



Zoning Board of Adjustment
Town of Mason, NH
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Zoning Board of Appeal Minutes, April 17, 2017 Approved May 15, 2017

Meeting called to order by Chair at 7:36 pm

ZBA Attendance: Bill Fritz, Chair, Guy Daniello, Vice Chair, Bob Bergeron, Bob Young, Mary Pierce, Landon Smith

Public Attendees included Charles Moser, Garth Fletcher, Liz Fletcher and Applicants to Variance request along with several abutters.

Old Business:

While Landon was being sworn in, Mary Pierce took place on the voting roster for old business.

Voting: Bill, Guy, Bob B., Bob Y, Mary P.

Selection and vote of Vice Chair: Guy Daniello was nominated and seconded, voted unanimous for next year term as Vice Chair.

The Chair noted that the ZBA Rules of Procedure requires selection of Vice Chair in March but all appointments expire in March and suggested review of that element of the Rules of procedure.

The Chair recommended Bob Young to fill a vacant Full Member position on the ZBA. Bob Young was nominated, seconded and approved unanimously. The Chair will forward this to the Board of Selectmen.

New Business:

During New Business Mary P is an Abutter to the property under discussion and recused herself. She was replaced by Landon Smith.

Application Review: File 2017-1 Sandra Lehtonen 20 Bell Lane LLC a request for variance on road frontage within the GRAF zone.

The ZBA reviewed all required elements of the application, fees submitted, Abutter Notices timely mailed, complete list of Abutters, Application and Plot Plans submitted.

The application was found to be complete and the Public Hearing was called to order by Chairman Fritz at 8:12 pm. Voting members were declared to be: Guy Daniello, Bill Fritz, Bob Bergeron, Bob Young and Landon Smith.

Chairman Fritz read the Application which includes in Section III the five elements of review required for a Variance.

The Applicant's agent Monadnock Survey presented their proposal, a request for variance on the required road frontage in the GRAF district, requesting 250 ft. for an entrance onto Fitchburg Rd. vs. the required 350 ft. Variance request is made in conjunction with a Sub-Division application put forward to the Mason Planning Board that lot 11-1 would become two properties with entrances at Bell Lane and Fitchburg Rd.

Discussion included the history of the property, it's past as several lots which had been merged together into one lot in 2006. Grandfathering of the property frontage requirement was determined to not exist, and that the 350 ft frontage requirement imposed in 2008 was applicable and known when the applicant recently purchased the property.

It was discussed whether this should go to the Planning Board for subdivision hearing first, to identify if a need exists for the variance.

It was identified that the Fitchburg Rd. is a State Highway and an application would need state approval.

The ZBA questioned the applicant relative to the five elements of consideration required for variance approval and had them re-address each. Further discussion followed specifically on the hardship topic.

The ZBA at this point could not find sufficient indication of a hardship. Applicant indicated he is a developer and could either sub-divide or flip the property as is. Charles Moser asked if the applicant would be willing to relinquish development rights after the initial sub-division. The applicant refused.

Hearing input was opened to Abutters and Public members.

An Abutter from Wilton indicated he agreed with a single house sub-division but not with a multiple unit sub-division.

An Abutter from Bell Lane had concerns that the Bell Lane road turns to Class 6, unimproved and unmaintained, after the 20 Bell Lane entrance, and the road would require improvement to at least Class 5 which would have detrimental impact to surrounding properties. The road is too narrow to support this.

Liz Fletcher from the Mason Conservation Commission had concerns about the amount of wetland existing in the area adjoining Fitchburg Rd. where the proposed road frontage variance is located.

Discussion developed on alternative suggestions, use of road frontage. This was determined to be a Planning Board issue.

The Chair recommended going into deliberation. At this time the Applicant requested to table the application, pending the Planning Board hearing the following week and also requesting if this could be returned as a continuance at the next ZBA meeting.

The ZBA made and seconded a motion to allow the Applicant to table the current application and return with an amended application, pending Planning Board review April 26th. The continuance will be at the next ZBA meeting May 15th @8:00.

Other New Business:

New State Land Use Regulation books were passed out.

Bob Young offered to create a draft in Microsoft Word for ZBA Rules Of Procedure if Connie has not done this already.

Motion to adjourn made, seconded and voted unanimous @9:25

Respectfully submitted,

Carol Iodice

Acting secretary