

**NEW DURHAM ZONING BOARD OF ADJUSTMENT**

**New Durham Town Hall**

**August 14, 2018, 7:00p.m.**

**Present**

Terry Jarvis, Chair

Wendy Anderson, vice chair

Joan Martin

Stephanie Richard

Art Hoover

Paul Raslavicus, alternate member

**Call to Order**

Chair Jarvis called the meeting to order at 7:02pm.

**Approval of Minutes**

Meeting of July 10, 2018 – No edits were made. **Ms. Richard made a motion to approve the minutes as presented. Ms. Anderson seconded the motion. Motion passed, 6-0-0.**

**Review and Acceptance of Application for Case # 2018-004 - Map 209, Lot 026**

Chair Jarvis asked if any members of the board have a conflict with reviewing this application. None was noted. The applicant was asked if he has any conflict with any members sitting on the Board. None was noted.

The Board reviewed the application for completeness. Chair Jarvis noted the variance requested references “C-B” for Article 5, Section E however no section exists and suggested it should be C.1.(b). The applicant is requesting a variance to Article V Section E, “No new buildings, except water related structures, shall be located in a flood hazard area or less than 75 feet from any water body or river” and Article XIV Section C.1.b. “Except for water related structures, all buildings shall be set back a minimum of 75 feet from the normal high water mark”. This edit will be made to the application. Ms. Zuzgo noted all fees have been paid.

The Board reviewed and discussed the maps for the property in this application. The applicant noted he would be doing a voluntary merger of multiple lots, keeping one by the road. It was noted a variance couldn’t be given to a lot, which does not have a lot number as the merger has not been completed with the assessor assigning lot numbers for appropriate reference.

**Chair Jarvis made a motion that should the Town Assessor change the lot number assigned to the parcel that the applicant would like the Board to consider, to something other than Lot 036, that the applicant be authorized to change the application without penalty. Ms. Richard seconded the motion. Discussion:**

There was further discussion about the repercussions of granting the variance before the merger

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**APPROVED**

is done on a nonconforming lot, as the lot can change as well as clarification of the process of the merger with the Registry of Deeds, and application process with DES.

**Chair Jarvis withdrew her motion.**

**Chair Jarvis made a motion to allow the applicant to change the application in regards to changing the article number, getting the new lot number from the assessor, obtain a second signature, add the setbacks for the proposed accessory structure and to formally withdraw the request to declare this a boathouse. Ms. Richard seconded the motion.**

**Mr. Raslavicus made an amendment to the motion to require a drawing to scale, showing all dimensions of the building and showing location of building on map. Chair Jarvis seconded the amendment.**

**Amendment passed, 6-0-0.**

**Motion passed, 6-0-0.**

**October Meeting Schedule**

Chair Jarvis noted she will be out of Town for the second Tuesday of October, nor will Ms. Zuzgo be available and she suggested moving the regular meeting to a different date to ensure a full board for the public hearing.

**Chair Jarvis made a motion that the public hearing for ZBA Case 2018-004, Map 209, Lot TBD be postponed until Tuesday, October 23, 2018 at 7:00pm. Ms. Anderson seconded the motion. Motion passed, 6-0-0.**

**Other**

Chair Jarvis stated she would like to contact New Hampshire Municipal Association in regards to House Bill 1533 and Senate Bill 339 and ask about the impact these bills may have on the Town. She explained the bills related to amending zoning but isn't sure if they will affect how things are done in Town.

**Adjourn**

**Mr. Raslavicus made a motion to adjourn. Ms. Martin seconded the motion. Motion passed, 6-0-0.**

The meeting was adjourned at 8:14pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary