



**TOWN OF MADISON
ZONING BOARD OF ADJUSTMENT
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ZONING BOARD OF ADJUSTMENT

January 21, 2026

ATTENDANCE: Drew Gentile, Chairman, Sharon Schilling, Vice Chairman and Richard Ventura and Marc Ohlson

EXCUSED: Doug McAllister

OTHERS PRESENT: Madison TV, Evan Woss and Kate Young, Land Use Boards Administrator

CALL TO ORDER: Chairman Gentile called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE/ROLL CALL: Chairman Gentile asked Ohlson to lead in the reciting of the Pledge of Allegiance. The roll call confirmed three regular members were present, constituting a quorum.

ELEVATION OF ALTERNATES: Chairman Gentile elevated Ohlson, Alternate to a full voting member.

Case #25-08 - Variance Request (2 Appenvel Way)

Gentile explained to Angel Byers Crandell that there are only four members present tonight and not the regular five and she agreed to proceed with four members.

Chairman Gentile asked Young, Land Use Boards Administrator, to read aloud **Case #25-05** and posting notifications as follows:

Case #25-08 – Variance (continued from October 15, 2025) request from Angel Byers Crandell, Trustee of the Angel Byers Crandell 2002 Trust, for property located at 2 Appenvel Way. The request was for a variance to permit an attached two-car garage with a mudroom addition which would be located closer to the road and property line than ordinance allows.

PUBLIC MEETING NOTICE: Notification of this public meeting was posted in the Town Hall upper and lower levels and Madison and Silver Lake Post Offices on January 16, 2026.

Conflict of Interest: Chairman Gentile polled the board and confirmed there was no Conflict of Interest.

Waiver Request: Chairman Gentile stated that the applicant provided a Certified Plot Plan for tonight's meeting.

Regional Impact: Chairman Gentile polled the board and there was no Regional Impact.

Chairman Gentile swore in Angel Byers Crandell, applicant.

Chairman Gentile asked Angel Byers Crandell to explain her case. She explained that her husband had retired and they were now living in the property year-round. They desired to add a garage for winter parking along with

additional bedrooms and bathrooms above the garage, plus a mudroom and laundry room connecting the garage to the house.

A survey had been completed since the previous meeting, of October 15, 2025 which revealed that the actual measurements differed from what was initially noticed. The addition would be 59.6 feet from the center line of the road (where 65 feet is required) and 22.7 feet from the side property line (where 25 feet is required).

The Board noted that the lot adjacent to the property where the side setback variance was needed, is owned by the applicant's husband. The family owns a total of three lots in the area. The Board also acknowledged that many houses in the Village District cannot meet the 65-foot offset requirement due to the nature of the existing development.

The Board members visited the property and noted that there are trees in front of the house that would partially obscure the view of the expansion from the road. They also noted that the septic system location on the other side of the house made that area impractical for the addition.

Findings of Fact:

1. The property located at 2 Appenvel Way is in the Village District of Eidelweiss.
2. There are two dimensions, one being the distance to the center of the road which is 59.6' and the other is to the side property line to the right side of the driveway which is 22.7', where 25' is required.
3. The same family owns the abutting lot that is closest to the proposed variance that is requested.
4. The property is in the Village District of Eidelweiss and many homes in the neighborhood cannot meet the 65' offset to the center of the road.
5. The expansion of the existing home is blocked in the other direction.
6. The home was built in 1988.
7. There are trees in front of the home that will obscure full view of the house and expansion.

Motion by Schilling, seconded by Ohlson to close the public hearing. The motion was voted on and passed **4-0**.

Findings on the five conditions for a variance:

1. The Board determined the variance would not be contrary to the public interest and would observe the spirit of the ordinance, as the addition would not pose any threat to public health and safety, and would not impact the character of the neighborhood since many homes have similar setback variances.
2. The Board found substantial justice would be done by allowing year-round access and use of the property consistent with neighboring properties.
3. The Board concluded surrounding property values would not be diminished, as upgrades consistent with neighborhood character typically raise property values.
4. The Board determined that due to the existing nature of the house, location of the septic system, and practical needs for a functional garage, there was no other reasonable location for the garage on the lot.
5. The Board found that special conditions of the property created unnecessary hardship if the ordinance were strictly enforced.

Motion by Schilling, seconded by Ventura to approve the variance for two setbacks, one being 22.7 feet where 25 feet is required, and the other is 59.6 feet where 65 feet is required because:

- There is no impact on the character of the neighborhood and property values will not be negatively affected.
- Due to the existing nature of the home, there is no other reasonable location for the garage on the lot.

The motion passed **4-0**.

Chairman Gentile read aloud the provisions of the 30-day appeal period. Gentile closed **Case #25-08**.

Approval of Draft Minutes - January 21, 2026

Motion by Gentile, seconded by Ventura to approve the minutes of November 19, 2025 as amended. The motion passed **4-0**.

Administration

The Board discussed the budget for the upcoming year, focusing primarily on the legal fees line. Due to expenses related to the cell tower case and potential future expenses for cases currently in federal court, the Board previously agreed to increase the legal line from \$5,000.00 to \$30,000.00. Schilling stated that the Board of Selectmen cut the budget to \$25,000.00 and took \$5,000.00 out of the Zoning Board’s budget. She further explained that the Board of Selectmen agreed with her to let her come back to the Zoning Board and make them aware but to also discuss if there is any possibility of being able to reduce the budget by another \$5,000.00. She also stated that we have paid Upton & Hatfield \$20,130.00 as of today. She also reiterated that this is just the cell tower and that the legal line has nothing to do with short-term rentals and that these costs are covered on the Expendable Trust Fund that was done. After a lengthy board discussion, it was decided to leave the legal line in the budget at \$25,000.00.

Motion by Schilling, seconded by Ventura to approve to leave the legal line in the 2026 Budget at \$25,000.00. The motion passed **4-0**.

Young, Land Use Boards Administrator informed the board of whose terms were expiring in 2026 and that they would need to fill out the necessary paperwork to continue serving and this would need to go the Board of Selectmen for appointments.

Chairman Gentile confirmed with Attorney Sullivan that the videographer would need to be excused when the board goes into **Non-Public Session**. Attorney Sullivan stated yes.

7:05pm - Motion by Gentile to enter **Non-Public Session per RSA 91-A:3 II (e)** Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled and **Non-Public Session per RSA 91-A:3 II (I)** Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Discussion:

There was discussion that Ohlson had previously recused himself from the cases. Ohlson stated he had recused himself and Chairman Gentile stated that Ohlson was excused. Ohlson stated that issue has come and gone for him and he has no prejudice as he was approved. Chairman Gentile wanted clarification from Attorney Sullivan on Ohlson's participation and asked Ohlson to pose his question to Attorney Sullivan. Ohlson stated he recused himself from this cell tower because he knew that he had a tower of his own coming to the board and that he did not want to express any opinion on cell towers to prejudice and he further explained that his tower has been approved and permitted so he does not have that prejudice anymore. Schilling stated that he still has a conflict of interest because there is a second cell tower that could technically, sort of compete with Ohlson's cell tower. Ohlson stated it is not arranged to compete. Chairman Gentile stated that this particular one, if it goes to the Planning Board, that Ohlson can only act on behalf of the Planning Board or the Zoning Board of Adjustment. Ohlson agreed and left the building. Chairman Gentile stated that this issue needed to be clarified before the board voted on the motion on the floor for the purposes, as noted above pursuant to the RSAs.

The above motion was seconded by Schilling.

Roll Call Vote: Gentile – aye; Schilling - aye; Ventura - aye. The motion passed **3-0**.

8:03 pm – Motion by Gentile, seconded by Schilling to adjourn Non-Public Session and seal the minutes per **Non-Public Session per RSA 91-A:3 II (e)** Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled and **Non-Public Session per RSA 91-A:3 II (I)** Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call Vote: Gentile – aye; Schilling - aye; Ventura - aye. The motion passed **3-0**.

Chairman Gentile stated the board was going to take a recess to discuss with counsel legal steps that might be advisable in light of the what the board was addressing in their Non-Public Session.

8:10 pm – Motion by Gentile, seconded by Schilling to enter into **Non-Public Session per RSA 91-A:3 II (I)** Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call Vote: Gentile – aye; Schilling - aye; Ventura - aye. The motion passed **3-0**.

ADJOURNMENT: The meeting adjourned at 9:15 pm.

Respectfully submitted,

Katharine Young
Land Use Boards Administrator