

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

Cases heard at this meeting:

Case 23-05: Sharon & Michael Sirois, 8 Lufkin Dr. Map 223; Lot 4.

Case 23-17: Michael Cowan and Maryann McDermott, Kramas Lane. Map 102; Lot 9.

Case 23-18: Christopher and Suzanne Kopp, 28 Shore Drive. Map 122; Lot 41.

Case 23-19: Donald & David Hughes, 7 North Lane. Map 108; Lot 43.2.

Case 23-20: JC Builders-Marilyn & Jeffrey Cole, 721 First NH Turnpike. Map 222; Lot 41.

Case 23-21: LSF Inc., Richard Daniels, 273 Jenness Pond Road. Map 203; Lot 19.

Chair Sanderson called the meeting to order at 6:30 p.m.

PRESENT: Chair Pam Sanderson, Vice-Chair Ted Wilkinson, Members Robin Guzofski, Betsy Colburn (participating electronically), and Alternate Maryelen Brown.

Ms. Colburn's reason for not being at the meeting in person is medical.

VOTING DESIGNATION: Chair Pam Sanderson, Vice-Chair Ted Wilkinson, Robin Guzofski, Betsy Colburn, and Maryelen Brown.

TOWN STAFF PRESENT:

Land Use Specialist Linda Smith, and Land Use Administrative Assistant Lisa Fellows-Weaver.

MINUTES:

August 17, 2023

On a motion made by Ms. Colburn, and seconded by Ms. Brown, the Board voted, by roll call vote, to approve the minutes of August 17, 2023, as written. Motion passed; 4/0/1. Mr. Wilkinson abstained as he was not in attendance.

Continued Cases:

Case 23-05: Sharon & Michael Sirois, 8 Lufkin Dr. Map 223; Lot 4. Applicants seek relief to allow for the construction of a new dwelling within the setbacks:

- A Special Exception from Article VI.A(4)(a), structures within 20 ft. of a wetlands buffer/setback.
- A Variance from Article IV.B(4), structures within 10 feet of the setback, where 20 feet is required.

Continued from March 27, 2023.

An email request was received, requesting a continuance for the Special Exception to the October 19, 2023 meeting.

On motion made by Mr. Wilkinson, and seconded by Ms. Colburn, the Board voted unanimously, by a roll call vote, to continue Case: 23-05 to October 19, 2023.

Case 23-18: Christopher and Suzanne Kopp, 28 Shore Drive. Map 122; Lot 41. Applicants seek a variance from Article IV.B.(4), Setbacks, to allow the placement of existing generator to be within the 10-foot building setbacks.

Continued from August 17, 2023.

An email request was received, requesting a continuance to the October 19, 2023 meeting.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

On motion made by Mr. Wilkinson, and seconded by Ms. Brown, the Board voted unanimously, by a roll call vote, to continue Case: 23-18 to October 19, 2023.

Case 23-19: Donald & David Hughes, 7 North Lane. Map 108; Lot 43.2. Applicants seeks the following relief to permit a deck (after the fact), within the 20-foot setback:

- A variance from Article IV.B.(4)(b), Setbacks.
- A special exception Article VI.A.(5)(b), Setbacks, within the Wetlands Conservation Overlay District.
- Appeal RSA 674:41 II
- A variance from Article IV.B.(4)(i), Certified Plot Plan – DENIED~7/17/23.

Continued from August 17, 2023.

An email request was received, requesting a continuance to the December 21, 2023 meeting.

On motion made by Ms. Brown, and seconded by Mr. Wilkinson, the Board voted unanimously, by a roll call vote, to continue Case: 23-19 to December 21, 2023.

Case 23-17: Michael Cowan and Maryann McDermott, Kramas Lane. Map 102; Lot 9. Applicants seek relief to the following to build a single-family residence, on a private right of way where the lot size, frontage type and length, structure setbacks, and setbacks within the Wetlands Conservation Overlay District have not been met:

- A variance from Article IV.B.(1)(b), Type of Frontage. This lot is on a private road.
- A variance from Article IV.B.(2), Lot Size.
- A variance from Article IV.B.(4), Setbacks.
- A variance from Article IV.B.(1)(c), Length of Frontage.
- A special exception Article VI.A.(4), Setbacks, within the Wetlands Conservation Overlay District.

Continued from August 17, 2023

Tobin Farwell of Farwell Engineering Services represented the application.

Mr. Farwell gave a brief overview of the last time they met with the Board, which was August 17. He stated that the wetlands have been certified and he will be meeting with the Conservation Commission on October 3 for input on the Special Exception. An outstanding item was the Class VI Road, and he has reviewed the town's regulations for suggested design standards. He added that he did reach out to the Fire Chief and requested he walk the site to view the trees, which was declined, saying he would speak with the Land Use Department. Mr. Farwell referenced the letter he submitted, dated September 12, regarding the road and added that he also sent that to Chief Theriault.

Ms. Smith stated that correspondence was received from the Fire Chief, who stated that the road did need to be upgraded to the subdivision standards, the Rural Road Standards. She added that he did look at the updated plan set and commented that what he had previously stated would stand; it needs to meet those standards.

Chair Sanderson asked if the Chief provided any documentation with the measurements, mirror-to-mirror, of fire apparatus, as she had previously requested. Ms. Smith replied no and explained that the Applicant needs to propose something to

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

the Board, then the Board can determine a decision on the information provided; it should be a standard that is enforceable with a width and size.

Chair Sanderson stated that there still should be something provided noting the size of the apparatus. Ms. Smith stated that there is a standard created. Chair Sanderson stated that this is a public safety matter and the safety of the crews. Ms. Smith stated that the Chief commented that he is only comfortable with the existing standards.

Ms. Colburn stated that some of the Fire Department's trucks are smaller than other towns due to the size of the stations; however, she added that there are trucks coming in from other towns as well and those are also different sizes. She stated that she agreed with the Fire Chief; there needs to be a standard and we need to stick with it.

A discussion was held regarding the size of roads referenced in the Rural Road Standards. Ms. Smith explained the standards are based on the amount of travel on the roads. Ms. Smith stated that Applicant may be exempt from RSA 674:41 based on whether there is an approved plan that includes the lot. Mr. Farwell stated that he was not aware of this and would look into it.

Chair Sanderson read from the 2020 Board of Selectmen Guidelines per RSA 674:41. She stated that an "Emergency Lane" includes the following:

1. Sixteen-foot (16') travel surface
2. Two-foot (2') shoulders on each side
3. Four-inches (4") crushed gravel surface
4. Installation of drainage culverts as may be required after NHDES Wetlands permit approval
5. Potential of pavement, depending on conditions or steepness of slope
6. Easement for drainage and maintenance

This information was provided to all members and to the Applicant.

Mr. Farwell stated that they are proposing the road to be 16 feet wide, with two-foot shoulders on each side. He added that there is gravel on the road now. There are no tight curves or vertical curves that are out of alignment, and no steepness of grades. This is an existing lot of record, which has been traveled on by heavy fuel trucks and there is no rutting of the road. The width is less than 16 feet, and there are two trees that could be removed, which would increase the road to 20 feet. He stated that this is what they are presenting to the Board.

Ms. Colburn stated that she measured the road today and it is approximately eight feet wide; it is not 12-14 feet wide. She noted that there is also a banking that will need to be cut back.

Chair Sanderson read the Applicant's letter relative to the improvements to Kramas Lane.

Mr. Farwell stated that the intent of the letter was to state they would reinforce the road and remove the trees; it is tight in that area. He stated that he did not think that there was any problem with the width of the road, the real issue was the width of the obstructions.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

A discussion was held regarding the trees to be removed. Mr. Farwell stated that they are proposing to remove the trees on the non-pond side. Ms. Colburn again referenced the bank on the side.

Chair Sanderson stated that she measured from the trees, not the road surface; removing trees may allow some additional footage to be obtained. She mentioned the hammerhead as well for turning.

Mr. Wilkinson stated that he recalled the hammerhead from a prior case and noted that the width of the road needs to be clarified.

Mr. Farwell stated that he would check to see if the lot is on a plat as this will make them exempt from RSA 674:41. He stated that there would be no surety bond. Ms. Smith stated that they need to build it or bond it.

The general consensus is that the Applicant must meet the standards; 16 feet with two-foot shoulders on each side. Mr. Farwell agreed. Mr. Wilkinson stated that they just must meet the standards.

A discussion was held regarding the use of the home, seasonal or year-round. It was noted that this is a year-round home. Mr. Farwell asked about a maintenance agreement. He stated that there is no road association and there is nothing in writing. Ms. Smith stated that the Applicant can present a proposal for a maintenance agreement and the Applicant will still need to sign off on the RSA 674:41 form, as per BOS requirements for the release of liability, which will be recorded at the registry of deeds, and carries on to future owners.

Ms. Smith asked if the Board would be requesting a plan to be provided to show the dimensions of 16 feet and 2-foot shoulders. Mr. Farwell stated that he will provide verbiage for the plan, signed, and stamped by a PE.

Outstanding items were noted as follows:

- Conservation Commission meeting scheduled for October 3rd.
- Wetlands delineation has been completed
- Wetlands permit expires in 2024
- Septic expiring; however, will be updated with the shoreland permit approval
- More clarity to be provided on the wetlands line
- Patio corner appears to be within the 50-foot wetland setback. Ms. Smith commented that the shoreland permit may allow this encroachment.
- Driveway will be impervious

On motion made by Mr. Wilkinson, seconded by Ms. Colburn, the Board voted unanimously, by a roll call vote, to continue Case 23-17 to October 19, 2023.

New Cases:

Case 23-20: JC Builders-Marilyn & Jeffrey Cole, 721 First NH Turnpike. Map 222; Lot 41. Applicants seek a Special Exception from Article VI.A(5), structures (driveway) within wetlands buffer.

John Newman, LLS, from NH Land Consultants represented the application along with the Applicants.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

Mr. Newman gave an overview of the proposal, explaining the proposal is a 2 lot subdivision of a 4.96 acre parcel, adjacent to Town Works Way. He stated that a shared driveway is proposed where there was an existing driveway to an existing camp. In order to obtain a 16-foot road with two-foot shoulders, they will need to impact an area of wetlands while utilizing the existing driveway area. The proposal is to widen the area and replace the existing culvert as it is filled in. The culvert will need to be raised and expanded for it to function properly. He explained that as water levels have increased, the water would go over the existing driveway. The wetland was a part of the driveway in the lowest spot when seasonal flow was high enough. There are a few wetland buffers being impacted, mostly in the middle to allow it to be raised.

Mr. Newman stated they met with the Conservation Commission and held a site walk. Comments from the NCC were that they did not want any salt to be used in the winter months and to use proper silt fence with construction practices. He noted they did submit a permit to NHDES; it has not been approved to date.

Abutter Gayle Robbins-Monteith, 734 First NH Turnpike, expressed concern with flooding of Tucker Brook, which runs through her property. She stated that there have been some issues with flooding and the brook overflows. In addition, there have been some issues with beavers.

Mr. Newman explained that the flow of water is very minimal and adding to the brook that is already there; this is improving the existing situation and will allow better flow through with a larger culvert.

Mr. Newman stated that they are proposing a 24-inch concrete pipe based on the Conservation Commission's recommendation, which will also allow any wildlife to pass through.

Chair Sanderson asked if the new culvert would support logging and larger trucks and vehicles. Mr. Newman replied yes.

Chair Sanderson stated that the plan noted a 5-foot to 8-foot culvert to a 12-foot culvert. Mr. Newman stated that the existing culvert is very difficult to see; it is buried and in poor condition.

Additional discussion ensued regarding if the proposed culvert would be adequate for the wet region. Mr. Newman stated that this has been designed by a wetland scientist. The flow that is coming across Town Works Way has flowed through this very wet summer. He believes that the upgraded 24-inch culvert that has been proposed would be adequate for any event. He added that the CC also commented that they were pleased to see that the existing driveway was being used and there were no additional impacts proposed.

Ms. Smith stated that the plan and narrative need to be corrected to match.

Chair Sanderson read the following comments provided by the Northwood Conservation Commission:

The Northwood Conservation Commission (NCC) has reviewed information for the following relative to a request for a special exception and express the following comments:

- Properly install and maintain erosion control measures, and

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

- No use of salt for seasonal maintenance on the driveway

Chair Sanderson noted that the Conservation Commission's site walk and meeting minutes were also provided in members packets for review. She noted that the minutes also had a comment from Mr. Frankiewicz relating to the correct and proper installation and use of silt fence during construction.

Chair Sanderson read the following:

VI.A. (5) IMPACTS ALLOWED BY SPECIAL EXCEPTIONS

Special exceptions may be granted by the Zoning Board of Adjustment, upon notice and hearing as prescribed in RSA Chapter 676, for the following impacts within the Wetlands Conservation Overlay District and its setbacks:

- (a) Those impacts to the Wetlands Conservation Overlay District or its setbacks that are essential to the productive use of land not within the Wetlands Conservation Overlay District shall be allowed by Special Exception. Those impacts include but are not limited to: the construction of roads, driveways, or other access ways, utility rights-of-way and easements, including power lines and pipelines, with adequate provisions where called for, for the continued, uninterrupted flow of surface run-off water. The ZBA shall grant a Special Exception, provided the following are met:

- [1] The applicant shall first meet with the Conservation Commission, and

written findings by the Northwood Conservation Commission regarding the proposal, including but not limited to minutes of the meeting at which the proposal was discussed, are submitted with the Special Exception application, are reviewed by the ZBA, and are made part of the record of the case.

The Applicant met with the Conservation Commission and the Commission did provide a memo, which was previously read by Chair Sanderson.

- [2] The applicant shall submit sufficient information necessary to demonstrate that the proposed impacts are essential for the productive use of land not within the Wetland Conservation Overlay.

Mr. Newman stated that the existing pipes are not functioning properly; this proposal is improving something that is there in order to be reused.

Chair Sanderson asked if there is land that is buildable that cannot be reached unless the wetland is crossed. Mr. Newman replied yes.

- [3] Dredging, filling or other alteration shall be designed to minimize adverse impact on the wetland and its setbacks, even if this requires adjustments in design outside of this overlay district.

Mr. Newman explained that they are minimizing adverse impacts by using the same spot on the property. They will be using riprap, slit fence, and the proposed culvert design will handle the flow of water.

- [4] There shall be provisions made to restore the site as nearly as possible to its original grade and condition.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

Mr. Newman stated that this is an improvement to what exists as things are currently failing. This is a larger culvert that will allow passage of wildlife and will handle a larger flow of water.

[5] A state wetlands permit shall be obtained when required. Mr. Newman previously noted they have filed for the permit; it has not been received.

Description of proposed use showing justification for a special exception as specified in the zoning ordinance Article VI, Section A(5).

Facts regarding the application as they relate to the specific ordinance:

Mr. Newman stated that there is an existing 8' x 12' driveway with 2, 12" RCP culverts. They have proposed to upgrade the driveway to a common driveway. This requires widening the driveway to be increased to 16' wide with 2' shoulders and will require a wetland impact as shown on the attached plan. There are two wetland buffer impacts and one wetland impact. The wetland impact is to upgrade the driveway and replace the existing culverts with 1, 24" HDPE culvert and will impact 2,000 sq. ft. of wetlands and two wetland buffer impacts. The wetland buffer impacts will be 1,100 sq. ft. and adjacent to Rte. 4 on the interior side of the wetland. The buffer impact will be 1,300 sq. ft. The wetland impact and wetland buffer impacts are required to access the buildable area of the parcel. Luke Hurley, CWS CSS of BSC Group has prepared the wetland impact permit.

With no additional comments from the Applicant, Chair Sanderson closed the public comments and opened Board deliberations.

Mr. Wilkinson stated that he is satisfied that the Applicant has met all the requirements to grant the Special Exception. All members agreed.

On a motion made by Ms. Brown, and seconded by Mr. Wilkinson, the Board voted unanimously, by a roll call vote, to grant the Special Exception to Article VI, Section A(5), based on the fact that all criteria have been met as listed in the Northwood Development Ordinances, with the following conditions to be met:

- **Pending receipt of the NHDES wetland permit, any changes will require the Applicant to return due to the fact that this approval was based on the evidence presented at this meeting; and**
- **Properly install and maintain erosion control measures, as recommended by the Conservation Commission, and**
- **No use of salt for seasonal maintenance on the driveway, as recommended by the Conservation Commission, and**
- **Size of the culvert to be corrected on the plan set, and**
- **All local, state, and federal permits be obtained.**

A recess was taken at 8:05 p.m. Session resumed at 8:14 p.m.

Case 23-21: LSF Inc., Richard Daniels, 273 Jenness pond Road. Map 203; Lot 19. Applicant seeks a Special Exception from Article VI, Section A(5), structures (driveway) within wetlands buffer.

John Newman, LLS, from NH Land Consultants represented the application.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

Mr. Newman gave an overview of the proposal, explaining the proposal is a subdivision with two shared driveways. There is an existing structure, a driveway, on Map 203; Lot 19. There are no wetlands impacts, only buffer impacts for both areas. There is a small impact on the upper lot where there is a pond for snowmobile crossing and possibly used as a fire pond. He added that the area has been used for many years to access a tennis court. They are asking for a Special Exception to access the lots and use what is already there.

Mr. Newman stated they met with the Conservation Commission and a site walk was held. The Commission recommended that that road not be increased as they felt it was adequate and it would add additional impacts to the wetland should the roadway be increased. A picture of the roadway was provided showing adequate room for two cars to pass. He added that the roadway is not a real wet area; it is mostly flat and consists of poorly drained soils.

The Conservation Commission's site walk, and meeting minutes were previously provided in members packets for review.

Ms. Colburn expressed concern with the right-hand driveway, the driveway closer to Northwood, not Pittsfield; it is not wide enough for two cars to pass.

Ms. Smith mentioned that the Conservation Commission reviewed the proposal from their perspective. There is also the issue of emergency personnel being able to get to the property. She added that the Planning Board can also discuss and may determine the road may need to be widened, which could affect the ZBA's decision. She added that typically a 16-foot-wide road is required. In addition, she mentioned that a portion of the roadway is mowed now, and this area should also be included as a part of the road and considered for during the winter months.

Chair Sanderson commented that there would be two feet that could be lost and that may change the wetland impact. Ms. Guzofski stated that this is a shared driveway; it is not a road, would that make any difference. Chair Sanderson mentioned a prior application where this Board granted a shared driveway onto Jenness Pond Road for the future development of a subdivision. If approving this 14-foot now and this goes with the land, what about the potential of future development. She stated that she is not willing to concede to 16 feet and would want to be stricter on the road width.

Ms. Smith stated that any additional homes would require the creation of a road. She added that there currently is one residence on the lot that uses this driveway because it was an existing driveway. The next one is about 1,000 feet. The current subdivision regulations do not allow a single roadway to be greater than 1,000 feet; this shared driveway is being proposed farther than that.

Ms. Colburn stated that she measured the shared driveway to be 11 feet and the Board needs to be consistent.

Ms. Guzofski stated that this is not a road. Ms. Smith explained that there are two residences that are 1,000 feet from a single access point from a road that emergency vehicles need to get to, should this be approved. She noted that a prior application tonight was a right-of-way, a right to access over someone else's land to access a lot without any road frontage.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

Ms. Brown stated that this could almost be considered to be a private road. Chair Sanderson stated that this has been a driveway to tennis courts and now it will become a shared driveway up to 1,000 feet with two homes; it is beyond a driveway status. She stated that she is leaning towards seeing it as a private road. She stated that this is a rural area, with limited traffic traveled on it. She stated that she would be looking at the rural road standards.

Ms. Colburn agreed and added that this also allows access to the rear of the parcel. Chair Sanderson stated that the Board's decision goes with the land, and she stated that she would prefer to follow the rural road standards. She would prefer to continue to hold the standard for the road width to 16-feet with two-foot shoulders. In this case, there is 1,000 feet for emergency apparatus to travel on and the Board needs to continue to have the protection for emergency vehicles. She asked if this Board suggests and holds to this change, would the Applicant need to return to the Conservation Commission as it would be a change the impacts. Ms. Smith stated yes.

Ms. Guzofski stated that she feels that more impact to the wetlands is more harmful.

Ms. Smith stated that the impact is to a buffer not to any wetlands. She mentioned that the increase could affect the impacts to the buffer, also affect access for emergency vehicles, and there is the issue if two vehicles being able to pass beside each other throughout the entire year.

Chair Sanderson stated that access and safety for emergency services outweighs the impacts to a buffer.

Ms. Brown stated that if this was a driveway for two residences it would be different; however, there has been mention of further development from the rear of the property. Ms. Smith stated that only two residences are allowed unless the Planning Board grants waivers for additional residences to be built with access from shared driveways. She stated that there is one in the process at this time. Ms. Guzofski stated that everything would change at that point. Ms. Smith mentioned that with a shared driveway there is the potential of two cars passing each other or also larger trucks, the longer the driveway the better the chance of passing each other. She noted that there was a discussion held at the Conservation Commission's meeting of adding a pull-off section; however, the Planning Board has the option to still request the road to be 16-feet wide, which has been the past practice with shared driveways.

Ms. Colburn noted that this is the main road to the back section of the lot, and she does not believe that you will be able to pass by with heavy vehicles, and a soft shoulder; the road is just not wide enough.

Mr. Newman noted that this has been a logging easement for the past 50 years where logging trucks have accessed the rear of the lot with a lot of weight.

Chair Sanderson read the following:

VI.A. (5) IMPACTS ALLOWED BY SPECIAL EXCEPTIONS

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**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

(a) Those impacts to the Wetlands Conservation Overlay District or its setbacks that are essential to the productive use of land not within the Wetlands Conservation Overlay District shall be allowed by Special Exception. Those impacts include but are not limited to: the construction of roads, driveways, or other access ways, utility rights-of-way and easements, including power lines and pipelines, with adequate provisions where called for, for the continued, uninterrupted flow of surface run-off water. The ZBA shall grant a Special Exception, provided the following are met:

[1] The applicant shall first meet with the Conservation Commission, and written findings by the Northwood Conservation Commission regarding the proposal, including but not limited to minutes of the meeting at which the proposal was discussed, are submitted with the Special Exception application, are reviewed by the ZBA, and are made part of the record of the case.

Chair Sanderson stated that the Applicant met with the Conservation Commission and the Commission did provide a memo to the Board, which was previously provided along with the Commission's meeting minutes.

[2] The applicant shall submit sufficient information necessary to demonstrate that the proposed impacts are essential for the productive use of land not within the Wetland Conservation Overlay.

Chair Sanderson stated that sufficient information has been submitted indicating that the proposed impacts are essential for the use of the land; these proposed two driveways/extensions and two additional houses are necessary to go through the wetlands. However, nothing has been submitted to state why the road should not be brought up to the rural road standards. Indications should be noted to not have to meet the road surface, what is special about the land that is large that precludes it from being 16 feet wide. She noted that this is a change of use as it is adding residences.

Mr. Newman stated that this access has been used for 50 years. This is a buffer, not a wetlands impact. There is ample room for passing vehicles and room for emergency vehicles. He noted that there is also a gravel area that could serve for a turnaround, if necessary.

Ms. Smith stated that the focus of a Special Exception is the wetland and the wetland buffer, not so much the standard of the road or driveway. She mentioned that at the Conservation Commission meeting the road was described as "stable and solid" because it has been there so long. The concern is the road at 14 feet, noted to be 11 feet as measured by Ms. Colburn. She added that the Board can accept or deny the proposal.

Ms. Colburn stated that the Board should be consistent of applicants and applications. Ms. Smith noted that this is a wetland buffer impact, there are no other issues under the jurisdiction of the ZBA. She stated that should the road be redesigned to minimize the wetland impact; with this proposal, the Applicant is saying it is being done without being increased.

Ms. Brown asked if there are driveway standards vs. road/private road standards. Ms. Colburn stated that this is not a driveway; it is a road.

Mr. Newman stated that this is only for family members at this time.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

Mr. Wilkinson stated that any future development will require an application to be presented to the Planning Board. He added that the issue tonight is the wetland buffer impact, and the determination of the road is not the role of this Board.

Mr. Newman stated that there is a grass area, a mowed area, and there is gravel. It is hard to distinguish what area is the driveway. He noted that the road widens out more when you get out of the buffer area.

Chair Sanderson requested dimensions of the road through the wetlands buffer wherever it may touch. Mr. Newman stated that it is widened out as it gets out of the buffer.

Ms. Smith stated that as a part of a Special Exception the Board can also look at the design; this is currently all one lot. She suggested members determine if the proposal is the least impactful or is there another option available.

Chair Sanderson read the letter of determination provided by the Building Inspector-Code Enforcement Officer.

Discussion ensued regarding the prior approval of a variance in August 2023 and the setback encroachment. It was determined that this is now a change of use.

Ms. Smith stated that both lots would need relief for both of the proposed residences; they are both changing the use from recreation to residential.

Chair Sanderson stated that she does not feel that the Board can act on the application tonight. It is a large parcel and asks if placement in the wetland buffer is the best use of the property. The driveway has been there for many years. Measurements are not accurate. There is a change of use. Is this safe. Is there an alternative possible. A Special Exception is only granted when there is no alternative.

The Board requested the following information:

- Dimensions to include width of the road, where it is within the buffer, and length of road;
- Fire Chief input; and
- Name of wetlands scientist to be added to the plan.

A site walk was scheduled for October 5, at 4 PM.

On a motion made by Ms. Brown, and seconded by Mr. Wilkinson, the Board voted unanimously, by a roll call vote, to continue Case: 23-21 to October 19, 2023, to allow for a site walk and for receipt of further information, which will be distributed to the Board members at the site walk.

OTHER/CORRESPONDENCE

2024 Budget

Ms. Smith provided an overview of the budget she submitted.

Legal – Level Fund

Printing & Advertising – \$500 increase. She explained that this year the line was \$1,500 and we are currently at \$1,500. She stated that the line is offset by revenue. She recommended \$2,000.

**Town of Northwood
Zoning Board of Adjustment Meeting
September 21, 2023**

Contracted Services – \$100 increase. She explained that this line is for the recording of the Board’s notice of decision and is offset by revenue. It was \$300 this year and to date we have spent \$480. She recommended an increase to \$400.

Supplies – Level Fund

Equipment – Level Fund

Training – She proposed reducing the line from \$350 to \$200. as there are many that are free and offered online. Ms. Colburn suggested that the line be level funded and members really need to utilize the training opportunities. Discussion ensued regarding the training budget line.

General consensus supported the budget, as presented.

Other

Mr. Wilkinson stated that it is his intention to resign from the ZBA as a full member; however, he is interested in staying on as an alternate. A formal letter was requested.

Ms. Brown stated that she would request to change from an alternate member to a full member, if/when there is an opening.

ADJOURNMENT

Motion to adjourn was made by Mr. Wilkinson, and seconded by Ms. Brown, and unanimously accepted, by a roll call vote, at 9:31 p.m.

Respectfully submitted,

Lisa Fellows-Weaver



Land Use Administrative Assistant