

# 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 23, 2017 at the Franconia Town Hall.

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

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### **PUBLIC HEARING 6:45PM – SHAMBO** **Application for Area Variance Case 2017-2**

Phil Krill opened the public hearing and asked members of the ZBA to be introduced. Four 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 Wiley represented Alicia Shambo 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 and the post office.

David Wiley presented the case explaining that the applicants would like to build a garage addition to be located 30' from the centerline of Hubertus Ring road frontage for Map 28, Lot 127 (120 Hubertus Ring.)

The application was read by Phil Krill per Article III, Section 3. The garage would only be 40 feet from the center line as close as David can interpret it. The new addition would add value to the home.

Abutters that support Alicia's request for a variance – David Starr, Jamie Cabot, John Skelton, Kellog Trust, Donna Shalek . Allan Clark the building inspector presented a letter to the Board with his recommendation. He would like to see a condition that the existing paved parking area be removed. Set back is fine but concerned about off street parking.

The Board has decided to continue this meeting at the property as soon as it can be scheduled. The Board will invite the Road Agent Scott Leslie and the Building Inspector Allan Clark to join us at the property.

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

The public hearing was closed at 730pm and the deliberative session will be continued on another day to be scheduled.

**THE BOARD CONTINUED THIS HEARING UNTIL MONDAY, AUGUST 28, 2017 AT 9:00AM AT 120 HUBERTUS RING.**

Board Members present: Phil Krill, Peter Grote, Bess Andrews, & Susan Retz. Others present: David Wiley, Alicia Shambo and Frank Dodge.

Dave Wiley presented the dimensions of the garage and explained what they wanted to do to add on the garage.

The Board members took all facts presented into consideration.

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.

Peter made a motion to **GRANT AREA VARIANCE** with the condition that the paved parking area in front of the home be removed, Peter seconded the motion with all voting in favor.

Meeting was adjourned at 10:00 AM.

Respectfully submitted,

Herbie Bartlett  
ZBA Secretary