ZONING BOARD OF ADJUSTMENT
BELMONT, NH
Meeting Minutes of June 25, 2025
Belmont Mill & Zoom

Members Present: Chairman Peter Harris; Vice Chairman John Froumy; Liz Stewart; Dana Silcock and Mark Mastenbrook
Members Absent: Liz Stewart
Alternates Present: Susan Bouthiette, Thomas Ceniglio
Staff Present: Rod Cameron, LU Tech and Susan Austin, Land Use Assistant.
Zoom: Ronald Ouelette

6:00 Public Meeting
Chairman Harris opened the meeting at 6:00 pm and welcomed those in attendance and announced that as Chairman of the Belmont Zoning Board of Adjustment, this public body is authorized to meet using Zoom. He announced that any party experiencing any difficulty in accessing the meeting through Zoom at any point, should call 603-267-8300 x 101, and the meeting will be recessed until access can be restored for all parties.

Chairman Harris stated that Susan Bouthiette would be a voting member for this meeting.

Abutters Hearing - Susan Condodemetraky Revocable Trust: Request to amend an existing Special Exception approval of Article 5, Table 1 of the Zoning Ordinance (Table of Permitted Uses) to allow expansion of the existing contractor's yard to include towing of motor vehicles on a flatbed truck in the Rural Zone. Property is located at 194 Gilmanton Road, Tax Lot 241-019-000-000. ZBA Case # 10-25Z.

Chairman Harris stated that the funds for the third-party review were received on June 23rd. The third-party engineer will begin their review of the driveway proposal, so that being said, there is no report for this meeting.

MOTION: J. Froumy moved to continue the application of the Susan Condodemetraky Revocable Trust to amend an existing Special Exception approval of Article 5, Table 1 of the Zoning Ordinance (Table of Permitted Uses) to allow expansion of the existing contractor's yard to include towing of motor vehicles on a flatbed truck in the Rural Zone. Property is located at 194 Gilmanton Road, Tax Lot 241-019-000-000. ZBA Case # 10-25Z to the July 23, 2025 meeting of the Zoning Board of Adjustment.
Second: M. Mastenbrook
Vote**:** all in favor, motion carried

Request for a Rehearing – Revision Energy: Rehearing of an application to install a commercial solar farm on 6 acres of land within the lot. The applicant is requesting a Variance to Article 5 Table 1 (Zoning District Table of Permitted Uses). Property is located on Mile Hill Road, in the Rural and Residential Single-Family Zones, Tax Lot 205-037-000-000. ZBA Case # 09-25Z. ***This application has been withdrawn by the applicant**

MOTION: J. Froumy moved to deny this application without prejudice. In doing so, the previous granting of the variance is rescinded because the applicant elected to withdraw from introducing arguments at the rehearing. The applicant can reapply for a variance at anytime and with supporting information stating their argument for a variance.
Second: M. Mastenbrook
Vote: All in favor, motion carried. (5/0)

Abutters' Hearing – 74 Coons Point Road Realty Trust: Request for two Variances to the Zoning Ordinance to construct a single-family residence on a lot:

- RSA 674:41 on a lot without frontage. ZBA Case #11-25Z
- Articles 11.C & 15 on a lot without the required frontage. ZBA #12-25ZZ

Property is located on Coons Point Road in the Residential Single-Family Zone, Tax Lot 119-059-000-000.

Lynn Chaille was present to discuss her parent's application. She stated that her parents wanted to build a small one-story home on this lot.

Current Considerations:

Development of Regional Impact

Chairman Harris stated that in order to provide timely notice, provide opportunities for input and consider the interests of other municipalities the Board shall act to determine if the development has a potential regional impact as defined by RSA 36:55. Impacts may include, but are not limited to: Relative size or number of dwelling units as compared with existing stock; Proximity to the borders of a neighboring community; Transportation networks; Anticipated emissions such as light, noise, smoke, odors, or particles; Proximity to aquifers or surface waters which transcend municipal boundaries; Shared facilities such as schools and solid waste disposal facilities.

MOTION: P. Harris move that the proposal does not have a potential regional impact.
Second: M. Mastenbrook
Vote: All in favor, motion carried. (5/0)

Departmental Responses:

Fire: ..... No response.
Police: ..... No response.
Water/Sewer: ..... No response.
Public Works: ..... No response.
Town Administrator: ..... No response.
Code Enforcement Officer: ..... No response.
Assessing:…….No concerns.
Conservation Commission..... No response.
Land Use Technician: ..... No concerns.
Building Official:..... No response.

Staff Comments:

Please include in your motion to approve or deny, whether each of the five conditions is or is not met by this application.

At the time of submission of a building or driveway permit, a waiver of municipal liability shall be signed and recorded, fees paid by applicant.

J. Froumy stated that a denial of this application would constitute a taking.

MOTION: J. Froumy moved to grant a variance to RSA 674:41 to construct a single-family residence on a lot without frontage, based on the following criteria:

1. The variance will not be contrary to the public interest because: It doesn't conflict with the explicit or implicit purpose of the ordinance, and does not alter the essential character of the neighborhood, which is single family homes, as is this request. It doesn't threaten public health, safety or welfare or otherwise injure public rights.

2. The spirit of the ordinance is observed because: It doesn't conflict with the explicit or implicit purpose of the ordinance, and does not alter the essential character of the neighborhood, which is single family homes, as is this request. It doesn't threaten public health, safety or welfare or otherwise injure public rights.

3. Substantial justice will be done because: The benefit to the applicant is not outweighed by the harm to the general public or other individuals. Any loss to the to the applicant would not equal a similar gain to the public. Justice is done by granting this relief.

4. The variance would not diminish the value of surrounding properties because: The surrounding properties are all single-family residences; therefore, this will not diminish the property values.

5. Owing to special conditions of the property, that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because of the following:

   a) no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because: This lot cannot be used in strict conformance with the ordinance because this property is landlocked, and denying this relief would constitute a taking.

Additional conditions:

A. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
B. The applicant and owner are solely responsible to comply with the approved plan and conditions of approval. Contractors should be sufficiently warned regarding same.
C. Approval expires on 6/25/27 if use is not substantially acted on and if an extension is not granted. Approval also expires if use ceases for more than two years.
D. At the time of submission of a building or driveway permit, a waiver of municipal liability shall be signed and recorded, fees paid by applicant.

Second: M. Mastenbrook
Vote: All in favor, motion carried. (5/0)

MOTION: J. Froumy moved to grant a variance to Articles 11.C & 15 on to construct a single-family residence on a lot without the required frontage, based on the following criteria:

1. The variance will not be contrary to the public interest because: It doesn't conflict with the explicit or implicit purpose of the ordinance, and does not alter the essential character of the neighborhood, which is single family homes, as is this request. It doesn't threaten public health, safety or welfare or otherwise injure public rights.

2. The spirit of the ordinance is observed because: It doesn't conflict with the explicit or implicit purpose of the ordinance, and does not alter the essential character of the neighborhood, which is single family homes, as is this request. It doesn't threaten public health, safety or welfare or otherwise injure public rights.

3. Substantial justice will be done because: The benefit to the applicant is not outweighed by the harm to the general public or other individuals. Any loss to the to the applicant would not equal a similar gain to the public. Justice is done by granting this relief.

4. The variance would not diminish the value of surrounding properties because: The surrounding properties are all single-family residences; therefore, this will not diminish the property values.

5. Owing to special conditions of the property, that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because of the following:

   a) no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because: This lot cannot be used in strict conformance with the ordinance because this property is landlocked, and denying this relief would constitute a taking.

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B. Approval expires on 6/25/27 if use is not substantially acted on and if an extension is not granted. Approval also expires if use ceases for more than two years.
C. At the time of submission of a building or driveway permit, a waiver of municipal liability shall be signed and recorded, fees paid by applicant.

Second: M. Mastenbrook
Vote: All in favor, motion carried. (5/0)

Minutes of May 28, 2025

MOTION: M. Mastenbrook moved to approve the minutes of May 28, 2025.
Second: J. Froumy
Vote: All in favor, motion carried. (5/0)

ADJOURNMENT

MOTION: M. Mastenbrook moved to adjourn at 6:19 PM
D. Silcock seconded the motion.
Vote: All in favor, motion carried. (5/0)

Respectfully Submitted,

Susan M. Austin
Land Use Assistant