully submitted,

Kathryn Lynch