

TOWN OF SUTTON
Zoning Board of Adjustment
Pillsbury Memorial Hall
Meeting Minutes
January 22, 2014

Present: Zoning Board of Adjustment Members: Bill Hallahan, Chair, Derek Lick, Dane Headley; alternate, Sue Reel (Doug Sweet and Ed Canane, members, and Carla Krajewski, alternate, were absent); Laurie Hayward, Land Use Coordinator; Charles Whittemore, agent for the Applicant, and interested member of the public, Thomas Schaumberg.

The meeting was called to order at 7:05 PM, by Bill Hallahan.

Chairman Hallahan opened the first hearing. The Chair asked the LUC to read the notice for the first hearing, Case 2014-01. The notice was read.

“You are hereby notified of a Public Hearing to be held on **January 22, 2014** at or around 7:00 p.m. at the Pillsbury Memorial Town Hall, 93 Main Street, Sutton Mills, NH, concerning a request:

By Karen L. Fischer-Anderson, applicant, 31 Foothills Rd., Sutton, Tax Map # 02-830,262 for the following Special Exception under Articles V.B.1: To permit the addition of a second kitchen area in a dwelling; in a Rural-agricultural district.

Documents are available for your review at the Town Office.”

Hallahan explained that Charles Whittemore was in attendance, acting as agent for the Applicant, and to answer any questions for the Andersons.

Hallahan read the Zoning Ordinance, Section B. in Article IV and V.

From the Article on the Residential District:

“IV.B. The following uses in the Residential District may be granted by a special exception by the Board of Adjustment after a public hearing:

1. Two-family dwellings.”

And

“V.B. Uses permitted as a special exception subject to the approval of the Board of Adjustment after a public hearing:

1. Any special exception permitted to be granted in the Residential District.”

Hallahan explained that effectively you can have a two family dwelling in either the residential District or the Rural-agricultural District as long as the Zoning Board of Adjustment approves a Special Exception for that dwelling.

Hallahan invited Whittemore to come forward and tell the Board what he knows about the proposal for this property. Whittemore stepped forward. He gave a brief history of the property and that the Fischer family had owned it for many years. Whittemore explained that the house is a big old

farmhouse and that he had added a small area to the house with a bathroom. He explained further that he believes that the intention is to have a small place available when they are in residence elsewhere. They do not live in the house year-round. Whittemore further explained that the purpose is to give them a small winter habitation so that they do not have to keep the entire house open during the winter. Whittemore said that the applicants added another egress so that there are two ways to exit this smaller section. Hallahan asked if the current septic system would still be adequate. Whittemore replied that there will be no additional bedrooms or bathrooms only a second kitchen.

Reel asked about the kitchen and Whittemore replied the house has the original full kitchen and this new kitchen will also have full kitchen capabilities. Hallahan clarified that the addition of a full kitchen to the house in essence creates a second dwelling and that is what requires a Special Exception to the Zoning Ordinance. Hallahan noted that nothing changes much. Whittemore agreed. Hallahan asked each member of the Board in turn whether they had any additional questions and they each answered "no". Hallahan asked the LUC whether there had been any input from abutters. The LUC answered that there had been no input of any sort about the appeal. Whittemore noted that he did not think that any abutter could even see the dwelling.

The Chair asked for motion to close the public hearing and go to deliberations on Case 2014-01. Lick moved to close the public portion of the hearing and Headley seconded the motion and it was voted unanimously.

Hallahan asked members for input. There was none.

Hallahan moved that they go back into session and complete their worksheets and it was voted to do so.

The meeting was closed and deliberation begun. The worksheets were reviewed and discussed briefly. Lick stated that he felt that he agreed with the applicant's assessment that it is a large property, isolated, minimal impact and no noticeable change visible to the neighbors. He noted it should only have minimal potential impact on traffic and facilities seem adequate as there should be minimal impact on the septic system; therefore use is appropriate for the area and the impact minimal.

The chair moved to reopen the hearing; it was seconded, and voted unanimously to reopen.

Lick moved to approve the application as requested by the applicant and as discussed; Hallahan seconded the motion and it was voted unanimously.

Hallahan thanked Whittemore for his participation and explained that the applicant would be sent a letter notifying her of approval.

This ended the public hearing on Case 2014-01, Special Exception.

Administrative:

Minutes from the last meeting: Review was tabled until the next meeting.

Other Business:

Sign Ordinance- Hallahan explained that they would take up whether to vote to approve having the ballot show that the ZBA approves the language in the recommended Ordinance Revision.

Lick moved that the ZBA approve the revised Sign Ordinance as discussed at the joint work

Approved April 16, 2014

session in December and presented at the last evening's Public Hearing; Hallahan seconded and the motion was approved unanimously.

ZBA Fee Structure- the LUC handed out copies of the revised Application Check List which includes the new fee structure. **Lick moved that the Board accept the new fee structure as shown on the Application Check List; Headley seconded the motion and it was voted unanimously.**

Next meeting which includes a Public Hearing for another building with a proposed second dwelling is to be held Wednesday February 19th, 2014 at 7pm. The LUC said that she would mail members the copies of the application and along with any pertinent information from the town files. Hallahan explained that it is important that members come to that hearing to make a quorum as he will recuse himself because the property is next door to his daughter's property. Hallahan asked Lick to Chair the meeting and Lick agreed.

There being no further business, Hallahan moved, Headley seconded, and it was voted that the meeting be adjourned at 7:30 PM.

Respectfully submitted,

Laurie Hayward
Land Use Coordinator