

**APPROVED**

Town of Grantham  
Zoning Board of Adjustment  
Minutes  
November 18, 2010

Chairman Conrad Frey called the Zoning Board meeting to order at 7:00 p.m. Thursday, November 18, 2010. The meeting was held in the Jerry Whitney Memorial Conference Room located at Town Hall, 300 Route 10 South in Grantham.

PRESENT

Chair Conrad Frey  
Peter Gardiner  
John Clayton  
Myron Cummings (Alt.)

ABSENT

Richard (Dick) Mansfield  
Margery Bostrom (Alt.)  
Tanya McIntyre  
Martha Menard, Clerk

Members of the public: None

Frey asked the Board members if they had reviewed the minutes from August 26, 2010 were there any corrections, there being none motion was made by Peter Gardiner and second by John Clayton.

*Approved by Unanimous Vote*

New Business

Blue Mountain Forest Association; Map 218 Lot 001  
Gerald Merrill, Superintendent

**Variance / Construction of Cabin**

Mr. Merrill, Superintendent of the Blue Mountain Forest Association (Corbin Park) requested permission for construction of a new cabin within the Park, which would be located 25 feet from an existing cabin. The old cabin, built in the 1920's, would be removed sometime September 2011. The site is 1,000 feet from the Park gate at the terminus of Walker Road at the Croydon Turnpike. The house portion of the new cabin, which will be built with logs from indigenous trees, would be the same size as the old cabin except there would be a front porch and a smaller back porch in the new design. The new cabin, like the old cabin, would be occupied on occasion during the hunting season (October through January).

Merrill stated that the concrete slab for the new cabin would be poured as soon as possible before winter in order to avoid delays caused by muddy road conditions next spring. Construction of the log cabin would be completed by late spring of 2011.

Chairman Frey explained that Article III – I Forest Lands Conservation Districts (which includes the Grantham portion of Corbin Park) does not permit the construction of

## **APPROVED**

dwellings, either to be used temporarily or year round, thereby necessitating a variance to build such a structure. If the proposed cabin were to be built on the footprint of the existing cabin there would not have been a need for a variance as the replacement cabin would then be permissible under Article VIII Nonconforming Lots, Structures and Uses under Section B. Put another way, the new cabin on the old slab/foundation and its same use of the cabin would qualify for “grand fathered” status.

The Zoning Board of Adjustment members felt that the new cabin in a large secluded, remote area used in the same manner as the old cabin, even though it was 25 feet from the site of the original cabin, would satisfy the “Spirit of the Ordinance” relative to the two Article cited above. This premise was felt to be valid only if the old cabin was removed. Chairman Frey stated that this was a unique situation and cited a few hypothetical examples to illustrate where such logic would not be applicable.

The Board then voted on the five criteria for granting a variance. The vote was ***Unanimous to grant*** the variance with the following condition:

1. That the old cabin be removed as soon as plausible after construction of the new structure.

Chairman Frey posed a question whether or not the Town of Grantham required a request for a demolition for approval by the Selectmen, as this would serve notice that there would be a change in the tax base. Apparently no such document exists.

### **Old Business**

None

### **Other**

None

### **Correspondence**

None

### **Adjournment**

Frey asked the Board members if there were any further questions/ discussions, there being none a motion was made by Peter Gardiner and second by John Clayton to adjourn The meeting. ***Approved by Unanimous Vote*** to adjourn at 7:16 p.m. The next Zoning Board meeting will take place on December 16, 2010 if there are any applications.

Respectfully Submitted,

*Martha M. Menard*  
*ZBA Clerk*  
*November 20, 2010*