



**TOWN OF MADISON
ZONING BOARD OF ADJUSTMENT
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**MEETING MINUTES
AUGUST 21, 2019**

CALL TO ORDER: Chairman Lucy called the meeting to order in the Town Hall meeting room at 6:00pm.

PLEDGE OF ALLEGIANCE: Mr. Anderson led those in attendance in the Pledge of Allegiance.

ATTENDANCE: Mrs. King called the roll:

Mark Lucy, Chair - Present.	Henry Anderson - Present.
Mark Totman - Present.	Ken Hughes - Present.
Stuart Lord - Excused.	Bebe Bartlett, Alternate - Excused

OTHERS PRESENT: Iona and William Hayden, Marilyn Rials, Stan Rezcek, Kevin Buckley, Colleen King - Land Use Administrator and Carol Dandeneau- Madison TV Videographer.

ELECTION OF OFFICERS: Mr. Lucy offered to conduct tonight's meeting and then suggested that they wait until the full Board is present for the election of officers. All agreed.

PUBLIC HEARING:

CASE # 19-02: A Variance is requested pursuant to Madison Zoning Ordinance Article V, Section 5.9A by owners William and Iona Hayden for property located at 34 Island Drive, Map 107, Lot 37, in the Rural Residential Zone to permit a 12' x 16' shed within 25' of the north boundary line and less than 75' from the center of Island Drive.

MEETING NOTICE:

Mrs. King reported that tonight's meeting was posted on August 8, 2019 in the Conway Daily Sun, Madison Town Hall upper and lower levels and the Madison & Silver Lake Post Offices. All abutters were notified by certified mail.

CONFLICT OF INTEREST/ WAIVER REQUESTS:

The Board was individually polled for any conflicts of interest with Case #19-02:

Mr. Hughes - No.	Mr. Totman - No
Mr. Anderson - No	Mr. Lucy - No

There was a 4-member board present for voting on tonight's hearing and Mr. Lucy confirmed with the applicant that they may request a continuance until September to be heard by the full 5-member Board. The Applicant given the option to go forward with a 4-member Board or wait for a full Board. The Applicant stated that they wanted to proceed with a 4-member Board tonight.

Mrs. King reported that there are no waiver requests and are using the plot plan drawn up by Ron Briggs in June 2019, for this Hearing.

REGIONAL IMPACT:

The Board was individually polled on whether this case had regional impact:

Mr. Hughes - No. Mr. Totman - No
Mr. Anderson - No Mr. Lucy - No

RULES OF PROCEDURE/ SWEARING-IN:

Mr. Lucy reviewed the Rules of Procedure and swore-in those who wished to speak on this application.

PRESENTATION: Mr. Hayden explained that the previous ZBA approval for the shed location would not work because the shed roof and the house roof would form a V on top of the exhaust for their gas heater. This would be a problem. Mrs. Hayden explained that the movers would not drive over the leech field to relocate the shed. Mr. Lucy asked about the location of the camper that was previously on the lot. The camper has been sold, allowing room to relocate the shed. The applicants have been before the Board 3 times.

PUBLIC COMMENT:

Mr. Lucy opened the Hearing for anyone to speak for or against this application.
Mr. Rezek asked Mr. Lucy to review the proposed plans. He is supportive of this application.
Mr. Lucy read a letter from Mr. Kevin Buckley, an abutter, in support this application.
Mr. Lucy read a letter from the driver for Old Hickory Buildings, dated May 16, 2019, stating that the relocation of the shed to the previously approved location is not possible. He can not drive over the leech field and it would interfere with their heating system exhaust and snow pileup.
Hearing none, Mr. Lucy closed the Public Comment portion of the Hearing.

BOARD DELIBERATION: Mr. Lucy asked the Board members if they had any questions or concerns. There were none.

FINDINGS OF FACT:

1. The proposed shed measures 12’ x 16’.
2. It will be placed 75’ from the high water mark od Pea Porridge Pond.
3. It will be placed 5.1’ off the property line shared with Kevin Buckley.
4. It will be placed 62.9’ from the center line of Island Drive.
5. Those dimensions are taken from the topographical sketch prepared by Briggs Land Surveying.
6. The septic will not be compromised by moving it to this location.
7. The abutting neighbor is present tonight and is in support of this proposed location.
8. This shed will be moved from its original unapproved location.

Mr. Lucy read the criteria of a Variance and led the Board discussion on whether the Applicant met the criteria. The Board then voted on them as a whole and not individually.

MOTION/VOTE: Mr. Lucy called the Vote: Case #19-02 to grant a Variance and permit a 12’ x 16’ shed to be located within 25’ of the north boundary line and less than 75’ from the center of Island Drive;
Mr. Anderson seconded. No further discussion. All Approved. Variance Granted.
Mr. Lucy reviewed the 30-Day Appeal period stating that day one begins on August 22, 2019.

APPROVAL OF JANUARY 19, 2019 DRAFT MINUTES: The Draft Minutes were reviewed with edits made. **MOTION** was made by Mr. Lucy seconded by Mr. Hughes, with no further discussion. All Approved.

ADMINISTRATION:

Town of Eaton inquired about interest for a Joint ZBA/PB Training and Networking session. Board members were in favor of a joint meeting of surrounding towns.

ADJOURNMENT:

Mr. Lucy made a MOTION to adjourn; Mr. Anderson seconded. All Approved.
The meeting adjourned at 6:53pm.

Respectfully submitted,
Colleen King, Land Use Administrator

The minutes were APPROVED at the December 18, 2019 ZBA meeting.