

HILLSBOROUGH ZONING BOARD
November 26, 2012 Continued From November 19, 2012
Approved Meeting Minutes

SITE VISIT

At 4 Tasker Road, Hillsborough, NH

Present:

Members: Roger Racette, Chair; James Bailey, III; George Seymour, Robert Hill, Richard Booth

John P. Segedy, Recording Secretary;

Sharon Monahan, Site Succor Design LLC; Al Beaulieu, Suzy Beaulieu, Steven Jones, Excacation

CALL TO ORDER

The meeting was called to order at 4:04 pm by Roger Racette, Chairman.

John Segedy explained that the Hearing had been properly continued. He said that he was informed today (November 26, 2012) that a past practice by the former Planning Director and Secretary was to notice the meeting separately. John Segedy said he had spoken to the Local Government Center Attorney who had said he didn't think that there was a problem because they had properly continued the hearing, but that in the interest of thoroughness it would be a good practice to do the separate noticing in the future. He also suggested that although it was to late to provide 24 hours advance posting, posting of an emergency meeting could be done with the emergency being the short time period and the confusion regarding the law. John Segedy confirmed that had been done. He said the Attorney had also agreed that the applicant should be given the option to request further continuing the hearing and if so or on it's own initiative, the Board could do so.

Chair Racette asked the Beaulieu's if they wanted to continue the hearing to another date or proceed with the site walk.

Al and Suzy Beaulieu said they wanted to proceed.

2. CONTINUED PUBLIC HEARING - APPLICATION FOR VARIANCE - ZONING ORDINANCE SECTION 229-35, Table 3. Albert and Susan Beaulieu, 4 Tasker Rd. (Map No. 20, Lot No. 28), Zoning: Rural.

Richard Booth moved: *To reopen the Public Hearing.*

George Seymour seconded. Motion passed 5-0 at 4:11 pm.

Sharon Monahan provided a memo to the Board explaining the Beaulieu's position regarding the proposal and the conditions of the property affecting their proposal for a variance

Al Beaulieu showed the Board the site beginning with the 'back' line, the proposed septic field location, the septic tank location and the proposed building corners.

Sharon Monahan pointed out the corners of the proposed leach field and reminded the Board that additional area was needed around it to allow for filling the slope.

Al Beaulieu pointed out that the State required them to keep most of the trees.

Jim Bailey said he thought there was still 30 feet of room.

Sharon Monahan disagreed saying that space was the slope fill, the driveway, the septic tank and the setback from the house.

Jim Bailey said he thought they could still move it nine feet.

Sharon Monahan said she didn't see how. She said the State law allows and requires what they are proposing.

Al Beaulieu said he didn't understand what would be accomplished by moving it back even if it could be done. He said it would still need a variance.

Sharon Monahan said the reason there was a hardship was that the existing conditions of the property including the existing driveway which is partly on adjoining properties, the subsurface (septic) rules, and the Shoreland rules requiring the maintaining of vegetation.

Al Beaulieu showed the Board the line for the PSNH easement.

He said he also would cite the Board's precedent of allowing a similar variance for the Goss property.

Richard Booth moved: *To recess the meeting and hearing until 5:00 at the Town Hall.* Jim Bailey seconded. Motion passed 5-0 at 4:42 pm.

CONTINUED HEARING

At Town Hall, Hillsborough, NH

Present:

Members: Roger Racette, Chair; James Bailey, III; George Seymour, Robert Hill, Richard Booth

John P. Segedy, Recording Secretary; Kelly Dearborn-Luce

Sharon Monahan, Site Succor Design LLC; Al Beaulieu, Suzy Beaulieu, Barbara Hill, Dave Fullerton

CALL TO ORDER

The meeting was called back to order at 5:22 pm by Roger Racette, Chairman.

John Segedy explained that the Hearing had been properly continued. He said that he was informed today (November 26, 2012) that a past practice by the former Planning Director and Secretary was to notice the meeting separately. John Segedy said he had spoken to the Local Government Center Attorney who had said he didn't think that there was a problem because they had properly continued the hearing, but that in the interest of thoroughness it would be a good practice to do the separate noticing in the future. He also suggested that although it was too late to provide 24 hours advance posting, posting of an emergency meeting could be done with the emergency being the short time period and the confusion regarding the law. John Segedy confirmed that had been done. He said the Attorney had also agreed that the applicant should be given the option to request further continuing the hearing and if so or on its own initiative, the Board could do so.

Chair Racette asked the Beaulieu's if they wanted to continue the hearing to another date or proceed with the Hearing.

Al and Suzy Beaulieu said they wanted to proceed.

Richard Booth moved: *To reopen the Public Hearing.*

Bob Hill seconded. Motion passed 5-0 at 5:28 PM.

Sharon Monahan said she needed to leave at 5:30 and asked if the Board had any further questions for her.

Consensus was no.

Chair Racette asked if the Board had any further questions.
Consensus was no.

Chair Racette closed the Public Hearing at 5:32 pm.

Roger Racette reread the criteria as well as the applicant's written responses as he polled the members for their votes:

- A. 5-0
- B. 3-2 (Jim Bailey and George Seymour no).
- C. 5-0
- D. 5-0
- E-1. 4-1 (Jim Bailey no)

Bob Hill moved: *To grant the Variance as applied for.*
Richard Booth seconded. Motion passed 4-0-1 (Jim Bailey abstained).

ADJOURNMENT

George Seymour moved: *To adjourn.*
Richard Booth seconded. Motion passed 5-0 at 5:44 pm.

Respectfully Submitted:

John P. Segedy
Recording Secretary
Approved February 21, 2013