

LANCASTER ZONING BOARD OF ADJUSTMENT
April 24, 2019
6:30 PM

CALL TO ORDER:

The meeting was called to order at 6:30 PM by Vice Chair Tricia Frenette, followed by roll call.

ROLL CALL:

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

Regular Members Absent: Chairman Rick Bernier and Chris McVetty

Alternates Members Present: Don Freddette, Nathan Kenison and Linda Ogle.

Others Attending: Dean Flynn, Tricia Eastman, Ken Bolland, Scott Cramer, and Zoning Advisor Ben Oleson.

At this time Vice Chair Tricia Frenette appointed Alternate Member Nathan Kenison to full voting member in the absence of Chairman Rick Bernier and Alternate Member Linda Ogle to full voting member in the absence of Regular Member Chris McVetty for the evening meeting of April 24, 2019.

APPROVAL OF MINUTES:

Moved by Steve Young and seconded by Linda Ogle to approve the minutes of the March 27, 2019 meeting. Motion carried.

PUBLIC HEARINGS:

Case# 519 – Constance W. Eastman Revocable Trust/Constance W. Eastman, Trustee for an Area Variance concerning article 5.04, “Setbacks in the Agricultural District”. Applicant/Owner wishes to construct an addition to the existing camp to allow for safer access to the second floor area. Said addition would be approximately 24 feet from the rear property line when 40 feet is required and 23 feet from the side property line when 40 feet is required. Lot Zoned Agricultural. (31 Cross Country Road, Tax Map R26-Lot 016, 0.23 acres).

Vice Chair Tricia Frenette introduced the case and asked if anyone was present to explain the request, opening the public hearing. Ken Bolland began by explaining the current camp has two lots that are only accessible by ladders. The proposed addition is to allow for a stairway to give better and safer access to the second floor of the building. He explained it is important for the owners as they are getting older and ladders are and will continue to be a challenge. The stairs would make the camp more functional. It was asked if the stairway would be outside or inside. It was explained it would be inside with some further reconfiguration of the living space.

Linda Ogle asked how far the addition would be from the shore of Martin Meadow Pond. Mr. Bolland explained the current building is approximately 15' from the

shore and the addition is going to be a little further than that. He also stated they have already begun the application process for a Shoreland Permit with NH DES. Vice Chair Frenette asked if any abutters had issue with the request. Mr. Bolland stated he had heard from one of the abutters-the Kendalls-and after hearing about the proposal did not have concerns.

Noting the applicant had nothing further to add Vice Chair Frenette opened the hearing to abutters. Noting there were no abutters present who wished to speak to the case the hearing was opened to the public. Noting there was no one from the public who wished to speak to the case the public hearing was closed and opened only to the Zoning Board. Vice Chair Frenette asked if anyone on the Board had any questions concerning the proposal and the applicant's statement of facts. Les Hilton asked the applicant what was meant by the lot under consideration being non-conforming. Zoning Advisor Ben Oleson answered it meant that the lot currently does not comply with the minimum lot size or setbacks for the Agricultural District. With no other questions Vice Chair Frenette asked for a motion.

Moved by Les Hilton and seconded by Linda Ogle to approve the Area Variance based on the applicant's statement of reasons. Motion carried.

Vice Chair Frenette informed the applicants of the 30-day appeal process and that any work completed before that is over is at their risk.

Case# 520 – Dean and Pattie Flynn for an Area Variance concerning article 5.02, "Setbacks in the Commercial District". Applicants/Owners wishes to place a 12' X 20' pre-fabricated shed on blocks to store personal property. Said shed would be approximately 2 feet from the side property line when 10 feet is required. Lot Zoned Commercial. (17 Depot Street, Tax Map P06-Lot 038, 0.19 acres).

Vice Chair Frenette introduced the case and asked if anyone was present to explain the request, opening the public hearing. Owner/applicant Dean Flynn explained he wanted to place a pre-fabricated storage building on his property to store personal items that are currently at a storage facility, costing him \$100.00 a month. It is only out of compliance with the Lancaster Play and Learn Center's property. Vice Chair Frenette asked if it would be in front of the Center's dumpster. Mr. Flynn stated it would be behind the dumpster. Mr. Hilton asked if it would be considered a permanent structure as it will be placed on blocks. Mr. Flynn answered that it would technically be temporary as it could be lifted off the blocks and taken away. He also explained that he had spoken with the Center's Director and she did not have any issues with the placement of the shed.

Noting the applicant had nothing further to add Vice Chair Frenette opened the hearing to abutters. Noting there were no abutters present who wished to speak to the case the hearing was opened to the public. Noting there was no one from the public who wished to speak to the case the public hearing was closed and opened only to the Zoning Board. With no further questions from the Board, Vice Chair Frenette asked for a motion.

Moved by Steve Young and seconded by Les Hilton to approve the Area Variance based on the applicant's statement of reasons. Motion carried.

OTHER BUSINESS:

- Master Plan/Master Plan Committee-Mr. Oleson explained the Planning Board was beginning the process to update the Town's Master Plan. The Planning Board decided to appoint a committee to complete the work of creating an update draft. Mr. Oleson explained he would like to see the committee made up of representatives from the Town Board/Committees as well as Town citizens. He is going to propose one member of the Zoning Board be on the committee and asked if anyone was interested. He stated he did not need anyone to step forward that night but hoped they would all think about it and consider participating and to let him know if they were.
Mr. Hilton stated he hoped the Town Forest would be evaluated for opportunities during the Master Plan process. Mr. Oleson stated he planned on that happening and also he hoped someone from the Conservation Commission would serve on the Master Plan Committee. He also stated the Forest's Management Plan was being updated as well as an evaluation of possible lots to consider to add to the forest.
- Mr. Hilton informed the Board that the Northumberland Selectboard closed down the Page Hill connector for ATV's which basically landlocks Lancaster as there are no trails connecting Lancaster to any other community. Vice Chair Frenette expressed disappointment with the decision and stated as a resident of Page Hill she has never encountered any rider operating irresponsibly.
- Mr. Oleson updated the Board on the non-compliance of the ZBA decision for Todd and Jeannine Kenison. He stated that he sent a letter to the Kenisons and had a discussion with Mr. Kenison where he indicated that he did not feel he was out of compliance with the decision. He continued to say that the Kenisons did send Mr. Oleson a letter indicating their plans to bring the property into compliance however, both Mr. Oleson and the Board agreed it was not at all adequate to solve the issue. Mr. Oleson stated the next step would be to petition the courts in the matter. The Zoning Board agreed and informed Mr. Oleson to do just that.
- Mr. Oleson explained to the Board that the Rotary Club's parking project would begin construction soon bringing 22 new parking spaces and a new riverside park to the center of town.
- Vice Chair Frenette stated the new Caribbean Restaurant across from the Town Office is now serving breakfast.

Moved by L. Hilton and seconded by S. Young to adjourn the meeting. Meeting adjourned at 7:25 pm.

Respectfully submitted,

Benjamin S. Gaetjens-Oleson
Clerk Pro Tem

Approved:

Tricia Frenette
Vice Chair