

**Town of Northumberland
19 Main St.
Groveton, New Hampshire 03582**

**ZONING BOARD OF ADJUSTMENT
Minutes (Draft)
Weds., May 12, 2021
7:00 PM
MEETING ROOM
10 STATION SQUARE
Groveton, NH**

*** Social distancing shall be practiced during the meeting and the wearing of masks is strongly encouraged***

Board Members Present: Michael Phillips, William Caron (via phone), Jeffrey St. Cyr, Ryan Shannon, acting Chair

Others Present: Elizabeth Ball, Clerk, Elaine Gray, Clerk, Norman Cotter, Kathy Frechette, Brian Newton, Judy Fox, Susan Charlette, Roy Charlette, Jessiah Cloutier

1. **Minutes of October 20, 2020 Meeting** Ryan asks for motion to accept last meeting minutes. Michael makes motion, Jeffrey seconds, all in favor, 4-0.
2. **Welcome New Member (Michael Phillips) and Clerk (Elizabeth “Liz” Ball)** Ryan welcomes new board member Michael Phillips and new Clerk, Elizabeth Ball.
3. **PUBLIC HEARING:**

Case #Z21-01: Jessiah Cloutier is seeking an Area Variance for a concrete slab on the property within the 15 ft. minimum setback for the rear boundary. The parcel is on Map 104 Lot 217 and is zoned Residential High Density.

The applications and maps are available for viewing BY APPT. ONLY at the Northumberland Town Office, 19 Main St., Groveton, NH or call 636-1450 Ext. 3 for more info.

Ryan reads public hearing information and asks if there are any comments from the public. Kathy Frechette starts with telling the Zoning Board members that Jessiah never came and spoke to her about the slab. Slab needed to be within no closer than 15' of property line, her fence was destroyed, rocks in way. She shows pictures to the Zoning Board members.

Some discussion between parties, stopped by Ryan trying to keep order.

Jessiah explains that he did not realize he had to go to the Planning Board for a permit. Will move the rocks.

Roy Charlette remarks that it is only 6" out of the ground, no one will see it, can't see that it is hurting anything.

Kathy tells board members that the chicken wire fence was a good property line, more conversation between parties, again stopped by Ryan.

Ryan asks Jessiah how long the slab has been there, Jessiah replies 2 weeks.

Norm Cotter interjects that this is the second meeting with this type of situation. What is going to be done about it, rules need to be followed.

Ryan asks Jessiah if he can move the rocks. Jessiah says yes he can and maybe put up a fence.

Ryan comes out of Public Hearing back to Zoning.

Michael: we have zoning regulations, after the fact blanket approval negates zoning rules. I would vote no to grant the variance.

William agrees with Norm. This is not the first go around, agrees that if rules aren't followed why have zoning. If neighbors can be cordial and come to terms then he may grant, but, there are rules to follow and he has the mindset not to sign.

Ryan is trying to understand and is looking for the best interests of the town. It would make more tax money for the town, but he should have talked to the neighbor and granting a variance after the fact is not right.

Ryan asks Kathy if she wants him to jackhammer out the concrete.

Kathy says she does not want to feel like the bad guy. She is assured by board she is not. She agrees to no slab removal but want variances in writing.

Michael: if we grant with variances is it ok for Kathy? However, I still feel we should not grant.

Jessiah: trying to make home more attractive, did not understand the rules, thought if it was under \$5,000 no permit needed, do not want to be made an example of.

Discussion between Elaine, Michael and Ryan. Decision to charge fines is the Select Board's decision. What is the list of fines? \$100 violation of zoning, Selectmen to decide amount. Late building permit fee of \$250 may apply.

Kathy agrees there should be a fine and thinks a letter should go out to property owners to remind residents to follow zoning rules.

Elaine says we send a letter to new people to town giving them town office hours etc., and include information on zoning and building permits.

Michael makes motion to proceed to grant variance upon reconciliation amongst parties and the addition of 4 conditions.

1. Remove rocks
2. Allow trees/shrubs to be replaced
3. Fence restored.
4. Never a permanent structure on the slab.

A fine of \$250 will be recommended to the Select Board.

Bill seconds the motion. Says this is good that the neighbors figured it out and are getting along. All in favor, 4-0.

4. Any Other Business to Come before the Board

No more business to come before the Board so Ryan adjourns the meeting at 7:41pm.

Respectfully submitted,
Pam Kathan
Zoning Board Minute Taker

Zoning Board Signatures Date_____

X_____Ryan Shannon, Acting Chair Zoning Board

X_____Bill Caron, Zoning Board Member

X_____Michael Phillips, Zoning Board Member

X_____Jeffrey St. Cyr, Zoning Board Member