

**Town of Northwood  
Zoning Board of Adjustment Meeting  
September 26, 2022**

*Cases heard at this meeting:*

Case 22-15: Jean Pinard

Case 22-16: Loren O'Neil

Case 22-17: Paul Oman

**6:30 Call to Order**

**PRESENT:** Vice Chair Pam Sanderson, Ted Wilkinson, Steven Kasonovich, Ginger Dole (alternate), Robin Guzofski (alternate), and Betsy Colburn. (Participating electronically)

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

**VOTING DESIGNATION:** Vice Chair Pam Sanderson, Steve Kasonovich, Ted Wilkinson, Ginger Dole, and Betsy Colburn.

**TOWN STAFF PRESENT:**

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

**MINUTES: August 22, 2022**

On a motion made by Mr. Wilkinson, and seconded by Ms. Colburn, by a roll call vote, the Board voted unanimously, to approve the minutes of August 22, 2022, as written.

**CONTINUED CASE:**

Case 22-15: Jean Pinard, 26 Newman Drive, Map 125 Lot 14. Applicant placed a carport within the wetland setback and is requesting the following after the fact relief:

- A variance from Article VI Section A(4), wetland setbacks.

As requested by the ZBA, the Northwood Conservation Commission (NCC) provided a memo regarding wetland impacts for Case 22-15, which was read into the record by Vice-Chair Sanderson. The NCC recommended the ZBA consider the project's specific conditions as noted in the NHDES Shoreland Permit #2021-00612 as part of their approval of the project, specifically, the requirement of the installation of a roof dripline being installed, as depicted in Sheet 1 of the Meridian Land Services plan, dated February 22, 2021. The Conservation Commission's draft September 6, 2022, meeting minutes were also previously provided to the Board.

Ms. Colburn asked if the permit was approved by NHDES. Vice-Chair Sanderson replied yes, and noted it was included as a part of the original application for the garage and was also part of the criteria.

Mr. Pinard provided a plan depicting the dripline. A copy of the Shoreland Permit #2021-00612 was also distributed and reviewed. RSA 483-B:9,V,(b) was also read into the record.

Vice-Chair Sanderson provided a brief history of events of this continued case and an overview of the project. She stated that Mr. Pinard is seeking relief for Article VI, Section A(4), to restore a pre-existing carport in its original location and anchor points, over the existing asphalt driveway, that is non-conforming to the wetland setback after the removal of a dead Ash tree.

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Wetlands Buffer Setback:

*Criteria questions for a variance from Article VI, Section A(4):*

**1. Granting the variance would not be contrary to the public interest because:**

Mr. Pinard stated that the carport was permitted and previously approved and has been in place since 2004. It was removed to allow for the removal of a dead Ash tree, which was damaging the roof of the carport and house.

**2. The use is not contrary to the spirit of the ordinance because:**

Mr. Pinard stated that the structure does not affect pervious coverage as it is located over a paved driveway and the roof dripline management will be in compliance with the Shoreland permit.

**3. Granting the variance would do substantial justice because:**

Mr. Pinard stated that the carport is an existing, formerly approved structure.

**4. The proposed use would not diminish surrounding property values because:**

Mr. Pinard stated that the carport will be consistent to other neighborhood properties.

**5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because: The “special conditions “of this property that distinguish it from other properties in the area are as follows:**

**(A) Owing to the special conditions of the property, set forth above, that distinguishes it from other properties in the area:**

**(i) No fair and substantial relationship exists between the general 2 public purposes of the ordinance and the specific application 3 of that provision to the property because:**

**(ii) The proposed use would be a reasonable one because:**

Mr. Pinard stated that a seasonal runoff passes through the property close to where the carport existed in 2004. He stated that the carport does not create anymore impervious area as it is over the existing driveway. He stated that the carport protects valuable property and will increase the property value.

Ms. Colburn suggested that the carport never be enclosed, and it remain as a carport. She noted that the original intent was for a garage, any changes would require Mr. Pinard to return to the Board.

Ms. Dole asked why the carport has a fabric roof as opposed to a steel roof and why not add sides to protect the contents from the weather. Ms. Smith stated that the applicant did not request that the carport be enclosed. She added that the NCC looked at the application for a carport with any storm water running through it, an important aspect due to the wetlands.

Ms. Colburn mentioned that the fire department has some concerns originally if the structure was enclosed. Mr. Pinard stated that there are no plans to enclose the carport.

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Mr. Wilkinson stated that this is an application for a carport. Should Mr. Pinard decide he wants a garage, he would need to return to the Board with an applicable application.

With no further comment from the applicant or abutters, Vice-Chair Sanderson closed the public hearing and opened up Board deliberations.

Board members reviewed the NHDES permit, the plan from Meridian Land Services plan, dated February 22, 2021, Conservation Commission's memo and meeting minutes, and the application materials.

Vice-Chair Sanderson stated that the Board is aware that the carport existed in the past; however, it was removed and has been rebuilt; it is now deemed to be a new structure.

Mr. Wilkinson thanked Ms. Smith for her time to review prior case information and provide additional materials for the Board to assist in their decision making. He also thanked Mr. Pinard for his patience during this time due to staff shortages.

**Vice-Chair Sanderson made a motion, seconded by Mr. Wilkinson, to grant the variance from Article VI Section A(4), wetland setbacks, based on the fact that all criteria has been met based on the testimony and evidence provided, noting the installation of the roof dripline management system, as depicted of Meridian Land Plan February 22, 2021, and to be in full compliance with the NHDES Shoreland Permit #2021-00612, and the carport must be in compliance with all necessary permits and ordinances.**

Vice-Chair Sanderson commented that the carport is not contrary to the spirit of the ordinance because the driveway is impervious due to the fact that the pavement already exists. The carport being added on to the pavement will allow the water to flow and will be an improvement and would do substantial justice. In addition, the dripline management system will also be an improvement. She added that granting the variance would be reasonable and fair due to the fact that the carport did exist, and, the new location is a better place.

**Ms. Colburn amended the motion, seconded by Mr. Wilkinson, to include that the carport would not be enclosed in any manner to allow proper water flow.**

**The amendment passed unanimously with a roll call vote.**

**The motion passed unanimously with a roll call vote.**

**NEW CASES:**

Case 22-16: Loren O'Neil, Upper Camp Road, Map 244, Lot 43. Applicant is proposing a four-bedroom, single family residence on a lot that does not meet the road frontage and lot size requirements and requests the following relief:

- A variance from Article IV.B(1), Section (b)(2), Type of Frontage. This lot is on a private road.
- A special exception form Article VII.C, Section 3, Lot Size. Lot has 1.5 acres, where 2 acres are required.

Ms. O'Neil gave an overview of the proposal. She stated that she bought the property through a tax auction. The lot is the second lot on the road and is the second largest

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lot in the subdivision, which was created March 30, 1982. The 1982 subdivision plan was provided as part of the packet materials. She stated that she is trying to get a building permit for a four-bedroom, single family residence. She stated that the road is a private road and is dirt. She has spoken to neighbors who stated that there is a resident that takes care of the road and maintains it; however, she has not found a formal maintenance agreement. She added that it is her intention to build the house and then sell. She stated that the frontage is 171 feet, where 150 feet is required.

Vice-Chair Sanderson asked if there is any associations that would show there is some form of maintenance, RSA 674:41. Ms. O'Neil stated that there are 24 lots after this property so someone is doing some type of maintenance on the road.

Ms. Colburn stated that she was not able to find the property. Mr. Kasonovich commented that there was a sign for the lot. Ms. O'Neil stated that the lot was surveyed by Berry Surveying & Engineering and there are survey markers on the property. Ms. Dole stated that she viewed the property last week and noted that markings. Vice-Chair Sanderson also noted the survey markers. A discussion was held regarding the need that properties are marked.

Vice-Chair Sanderson noted that the lot is classified as a flat lot. The proposed building fits well within the perimeter as well as the well and septic. She asked about the private road and stated that the Board may request some type of indication of a road maintenance agreement for emergency vehicles; it is a public safety issue. Ms. O'Neil stated that she has researched for some type of documentation from the creation of the lot in 1982; nothing was located when the surveying was be done either.

Ms. Colburn asked if there were any comments from the public works department or from fire. Ms. Smith replied that it is a private road so there would not be any type of comments from the public works department and there has been nothing received from the fire department. Ms. O'Neil stated that the road is not a dead-end road as it connects to Lower Camp Road not a dead-end road. Ms. Dole commented that this is very close to Lucas Pond Road and seems that it would be wide enough to accommodate turning and moving around. Vice-Chair Sanderson agreed that it is close to Lucas Pond Road and not far off from a maintained road. Ms. Smith suggested the Board consider asking for a measurement for the width of the road. Ms. Smith stated that the road status is exempt because there is a subdivision plat; however, the Town does require the property owner to sign a release and liability waiver, which is recorded at the registry of deeds, and as part of the agreement, it makes the applicant responsible for the maintenance of the road in front of their property. Ms. O'Neil stated that she has signed the document and will inform the buyers. Ms. Smith also explained that the current zoning ordinance requires the road to be brought up to Town standards.

Abutters Jeff and Michelle Stevens were present. Ms. Stevens stated that they live across the street from the lot. She stated that when they purchased their lot from the Town, they were exempt from needing an association because the driveway was on Lucas Pond Road and there was no longer access to Lower Camp Road. She stated that everyone paid into an association at one time, but she is unsure if it is year-round. She is concerned with the safety of the road in this area. Ms. Smith explained that there was an association in that area, apparently it is no longer functioning. She

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stated that it was a part of the process of the Town selling the leased land lots and she is not aware of any current officers of an association for the area. Vice-Chair Sanderson stated that she would like comments from the fire chief relative to the road.

Vice-Chair Sanderson stated that the public comment portion for this case would remain open.

Type of Frontage:

*Criteria questions for a variance from Article IV.B(1), Section (b)(2):*

Vice-Chair Sanderson stated that the applicant is requesting a variance from Article IV.B(1), Section (b)(2). Ms. O'Neil stated that she is requesting the variance to build on a private road. The lot is the second lot in from Lucas Pond Road has more road frontage than most other lots in the 1982 Town approved subdivision.

**1. Granting the variance would not be contrary to the public interest because:**

Ms. O'Neil stated that the lot is from a Town approved subdivision, and it is one of the largest lots in the subdivision. In addition, the lot does not impact to any wetlands. There is 171 feet of frontage.

**2. The use is not contrary to the spirit of the ordinance because:**

Ms. O'Neil stated that the lot has ample size for a single-family residence.

**3. Granting the variance would do substantial justice because:**

Ms. O'Neil stated that she purchased the lot at a tax sale, and she had reasonable expectations that the lot would be a buildable lot.

**4. The proposed use would not diminish surrounding property values because:**

Ms. O'Neil stated that the proposed house is new construction and would not be oversized for the lot. She added that the new house would meet all current building codes and increase the property values in the area.

**5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because: The "special conditions "of this property that distinguish it from other properties in the area are as follows:**

**(A) Owing to the special conditions of the property, set forth above, that distinguishes it from other properties in the area:**

**(i) No fair and substantial relationship exists between the general public purposes of the ordinance and the specific application of that provision to the property because:**

Ms. O'Neil stated that Lot 43 is one of the largest lots in the subdivision. A single-family residential home will not have any negative impacts to the lot or area.

**(ii) The proposed use would be a reasonable one because:**

Ms. O'Neil stated that the lot is one of the largest lots. It has 1.5 acres with a good square footprint.

With no further comment from the applicant or abutters, Vice-Chair Sanderson closed the public hearing and opened up Board deliberations.

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Vice-Chair Sanderson stated that the purpose of this variance request is for the private road. Discussion was held relative to the conditions of the private road and the location of the lot. Vice-Chair Sanderson stated that the lot is the second lot in from Lucas Pond Road, less than 110 ft off the road. She stated that the applicant believed a hose from a fire truck would reach the lot based on the normal amount of hose in a fire truck. Mr. Kasonovich stated that comments relative to fire equipment should be provided from the fire chief and relative to the road. Members agreed. Also mentioned was a need for information relative to the access and egress during the winter months for emergency vehicles and general maintenance of the road.

Discussion ensued regarding the association or lack thereof. Ms. Smith explained that the applicant has signed an agreement and release and any subsequent buyer is held to what the seller has agreed to. She stated that the Board can request more information to obtain the details they need to make a decision. She added that this is a private road, and the Town has no jurisdiction on private roads.

The Board requested the following information be provided:

- dimension of the road with consistency of road noted
- maintenance plan or letter from someone noting details of what is being done now or what can possibly be done for maintenance
- comments from the fire chief relative to access and water source especially in the winter months

Ms. Smith explained that when the town did the auctions it was clearly stated that there were to be no expectations-buyer beware, no guarantees of any conditions of the property. Ms. O'Neil stated that the Town approved the subdivision back in 1982. Ms. Smith replied that a tax sale does not make any lot exempt from the zoning ordinances; everything is subject to the zoning ordinances that are currently in place.

Vice-Chair Sanderson provided some guidance as to what the Board is looking for as far as special characteristics of the lot and the need for supporting facts relative to the property on the private road.

**On a motion made by Mr. Wilkinson, and seconded by Mr. Kasonovich, the Board voted unanimously, by roll call vote, to continue the case to October 24 and that all new information must be provided to the Board no later than October 1.**

Special Exception:

*Criteria questions for a special exception from Article VII.C, Section 3*

Vice-Chair Sanderson stated that the applicant is requesting a special exception from Article VII.C, Section 3 for Lot Size; the lot as 1.5 acres where two acres required.

Ms. O'Neil stated that she is requesting the special exception to build a single-family home on the lot that totals 1.5 acres. She stated that all of the conditions have been met for the special exception.

**(a) septic systems shall be located 75 feet or greater from open drainage or surface water, 50 feet or greater from hydric B soils, 75 feet or greater from existing wells; and septic systems must meet all other setback requirements set by the New Hampshire Department of Environmental Services, unless a waiver has been granted by the appropriate state regulatory agency.**

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Ms. O'Neil stated that the town approved the subdivision prior to December 31, 2005 and the lot contains less than 80,000 square feet.

**(b) the well protection radius shall be 75' or greater and may not extend beyond property line.**

Ms. O'Neil stated that the proposed well radius is completely within the boundaries of the lot.

**(c) all other dimensional requirements shall be met.**

Ms. O'Neil stated that all dimensional requirements have been met. She noted that the septic design was done by Dan Tatum in July 2022 as well as a survey by Berry Surveying & Engineering.

With no further comment from the applicant or abutters, Vice-Chair Sanderson closed the public hearing and opened up Board deliberations.

Vice-Chair Sanderson stated that the septic design is in compliance and is a benefit for a non-conforming lot. Per the plan provided, this criteria has been met. She noted that the dimensional requirements have been met per the plan provided; nothing is out of the setbacks relative to the well. She added that all other dimensional requirements have been met per the septic design and survey provided, both dated July 2022.

**On a motion made by Mr. Wilkinson, and seconded by Ms. Dole, the Board voted unanimously, by roll call vote, to grant the special exception for lot size, Article VII.C, Section 3, based on the fact that all criteria has been met based on the testimony and evidence provided.**

Vice-Chair Sanderson called for a recess at 8:12 p.m. Session resumed at 8:18 p.m.

Case 22-17: Paul Oman, 110 Harmony Road, Map 233, Lot 5. Applicant is proposing a single-family residence on a lot that does not meet the lot size and for rod frontage lengthy requirements and requests the following relief:

- A variance from Article IV.B, Section (2)(b) Lot Size. Lot has .74 acre, where 2 acres are required.
- A variance from Article IV.B(1), Section (c)(1) Road Frontage. This lot has 65.05 feet of frontage where 150 feet 2 acres are required.

Scott Frankiewicz of NH Land Consultants represented the application.

Ms. Coburn stated that the property was not marked, and she was not able to view the property. All other members of the Board did view the property.

Mr. Frankiewicz gave an overview of the proposal. The property is an existing lot of record of .74 acres. There is a state approved septic system prior to a fire in 2019. The house was 1,067 square feet. The heat may have been the cause of the fire. The existing foundation is 18.3 feet to the water as noted on the plan. He further reviewed the existing conditions of the house. He stated they are proposing to replace the house with a two-story house, smaller at 780 square feet which will fit within the 20-foot setback. This is 57 square feet less than the prior house. He noted that all overhangs are included, deck, stairs, etc.

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Ms. Smith noted that the fire does not have any bearing on this application. She explained that they are not proposing to build in the footprint; it is deemed a new structure on an undersized lot.

Vice-Chair Sanderson asked about the septic system. Mr. Frankiewicz stated that the septic system is from 1993 and is in working order for two-bedroom capacity. Ms. Smith stated that the Board can require a septic designer to prepare a letter stating they have reviewed the existing septic system and it is adequate for the new use.

Abutter Mike and Sharon Sirois, abutters at 8 Lufkin Drive, abutters on the west side of the property expressed concern that there are pins missing and there may be some encroachments of the septic system onto their property as well as some other items being stored on the property. Ms. Smith stated that these concerns are not something the Board can address; however, if there is a question relative to the boundaries a licensed land surveyor can be hired and provide documentation to the Board; it is a civil matter between all property owners. She added that the Board should allow the abutters some time to address the matter and the Board can request a certificate of monumentation to certify that the boundary lines are in place. Mr. Sirois stated that there is a survey on file from 2018 for the westerly side of the property. Mr. Frankiewicz stated that NH Land Consultants stands by the plan provided to the Board for this application.

Abutter Greg Dalzell and Mark Lucy, 96 Harmony Road, east side abutters, spoke to the prior fire noting that the fire trucks could not access the property directly and accessed via their driveway. They also expressed concern with fire apparatus being able to access the property due to the driveway being narrow and many trees overhanging the driveway. Ms. Smith stated that the town has no jurisdiction over private property and no control over driveways. Vice-Chair Sanderson stated that private driveways are not maintained by the town.

The ZBA and NHDES processes were explained regarding any approvals and shoreland permits. Mr. Frankiewicz stated that the proposal is further away from the water, and they have reduced the amount of impervious area within the first 50 feet. He noted that the plan is to have a partial walkout basement.

**Type of Frontage:**

*Criteria questions for a variance from Article IV.B, Section (1)(c)(1):*

**1. Granting the variance would not be contrary to the public interest because:**

Mr. Frankiewicz stated that the parcel has been in existence since the 1960's, which is prior to the Northwood Development Ordinances; a house has been on the site since at least 1962 until a fire destroyed it in 2019. There is no change in the frontage with the requested variance.

**2. The use is not contrary to the spirit of the ordinance because:**

Mr. Frankiewicz stated that there was a house on this parcel since 1962 until it was destroyed by a fire and has access Harmony Road safely throughout the years.

**3. Granting the variance would do substantial justice because:**

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Mr. Frankiewicz started that the lot has been occupied by a house since 1962 and the applicant is proposing to replace the house further from the lake. The house will be built to today's building codes with no changes to the road frontage.

**4. The proposed use would not diminish surrounding property values because:**

Mr. Frankiewicz stated that the lot is proposed to be improved with a new home, built to today's building codes. The surrounding property values will not be diminished by granting the variance as the frontage is not changing or the use increased. In contrary, the surrounding property values may be improved due to a new home being built as it will increase the value of the subject parcel.

**5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because:**

**The "special conditions "of this property that distinguish it from other properties in the area are as follows:**

Mr. Frankiewicz stated that the parcel has been in existence for more than five decades. It has waterfront and has had a home on it since at least 1962. The parcel is located on Harmony Road, which is a Class 5 town road.

**(A) Owing to the special conditions of the property, set forth above, that distinguishes it from other properties in the area:**

**(i) No fair and substantial relationship exists between the general public purposes of the ordinance and the specific application of that provision to the property because:**

Mr. Frankiewicz stated that the purpose of the ordinance is to insure safe and adequate access to lots. There is adequate road frontage length and Harmony Road provides safe access and egress to this residence.

**(ii) The proposed use would be a reasonable one because:**

Mr. Frankiewicz stated that the parcel has had a house on it since 1962 and the applicant wants to replace the house, due to a fire, with a single-family home place further away from the lake than the previous house was.

A discussion was held regarding the possible encroachment issue noted by the abutters. Mr. Frankiewicz stated that the driveway will be surveyed. Other options were discussed relative to increasing the height of the existing driveway, possible relocation of the driveway. Ms. Smith stated that this is a driveway on private property and the fire chief cannot comment on private property. Mr. Frankiewicz stated that he will bring up this matter to his client; he does note that the gravel does encroach onto the abutter's property. Ms. Smith added that a gravel driveway can be right up to the property line. She also noted that there would be no other way to access the property due to wetlands on both sides; no wetland permit has been required.

With no further comment from the applicant or abutters, Vice-Chair Sanderson closed the public hearing and opened up Board deliberations.

Vice-Chair Sanderson stated that the property was developed back in 1962 and has been in existence and occupied consistently. The applicant is not able to purchase any additional or abutting land as the neighboring lots are developed. This is a new

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structure being proposed due to a fire, on a piece of property that did support a previous building; the 2019 fire does not impact this new structure. The road surface is travelable; however, there may be some need to address overhanging of vegetation. The proposal is an improvement due to the fact that the new building will be more compliant with a smaller square footage and further from the shoreline; less land is being developed.

**On a motion made by Vice-Chair Sanderson, and seconded by Ms. Dole, the Board vote unanimous, by roll call vote, to grant the variance from Article IV.B, Section 1(c)(1) for Type of Frontage, with the condition that the all regulations and permits be obtained.**

Vice-Chair Sanderson stated that the property has been in existence with a house since 1962 and has been occupied consistently. There is no means to obtain additional property as the lots on either side are developed. The new proposed structure will be built on a piece of land that did previously support a structure up to a fire that occurred in 2019. There is access to the lot. The proposal is an improvement as the new structure will more compliant and meet today's current codes and will be smaller, and further from the shoreline; therefore, less land is being developed.

**Lot Size:**

*Criteria questions for a variance from Article IV.B, Section (2)(b):*

**1. Granting the variance would not be contrary to the public interest because:**

Mr. Frankiewicz stated that the parcel has been in existence since the 1960's, prior to the Northwood Development Ordinances and a house has been on the site since at least 192 until a fire occurred in 2019 and destroyed the house. There is no change in the lot size with the requested variance. The parcel has a state approved septic system that will continue to be used. The house footprint will be reduced from 850 square feet to 780 square feet.

**2. The use is not contrary to the spirit of the ordinance because:**

Mr. Frankiewicz stated that there was a house on this parcel since 1962 until it was destroyed by a fire in 2019. The house has been serviced by a stated approved septic system, approved in 1993. The proposal is to reduce the footprint from 850 square feet to 780 square feet.

**3. Granting the variance would do substantial justice because:**

Mr. Frankiewicz stated that the lot has been occupied by a house since 1962 and the applicant is proposing to replace the house further from the lake. The house will be built to today's building codes with no changes to the road frontage. Approving the variance will allow the owner to make this parcel usable again with a new home.

**4. The proposed use would not diminish surrounding property values because:**

Mr. Frankiewicz stated that the lot is proposed to be improved with a new home, built to today's building codes. The surrounding property values will not be diminished by granting the variance as the frontage is not changing or the use increased. On the contrary, the surrounding property values may be improved due to this new home being built, which will increase the value of the subject parcel.

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**5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because:**

**The “special conditions “of this property that distinguish it from other properties in the area are as follows:**

Mr. Frankiewicz stated that the parcel has been in existence for more than five decades. It has water frontage and has had a home on it since at least 1962. The parcel is located on Harmony Road, which is a Class 5 town road and is paved.

**(A) Owing to the special conditions of the property, set forth above, that distinguishes it from other properties in the area:**

**(i) No fair and substantial relationship exists between the general public purposes of the ordinance and the specific application of that provision to the property because:**

Mr. Frankiewicz stated that the purpose of the ordinance is to ensure there is adequate area for a home to be built. There is adequate area to accompany the house being proposed. He noted that they are proposing to reduce the size of the home from what was on the parcel prior to the 2019 fire.

**(ii) The proposed use would be a reasonable one because:**

Mr. Frankiewicz stated that the parcel has had a house on it since 1962 and the applicant wants to replace the house that was destroyed by a fire in 2019. They are proposing a single-family home placed further away from the lake than the previous house.

With no further comment from the applicant or abutters, Vice-Chair Sanderson closed the public hearing and opened up Board deliberations.

Ms. Dole commented that the proposal is a smaller house that is further back from lake. It would be a new home meeting all current building codes.

Mr. Kasonovich commented that the size of the lot has some issues regarding the driveway and noted the encroachments. Mr. Frankiewicz agreed with the encroachments and stated he would provide a certification of monumentation.

Ms. Smith stated that the Board can determine the lot is viable for the construction and added that the Board could ask that the area along the driveway boundary be marked along the property line on the eastern side of the wetland.

Ms. Colburn asked about the status of the existing septic system. Mr. Frankiewicz stated that the system has been inspected for year-round service. That information can be submitted to the Northwood Building Inspector

**On a motion made by Vice-Chair Sanderson, and seconded by Mr. Wilkinson, the Board vote unanimously, to grant the variance for lot size, Article IV.B, Section (2)(b), for .74 acres where two acres is required, based on the testimony and materials provided.**

Vice-Chair Sanderson stated that the proposal is not contrary to the public interest because there has been a structure on this lot in the past with the current septic system; the lot can sustain a structure. The use is not contrary to the spirit of the ordinance because the new house will be more compliant and will be a smaller

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footprint. Overall, this will not diminish the property values as it will be an improvement to the area. The septic system will be inspected to be sure that it is in working order and will be sufficient as a year-round system. The report will be submitted to the building inspector. The certificate of monumentation of boundaries and information that defines the lot line between lots 5 and 6, Oman and Lucy will be provided. All applicable local, state, and federal permits will be obtained.

Ms. Smith explained the 30-day appeal process to the abutters should there be any concerns of the boundary lines.

**INTERNAL BUSINESS**

*Application Materials*

A discussion was held regarding the need for clarification of property locations, which could include pictures, and a narrative that describes the property; anything that could be useful for members to find the locations. If the application is deemed incomplete due to the lack of materials, then the application may be delayed by the Board.

*Budget*

A discussion was held regarding the upcoming budget season. Ms. Smith stated that typically, this Board, proposes a level funded budget; however, she would like to increase the budget by adding funds for additional training for staff and members due to the recent law changes. She requested a liaison from the Board, as Vice-Chair Sanderson is the Selectboard liaison. General consensus was to designate Ms. Dole and Ms. Colburn to review the proposal

Ms. Smith thanked the Board for their continued patience due to the staff shortages.

**ADJOURNMENT**

Motion to adjourn was unanimously accepted, by a roll call, at 9:32 p.m.

*Respectfully submitted,*

Lisa Fellows-Weaver



Land Use Assistant, Pro tem