

ZBA Meeting 7/23/14
Un-Approved Minutes

Town of Langdon NH Zoning Board of Adjustment

The public hearing for Michael Dillon was brought to order at 7:15PM on 7/23/14. Board members present were Mary Henry Chairman, Ray L'Abbe, Greg Chaffee, Ron Batchelder and Fred Roentsch. Also present was alternate Dennis McClary.

Mary Henry made a statement to the applicant that the application that he had filled out did not have the portion regarding Unnecessary Hardship which is required according to RSA 674:33. Mary stated that she had spoken to the applicant before the hearing so they knew that it would need to be addressed. Brett Lord the person speaking for the applicant agreed that Mary had spoken to him concerning unnecessary hardship.

Brett is planning on building a workshop/garage for Michael Dillon.

Dennis asked if the building would be used for commercial use. Brett answered no that it would not be. Mr. Dillon is looking to use the building as a place to house his antique car and be able to work on it.

Mary asked what the footprint of the building would be. Brett answered that it would be roughly 50 x 26. He also stated that half of his property is in Acworth and the other half is in Langdon.

Ron Batchelder raised the question as to whether all the abutter's had been notified. He wasn't sure whether or not Joe Holmes still owned the field across the street and across the river from the property.

Shawn Tanguay (council for the board) said that the board could move forward with the hearing based on the fact that the applicant had done its due diligence to seek out all abutter's. Brett Lord's wife Mary Lord had gone to the town office to get the list and the addresses of the abutter's from Bob Cunniff the administrative assistant to the selectboard. Ray L'Abbe made a motion to move the hearing forward based on the fact that the applicant had done its due diligence in making sure that all abutter's had been notified. Fred Roentsch seconded that motion. There was further discussion regarding the issue. The motion to continue the hearing carried with a vote of 3-2 (Ray, Fred and Mary for and Greg and Ron against).

Greg asked about the septic and what were the plans since there would be running water and a bathroom in the building. They are planning on replacing the current septic which is over 20 years old with a new.

Mary asked the overall size of the lot. It is 1.6 acres of which ½ is in Acworth and the other in ½ in Langdon like previously stated. It was asked why they did not go to Acworth and they said that it fit best on the Langdon portion of the property.

Ron made the motion that we close the public portion of the meeting and Greg seconded going into deliberative session. It passed unanimously.

A motion was made by Ron and seconded by Fred to take into consideration (1) The variance will not be contrary to the public interest; The new structure fits in with the surrounding area. The roof will match the house and the siding is the same as other buildings on the property. Motion passed.

A motion was made by Greg and seconded by Ray to take into consideration (2) The spirit of the ordinance is observed; The structure meets the ordinance for residential / agricultural and again the structure fits in with the surrounding structures. Motion passed.

A motion was made by Ray and seconded by Ron to take into consideration (3) Substantial justice is done; Allows the property owner to utilize his 1.6 acres. And will increase property values. Motion passed.

A motion was made by Fred and seconded by Ray to take into consideration (4) The values of surrounding properties would not be diminished; Property values would not be diminished. Motion passed.

A motion was made by Fred and Ray seconded the motion to take into consideration (5) Unnecessary Hardship; (A) For purpose of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public of the ordinance provision and the specific application of that provision to the property; and (ii) The proposed use is a reasonable one. The property consists of 1.6 acres $\frac{1}{2}$ being in Acworth and the other $\frac{1}{2}$ in Langdon. There is no other place on the property that the structure would fit. It is on the back side of the lot and parallel to the property line. There is no place to put the building that would not encroach the property line.

Motion to approve the application was made by Fred and seconded by Ray. The motion passed with a vote of 3-1.

A motion to adjourn was made by Ron and Fred. The motion passed and the hearing ended at 8:10pm.

Respectfully Submitted,

Mary Henry
ZBA Chair