

**FINAL**  
**TOWN OF GRANTHAM**  
**Zoning Board of Adjustment Minutes**  
**September 26, 2019**

Melissa White, Town Administrator called the meeting to order at 7:02p.m., September 26, 2019 in the Jerry Whitney Memorial Conference Room located at 300 Route 10 South, Grantham.

Because of the resignation of Chairman Conrad Frey there is no chair for the Zoning Board of Adjustments. The Board decided to appoint Peter Guillette as Interim Chair for this meeting and the opening of the next. Elections for Chair will occur at the next meeting.

**Roll Call**

Present: Peter Guillette, Tanya McIntire, Andy Gelston, and Clerk Emily Owens.

Absent: Myron Cummings, Alternate Quinn Colgan.

Public: Ronald Carr, Priscilla Carr, Frederick (Chris) Hart, Adam Howard, Elizabeth Forshay, Peter Gardiner and Town Administrator Melissa White.

**Approval of Minutes**

Interim Chair Guillette asked the board if there were any corrections or additions required of the minutes from July 9, 2019. There being none, Interim Chair Guillette entertained a motion to approve the minutes as written. Tanya McIntire made a motion and seconded by Andy Gelston. ***Unanimously Approved***

**New Business**

Area Variance: ZBA Case #09-2019-01; Ronald H. Carr, A39 Old Beach Circle; M/L 215-061-039. Ronald H. Carr provided a handout to the Board with diagrams and pictures showing the location of the buried propane tank. He apologized to the Board for not realizing he needed an exception to the area variance requirements. After the presentation, Interim Chair Guillette yielded the floor to the Public for comments. Adam Howard and Elizabeth Forshay voiced their support for approving an area variance.

The follow email was sent to the Board on September 23<sup>rd</sup> by Paul Etkind Chair of the Board of Directors for West Cove A Condominium Association to be read into the minutes. Interim Chair Guillette read the email below:

“As the Chair of the Board of Directors of the West Cove A Condominium Association, I am pleased to state that the Board is in favor of the Town of Grantham granting a variance to Priscilla and Ron Carr of 39 Old Beach Circle for their request to install a propane tank as long as all necessary permits from the Town have been obtained and that the work is performed by licensed contractors. Such stipulations are standard on our Architectural Variance forms that owners must use when requesting permission of the Board for any construction/upgrading requests.”

Next Interim Chair Guillette opened the meeting up to discussion by the Board. Tanya McIntire questioned why the Board continues to hear this common Eastman issue. She asked if the Grantham Zoning Regulations could be amended to address this issue. Interim Chair Guillette asked Town Administrator Melissa White if she could ask the Town Lawyer to provide a legal opinion if the Board can grant only Eastman an area variance on propane tank placement automatically without a Public Hearing on the issue. The Board wondered if the adjacent property, 36A and 37A Old Beach Circle, came before the Zoning

**FINAL**  
**TOWN OF GRANTHAM**  
**Zoning Board of Adjustment Minutes**  
**September 26, 2019**

Board to receive an area variance for their propane tank. The Board decided to table this discussion until Town Administrator White can provide a legal answer and add it to the next Agenda.

1. The proposed use would not diminish surrounding property values. (3, 0) ***Unanimously Approved***
2. Granting the variance would not be contrary to the public interest. (3, 0) ***Unanimously Approved***
3. Denial of the variance would result in an unnecessary hardship to the owner
  - a. The following special conditions of the property make an area variance necessary in order to allow the development as designed. (3, 0) ***Unanimously Approved***
  - b. The same benefit cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden. (3, 0) ***Unanimously Approved***
4. Granting the variance would do substantial justice. (3, 0) ***Unanimously Approved***
5. The use is not contrary to the spirit of the ordinance. (3, 0) ***Unanimously Approved***

All criteria approved by members in favor. The Zoning Board members voted to approve the application. There were no additional conditions.

**Other Business**

**Application for a Special Exception**

The Application for a Special Exception form was reviewed by the Board and they requested that the rest of the Zoning Board applications be reviewed. The order to the questions will follow the same layout as the Board of Adjustment in New Hampshire handbook edition December 2018.

**Resignation of Former Chair Conrad Frey**

Interim Chair Guillette read the resignation letter from Former Chair Conrad Frey:

“I have tendered my resignation from the Zoning Board as we are leaving Grantham after spending 29 wonderful years here. The time I spent here was the most enjoyable period of my life, being free, enjoying the outdoors, and being able to relax in a lovely home and surroundings. That is about to change as we are moving and I will also be not only be leaving behind a happy lifestyle but the memories of the many friends that I have made over the years while serving on various committees, most especially my 24 years with Zoning. I will miss you. All the best, Conrad”

The Board thanked Conrad Frey for his dedication and time served on the Board.

**Adjustment of Zoning Board Application Fees**

Town Administrator White asked the Board to consider updating the fees associated with Zoning Board applications. Interim Chair Guillette asked that she provide a proposal in writing, similar to what she presented at the Planning Board Meeting. The Board agreed to have a meeting next month to discuss this issue and vote on a Chair.

**Public Question**

Adam Howard asked how to change zoning classification of his residence. He was advised to go to the Clerk's Office. Currently, he lives in an R1 district and he would like that to be changed so he can park his dump truck in his yard. The Board advised Mr. Howard to apply for a variance and reminded him of the October 3<sup>rd</sup> deadline for the application.

**FINAL**  
**TOWN OF GRANTHAM**  
**Zoning Board of Adjustment Minutes**  
**September 26, 2019**

**Adjournment**

Interim Chair Guillette stated there being no further business a motion was made by Andy Gelston and seconded by Peter Guillette to adjourn the meeting at 7:48 p.m.

The next meeting of the Zoning Board is scheduled for October 24, 2019, at 7:00 p.m. in the Jerry Whitney Memorial Conference Room of the Grantham Town Hall.

Respectfully Submitted,

Emily Owens, ZBA Clerk