

**GILFORD ZONING BOARD OF ADJUSTMENT
MINUTES
DECEMBER 18, 2007
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Zoning Board of Adjustment met in special session on Tuesday, December 18, 2007 at 7:00 p.m. in Conference Room A.

Present were: Chairman Andrew Howe, Charles Boucher and Pat LaBonte.

Absent: Vice-Chairman Don Chesebrough and Robert Dion.

Also present were John Ayer, Director of Planning and Land Use and Stephanie Verdile Philibotte, Administrative Assistant.

Chairman Howe led the Pledge of Allegiance and introduced board members and staff.

A. Howe explained since there are only three sitting members the applicant has the choice to move forward with three members with the understanding there has to be an unanimous vote or reconvene in order to have the opportunity to have a full Board.

A. Howe introduced the first case.

1. **Robert Starace & Craig Bassingthwaighte**

Special exception request pursuant to Article 6, Section 6.13 of the Gilford Zoning Ordinance, to convert three (3) existing dwelling units into a condominium form of ownership on Tax Map & Lot #223-020.000. The property is located at 55 Dockham Shore Rd in the Single Family Residential Zone. File #Z07-21.

S. Smith asked since members C. Boucher and A. Howe are members of the Yacht Club that abuts the Robert Starace & Craig Bassingthwaighte property, if they should recuse themselves.

C. Boucher and A. Howe agreed they should not participate on the application and recused themselves.

J. Ayer suggested Town Counsel be contacted for an opinion on how to handle this situation and to see if the Board of Selectmen can appoint alternate members.

Discussion ensued about having enough Board members at the January meeting that would be able to sit on the application. A. Howe assured the applicants they would work to have a full Board at the next meeting.

Motion made by P. LaBonte, seconded by C. Boucher, to table the Robert Starace & Craig Bassingthwaighte application until the January 29, 2008 meeting. Motion carried with all in

favor.

A. Howe introduced the next case.

2. **Jerry R. Freeman II**

Special Exception request pursuant to Article 4, Section 4.7.6 (e) of the Gilford Zoning Ordinance to allow a transportation business as a home occupation on Tax Map & Lot #215-011.000. The property is located at 261 Weirs Rd in the Single Family Residential Zone. File # Z07-22.

Jerry Freeman, applicant, gave a brief presentation to the Board. He explained he has his own tractor-trailer that he would like to start off with just one tractor-trailer to be able to pursue an occupation as a truck driver. He explained his property is setup to allow him to drive onto the property without having to back out on to Route 11A because he has a gravel driveway and a gravel right-of-way to access the property. He said one abutter is already a commercial property and they are across the street from the King's Grant property. He clarified no permit is required from the NHDOT.

J. Ayer spoke about this application versus the application submitted for Farmer Drive and said the Farmer Drive application was in a more residential district and the truck was parked in front of the house.

C. Boucher asked about the abutter's opinion and J. Freeman said one abutter has no problem and Elizabeth Braman has not given an opinion.

J. Ayer referred to section 4.7.6 (e) of the ordinance for the Board to review.

A. Howe opened the hearing for public input. There being none he closed the public hearing.

J. Ayer spoke about the same section of the ordinance about vehicles being stored in plain view of abutting properties. J. Freeman said the truck will be in the back of the property and there is vegetative screening along the property boundaries.

J. Freeman said he plans to have one tractor-trailer and one semi truck. He said there would be no major maintenance of the truck or trailer performed on site.

A. Howe referred to the information J. Freeman submitted with the application explaining the description of the business and the site plan he submitted.

With no other questions from the Board, A. Howe introduced the next case.

Mary Curtis

Special Exception request pursuant to Article 4, Sections 4.6.5 & 4.7.6 (e) to allow the operation of a day care facility as a home occupation on Tax Map & Lot #226-095.000. The property is located at 21 Belknap Mountain Rd, in the Single Family Residential District and the Historic

Overlay District. File # Z07-23.

A. Howe read a letter from Mary Curtis who requested her application be tabled until the January 29, 2008 meeting.

Motion made by C. Boucher, seconded by P. LaBonte, to table Mary Curtis' application until January 29, 2008. Motion carried with all in favor.

With no other questions, A. Howe announced the Board would go into deliberations.

Board Deliberations

Jerry R. Freeman II

The Board discussed the application and the site plan.

Motion made by P. LaBonte, seconded by C. Boucher, to approve the application as having met all the special exception criteria 11.2 a-f and include the following condition(s):

- 1) To park/store one (1) semi truck and to park/store one (1) commercial trailer not to exceed 48' in length.
- 2) Maintain buffer of existing trees and add more evergreen trees to the buffer on both sides of the property.
- 3) No major maintenance of the vehicles or trailer is allowed on the property.
- 4) Use the existing 8' x 12' room as an office in the barn/garage.

S. Verdile polled the members.

P. LaBonte-Yes

C. Boucher-Yes

A. Howe-Yes

Motion carried with all in favor. The special exception **was granted.**

APPROVAL OF NOVEMBER 27, 2007 MINUTES

Motion made by C. Boucher, seconded by A. Howe, to approve the minutes from November 27, 2007 as presented. Motion carried with P. LaBonte.

ADJOURNMENT

Motion made by C. Boucher, seconded by P. LaBonte, to adjourn the December 18, 2007 Zoning Board of Adjustment meeting at 7:40 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant