

LANCASTER ZONING BOARD OF ADJUSTMENT
January 30, 2019
6:30 PM

CALL TO ORDER:

In the absence of Chairman Rick Bernier, Vice Chairperson Tricia Frenette called the meeting to order at 6:30 PM and asked for a roll call.

ROLL CALL:

Regular Members Present: Vice Chairperson Tricia Frenette, Steve Young and Les Hilton.

Regular Members Absent: Chairman Rick Bernier and Chris McVetty.

Alternate Members Present: Nathan Kenison and Linda Ogle.

Alternate Members Absent: Chris Foss.

Others Attending: Zoning Advisor Ben Oleson, Margaret Hobbs, Heather Enos, Edward (Midge) & Glynda Rosebrook and Barry Crawford.

Vice Chairperson Tricia Frenette appointed alternates Linda Ogle and Nathan Kenison to full voting members to replace Rick Bernier and Chris McVetty who were absent.

PUBLIC HEARINGS:

Case #518 – Margaret M. Hobbs for a Use Variance concerning article 5.01, "Non Permitted Uses/Restricted Uses in the Residential District". Applicant/Owner wishes to raise up to 2 horses on their land in the Residential Zoning District. Horses would have shelter and paddock area located towards the back of the property. All Best Management Practices (BMP's) are proposed to be followed. Lot Zoned Residential. (104 Middle Street, Tax Map P08-060, 1.70 acres).

Notices were sent to all known land abutters via certified mail.

Applicant Margaret M. Hobbs explained that her home was an old farm house. She said the back of her lot is quite large but thin. Mrs. Hobbs said there is a buffer of trees and the lot extends up to the Heritage Trail. She said if approved she plans to build a shelter large enough to hold 2 horses and hay. Mrs. Hobbs said the property is muddy in the spring and she would put down grids to protect the horses during the muddy season. She said she will fence in a good portion of the property leaving enough so a truck can be driven to the shelter for food delivery and waste removal. She said waste removal would be 3 or 4 times a year. Mrs. Hobbs said she wants to trail ride in the back of the property which connects to the Heritage Trail. She said she has owned and taken care of horses before when living in Massachusetts. She said the fence will be an 8' post fence with 3' in the ground, pressure treated and on the right side of the property with an exit out into the wooded area. She said she wants to assure safety for the neighbors and the horses. She said for the most part the

location is isolated. She said the largest portion of the free space is on the right and she will need to cut down a few trees.

Midge & Glynda Rosebrook explained that deer travel through that area and were concerned that a fence would interfere with that.

Barry Crawford (100 Middle Street, next door to the property) stated that he has spoken to a lot of people about horses and was told that each horse should have at least 1 ½ to 2 acres of open grazing land. He was also concerned that the horse manure would get onto his property even if it was cleaned up regularly. He said he uses his back yard often. He also noted that the Heritage Trail is not in very good shape at the present. Mr. Crawford was also concerned that the horses will attract flies. He said the residential district is not a good place for horses. He also added that there would be a lot of work to keep the horses fed and watered.

Nathan Kenison asked if there would be running water up to the building. Mrs. Hobbs said she has spoken to a plumber about that.

Linda Ogle questioned how the shelter she is proposing will look in the residential district. It was noted that one horse creates 40lbs of manure a day and will breed flies and other parasites.

Les Hilton said he knows of people who own horses in that area and they board them off their property.

Mr. Crawford said that Hill Street residents will be able to see the structure.

Vice-Chair Frenette stated that the building will have to conform to the setbacks.

Mr. Rosebrook stated he lives at the top of Hill Street and he does not have any concerns. He said one horse might be alright but he does not believe that two would be good idea.

Melonie Thompson, a butter on Hill Street and now living in North Carolina, was not able to attend the meeting and emailed a letter outlining her concerns. Vice-Chair Frenette read the letter. It stated she did not think it was a good place for horses. She said that the field in question is wet and there is a lot of ground drainage. She did not want manure running through their property. She feels the horses would make it hard to sell her property and as she is very allergic to animals it would also make it difficult to move back if her and her husband wanted.

At this point the hearing was closed to the public and opened for discussion by Zoning Board members.

The application from Mrs. Hobbs was carefully reviewed. Les Hilton asked when it was a working farm. He noted that it must have been a very long time ago when everyone had a horse and barn. Linda Ogle stated that she had checked the internet about keeping horses and found out that the land in question is not big enough for two horses. Mr. Oleson reminded

the Board that the review of the request was based on the land and not on the applicant's skill at caring for the animals. The variance would follow the property not the applicant so questions should be specific to the land. Ms. Ogle felt the request was not appropriate because there was not enough land, it was wet, waste storage would be an issue, the neighbor had allergies and as the property was zoned residential the addition of horses on it would make it difficult for others around to sell theirs. Steve Young agreed the lot was too small and made it impossible to comply with Best Management Practices. He also felt the property would become very wet and muddy.

With no further comment from the Board Vice-Chair Frenette called for a motion.

Moved by Linda Ogle and seconded by Les Hilton to deny the request for a Use Variance based on the reasons discussed and written in the Board Statement of Reasons. Motion carried.

Mr. Oleson advised Mrs. Hobbs of the 30 day appeal process.

APPROVAL OF MINUTES:

Moved by Steve Young and seconded by Les Hilton to approve the minutes of September 26, 2018. Motion carried.

OTHER BUSINESS:

Planning/Zoning Conference – June 1, 2019. The town will pay for mileage but encourages carpooling.

Mr. Oleson provided an update on the 2020 Master Plan Community Survey.

Zoning Board member terms-Nate Kenison, Chris Foss and Chris McVetty terms are expiring in April. If interested in remaining on the Zoning Board must submit a letter of interest to the Board of Selectmen after Town Meeting.

Mr. Oleson updated board members on articles on the 2019 Town Warrant.

Moved by Les Hilton and seconded by Steve Young to adjourn the meeting. Meeting adjourned at 7:30 pm.

Respectfully submitted,

Approved:

Jean E Oleson
Clerk

Tricia Frenette
Vice-Chairperson