

**Town of Northwood  
Zoning Board of Adjustment Meeting  
September 26, 2016**

Chairman Pender calls the meeting to order at 6:30 p.m.

**PRESENT:** Chairman Roy Pender, Vice Chairman Curtis Naleid, Tom Johnson, Doug Pollock, Board Administrator Linda Smith, Land Use Secretary Susan Jastremski-Austin.

**VOTING DESIGNATION:** Chairman Roy Pender, Vice Chairman Curtis Naleid, Doug Pollock, and Tom Johnson

**Minutes**

*August 22, 2016*

Mr. Pollock makes a motion to accept the minutes as written, Mr. Naleid seconds. Vote 3/0/1. Mr. Johnson abstains because he was not present for the August 22 meeting.

*September 12, 2016*

Mr. Johnson makes a motion to postpone the minutes of September 12, 2016 in order to have more time to review them. Mr. Naleid seconds. Vote 4/0.

**Case #16-14: Richard and Patricia Grobecker, 10 Simpson Lane. Map 105, Lot 36.**

- A variance to Art. IV Section B(2)(b) to allow construction of a three bedroom single family home on property of .922 acres where two acres are required.
- A variance to Art. IV Section B(b)(2)lot has no road frontage where 150' is required.

Richard and Patricia Grobecker are present.

Mr. Grobecker states that there is currently a structure on the lot that is 64 feet long. They would like to demolish and replace it with a 3 bedroom home. Mr. Naleid asks if it will be on the same footprint. Mr. Grobecker states no, the new structure will be within the setbacks. There are also two existing sheds, one has heat but no septic. Mr. Grobecker states that they purchased the property last August and all the structures were existing at the time of purchase. The existing septic system was approved and tested before purchase. The new septic plan that was submitted with the application is only an alternative plan in case the existing septic ever fails.

Don Simpson stands up to speak as an abutter. Mr. Simpson states that Butch Kidder improved the existing septic system with a state approval. He also put a new well in with state approval. And as far as frontage, this is a subdivision that was built in the mid-sixties. So doesn't that make this lot legal?

**Town of Northwood  
Zoning Board of Adjustment Meeting  
September 26, 2016**

Chairman Pender states that whether it's a legal lot or not really is not what they are talking about tonight. It is a legal piece of land. Whether or not it is buildable is what we are discussing here tonight.

Lois Detrude is present to speak as an abutter. Ms. Detrude presents a map to the board. She explains to the board where the right of ways are and the buildings. It shows the Kidder property. She also points out where her land is and where her right of way is as well.

Ms. Smith states that she would like to add something that might be helpful to the abutters. In Northwood, if you have a use and a structure that predates a zoning ordinance, it's considered nonconforming. You can continue to use it exactly as it is. The reason the Grobeckers are here tonight is that when you propose changes or expansions on that property, then you have to come into compliance with the current zoning ordinance.

Mr. Johnson asks if the two sheds will be removed. Mr. Grobecker states that yes, they plan on removing them. Ms. Smith points out that the proposed septic design doesn't have the town required setbacks. It has the state setbacks. Mr. Naleid states that the septic does not meet the setback requirements. It will require a re-design before they can approve the application.

Mr. Naleid points out that one of the sheds is labeled as a cottage on the site plan. He states he has an issue with that because it would indicate that there were two residences on one lot. He states that he would not like to see any approved plans with that structure labeled as a cottage.

Mr. Pollock asks if it is Mr. Grobecker's intent to put the new septic design in. Mr. Grobecker states that they would like to use the existing septic system.

Mr. Johnson states that they don't have a plan for the existing septic system. It isn't in the building file. Chairman Pender states that without a plan for the existing design, and with the new design out of compliance, they cannot approve the application. The applicant needs to get a septic design plan that is compliant with the town and/or find out who made the existing septic design plans and see if they can get a letter or a copy of the plan. Chairman Pender states that he would like to continue the case until the next meeting to allow Mr. Grobecker to get the information.

**Mr. Johnson makes a motion to continue Case # 16-14 until the October meeting date. Mr. Naleid seconds. Vote 4/0.**

**Town of Northwood  
Zoning Board of Adjustment Meeting  
September 26, 2016**

**Internal business**

***December Meeting***

Ms. Smith states that the December meeting will fall on the 26<sup>th</sup> this year. She would like the board to decide what alternative day they should meet. After some discussion it is agreed that the 19<sup>th</sup> would be a good alternative.

***Board membership***

Ms. Smith states that there are a few board membership issues to deal with. Mr. Lavigne will be moved out of town by the next meeting so he is no longer eligible to serve on the board. She asks the board if they would like to recommend Mr. Johnson as a full member, rather than an alternate.

**Chairman Pender makes a motion to recommend appointing Mr. Johnson as a full member of the Zoning Board, to the board of selectmen. Mr. Naleid seconds. Vote 3/0.**

Mr. Pollock states that he is going to Florida for the winter on October 17<sup>th</sup>. Mr. Naleid points out that they are going to need to appoint another alternate. Ms. Smith states that they can ask the Board of Selectmen if they can appoint another alternate.

***Cleasby***

*Chairman Pender recuses himself from this discussion.*

Ms. Smith distributes a memo from Larry Cleasby's attorney, Bruce Marshall stating that they would like to appeal the Zoning Boards decision of August 22 to not hear his case. Ms. Smith states that they can make a decision tonight to rehear the case, or they can take some time to let Amy Manzelli, the board attorney, read the minutes from the August meeting and then she can give the board some guidance. Ms. Smith also distributes a confidential memo from Ms. Manzelli. Ms. Smith states that the board has until October 21<sup>st</sup> to make a decision. A motion for rehearing could be done in a work session where no public testimony is allowed. Mr. Johnson asks if it would be possible to ask Mr. Marshall if he would extend the 30 day deadline so the board could meet on the regular meeting day. Ms. Smith states that they could do that, but she feels that the sooner they make a decision, the better it might be for the board. Ms. Smith suggests a work session. Mr. Pollock would like a pre meeting with Ms. Manzelli in order to make a better decision. Ms. Smith states that is possible. Ms. Manzelli will need a copy of the August 22<sup>nd</sup> minutes. The board decides on October 17 for a work session.

**Town of Northwood  
Zoning Board of Adjustment Meeting  
September 26, 2016**

**Mr. Naleid makes a motion to keep Ms. Manzelli's correspondence confidential.  
Mr. Johnson seconds. Vote 3/0.**

Mr. Johnson makes a motion to adjourn at 7:47 PM. Mr. Naleid seconds.

**Respectfully submitted,**

**Susan Jastremski-Austin  
Land Use Secretary**