

MINUTES

FRANCONIA ZONING BOARD of ADJUSTMENT MEETING & PUBLIC HEARING

Wednesday, August 23, 2017

Board members present: Phil Krill, Bess Andrews, Victoria Cole and Peter Grote

Other present: Alicia Shambo, Dave Wiley, David Kerr, Ken King, Frank Dodge

A meeting and public hearing of the Franconia Zoning Board of Adjustment (ZBA) was held on August 17, 2017 at the Franconia Town Hall.

The meeting was called to order by Chairman Phil Krill at 6:00 PM.

Peter made a motion to accept the minutes of the August 16, 2017 meeting as written, Victoria seconded the motion with all voting in favor.

Victoria makes a motion to take Bess out of alternate status and make her full-fledged member of the Board, Peter seconded with all voting in favor.

PUBLIC HEARING 6:15PM – BENNETT/GOODHART **Application for Area Variance Case 2017-1**

Phil Krill opened the public hearing and asked members of the ZBA to be introduced. Six members were present and a quorum was declared. Phil Krill asked the applicants if there were any conflicts with any members of the Board. The applicants stated that there were no conflicts.

David Kerr represented Gordon Bennett & Lucy Goodhart for an area variance.

Chairman Phil Krill noted that:

- The application was filled out adequately and the fee was paid.
- Notice in regard to the public hearing was published in The Caledonian Record
- Notice to abutting property owners was sent by certified mail.
- Notices were posted at the town hall, post office and the Village Store

David Kerr presented the case explaining that the applicants would like to demolish the existing residence maintaining a similar footprint on the lot, requiring a 15' setback on both sides and a 10' setback on the rear for Map 28 Parcel 16 (55 Alpen Hill Road.) The building is being twisted not the same exact location. This has been there for 50 plus years. Slightly increase size and porches and decks. There will be 200 square feet added on. The existing property had a lot of issues with the foundation and concrete blocks creating a situation with water in the basement. Ken King stated that there was a Board that oversaw Mittersill but it had been dissolved over time.

The Bennett/Goodhart family has had a new septic design drafted. The parking area will remain the same. Gardner Kellogg has done a new survey.

Robert Spoerl – Land Agent Div of Forests and Lands sent an email in regards to the location of the boundary pins. Herbie will give the information to David. David will make sure it is delineated.

Maggie Merrill more concerned about the height of the home. David Wiley said that her questions had been answered.

Gordon & Lucy has talked to all the neighbors and there is no resistance and there was no one public to resist or comment in opposition.

The Board felt they had enough information to make a decision. The Board does not feel they have to tour the property.

Peter made a motion to ACCEPT the application, Victoria seconded the motion with all voting in favor.

The public hearing was closed and deliberative session began at 6:26 PM.

The Board members went through a fact finding exercise with the following results:

- Fact #1 (The proposed use would not diminish surrounding property values)..... Yes
- Fact #2 (Granting the variance would not be contrary to the public interest) Yes
- Fact #3 (Denial of the variance would result in unnecessary hardship to the owner) Yes
- Fact #4 (Granting the variance would do substantial justice)..... Yes
- Fact #5 (This is not contrary to the spirit of the ordinance) Yes

All five criteria for granting a variance were met.

Victoria made a motion to **GRANT THE AREA VARIANCE with the condition to verify the property bounds for the state**, Peter seconded the motion with all voting in favor.

Meeting was adjourned at 7:35pm

Respectfully submitted,

Herbie Bartett
ZBA Secretary
