ZONING BOARD OF ADJUSTMENT
BELMONT, NH
Meeting Minutes of September 24, 2025
Belmont Mill & Zoom

Members Present: Chairman Peter Harris; Vice Chairman John Froumy; and Liz Stewart
Members Absent: Dana Silcock and Mark Mastenbrook
Alternates Present: Susan Bouthiette & Thomas Ceniglio
Staff Present: Karen Santoro, Town Planner
Zoom: None

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 both alternates would be seated as voting members.

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.

J. Froumy recused himself.

Attorney Ethan Wood was present for the applicant. He stated that his clients would prefer a full board, so they are requesting to continue this case until the October meeting.

MOTION: P. Harris moved that this application be continued until October 22, 2025.
Second: L. Stewart.
Vote: All in favor, motion carried. (4/0)

Abutter's Hearing – Sterling Messer Revocable Trust: Applicant is proposing to build a 24' x 32' addition with a porch closer (6.9') to the side setback than is allowed (10') and is requesting a variance to Article 5 Table 2 (Dimensional Requirements). Property is located at 153 Main Street, Tax Lot 122-004-000-000, in the Village Zone. ZBA Case #20-25Z

Sterling Messer was present to discuss his application. He stated that his proposed addition will be 6.9' from the side lot line. He stated that historically, the buildings that have been on the lot have been within the setbacks even closer than what he is proposing.

Chairman Harris opened the public hearing. There was no public comment for this application.

4/3/1978	Building permit – dental office
5/21/2008	Aquifer protection inspection
11/22/2017	Building permit – interior renovation (project abandoned?)
4/3/2023	Zoning verification letter
6/5/2023	Building permit – convert professional section of house to living quarters
4/11/2024	Building permit - Demolition/Removal (cape & barn)
12/22/2024	Building permit (shed)
6/2025	Building permit (addition); Denied -variance required

Current Considerations:
The application meets the criteria for granting a Variance

Is this a 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 moved that the proposal does not have a potential regional impact.
Second: T. Ceniglio
Vote: All in favor, motion carried. (5/0)

Departmental Responses:
Fire: .....No concerns.
Police: .....No response.
Water/Sewer:.....No response.
Public Works:.....No response.
Assessing:.....No concerns.
Town Administrator:.....No concerns.
Code Enforcement Officer/Building Official: .....No concerns.
Conservation Commission .....No concerns.
Land Use Technician: Article 11.A.3.a - A non-conforming structure may be expanded or enlarged only by special exception. However, if a variance is required, a Special Exception is not also required.

- The offset from the existing building to the east property line is not shown on the site plan. What is that distance?
- Why can't the applicant move the building footprint 0.6' west to meet the 7.5' offset.
- Note 8 Minimum structure setback requirements from side and rear property lines on a preexisting, nonconforming lot shall be reduced to one-half of the side or rear property line setback required for that Zone in Table 2.

Staff Comments:
Applicant is proposing to build a 24' x 32' addition and is requesting a variance to Article 5 Table 2 (Dimensional Requirements) of the Zoning Ordinance to place the addition approximately 6.9'' from the side setback where 10' is required. Property is located at 153 Main Street, Tax Lot 122-004-000-000, in the Village Zone. ZBA Case #20-25Z

MOTION: J. Froumy moved to grant a variance to Article 5 Table 2 (Dimensional Requirements) of the Zoning Ordinance to build a 24' x 32' addition approximately 6.9' from the side setback where 10' is required, based on the following criteria:

1. The variance will not be contrary to the public interest because: There is no reason to believe that the public interest would be injured, and while the Board has expressed concerns about the character of the neighborhood, the applicant has assured them that it will improve the esthetics of the neighborhood. The proposal doesn't threaten public health, safety or welfare, nor does it injure public rights.

2. The spirit of the ordinance is observed because: There is no reason to believe that the public interest would be injured, and while the Board has expressed concerns about the character of the neighborhood, the applicant has assured them that it will improve the esthetics of the neighborhood. The proposal doesn't threaten public health, safety or welfare, nor does it injure public rights.

3. Substantial justice will be done because: Denying this variance would certainly cause injury to the applicant and show no benefit to the public. Granting this will not injure the public at all.

4. The variance would not diminish the value of surrounding properties because: They have explored the esthetic qualities of this and would agree that the existing conditions are not improving the property values, and any changes to the appearance would improve the surrounding 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: There is a difficulty in moving the location of the addition because of the existing utilities and the associated expense involved with that.

   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:

      and

   b) the proposed use is a reasonable one because: There is a difficulty in moving the location of the addition because of the existing utilities and the associated expense involved with that.

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 9/24/27 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.

Second: L. Stewart
Vote: All in favor, motion carried. (5/0)

Abutter's Hearing Carolyn Buckley: Applicant is proposing to construct a new storage shed and is requesting a variance to Article 5, Table 2 (Dimensional Requirements) to place an 8'x12 shed closer (6') to the side lot line than is allowed (12.5'). Property is located at 198 Gardners Grove Road, Tax Lot 119-021-000-000, in the Residential Single Zone. ZBA Case # 22-25Z.

History:
4/22/2005 – Driveway permit
4/27/2005 – Variance granted– front setbacks
8/23/2005 – Building permit granted - new single-family home.
6/20/2013 – Floodplain determination.
1/28/2022 – Building permit granted - Interior renovations.
3/21/2022 - Building permit granted – Interior renovations.
5/23/2022 - Building permit granted – Porch.
5/26/2022 - Mechanical permit granted -New tank.
6/13/2022 – Mechanical permit granted – New tank and piping.
6/16/2023 – Electrical permit granted – replacing existing lamppost.
8/11/2023 – Violation
7/19/2024 – BP Denial
9/24/2025 – Variance application

Current Considerations:
The application meets the criteria for granting a variance.

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 moved that the proposal does not have a potential regional impact.

Second: T. Ceniglio
Vote: All in favor, motion carried. (5/0)

Departmental Responses:
Fire:.....No concerns.
Police: .....No response.
Water/Sewer:.....No response.
Public Works:.....No response.
Assessing:…….No concerns.
Town Administrator:.....No concerns.
Code Enforcement Officer/Building Official: .....No concerns.
Conservation Commission .....No concerns.
Land Use Technician: Based on the submitted site plan, it appears that the proposed 8'x12' shed can be placed 12.5' off the property line without interfering with the existing well or sitting in the middle of the lawn.

Staff Comments:
Applicant is proposing to construct a new storage shed and is requesting a variance to Article 5, Table 2 (Dimensional Requirements) to place an 8'x12 shed closer (6') to the side lot line than is allowed (12.5').

Shoreland Permit/PBN may be required.

Carolyn Buckley was present to discuss her application. She stated that she was seeking a variance to place a shed on her property, not unlike several of the surrounding homes in her area. She stated that they cannot meet the setback requirements because of the location of the well. If they were to place it out of the setback, the doors of the shed would open up onto the well. If the well had to be replaced for any reason, they would have to move the shed in order to do so.

L. Stewart asked if there was room to put the shed on the side of the driveway. C. Buckley stated that it wouldn't meet the setbacks on that side either.

T. Ceniglio inquired if this could be placed closer to the house. C. Buckley stated that they couldn't really get around it if they placed it closer to the house.

Chairman Harris opened the public hearing. There were no public comments.

Chairman Harris stated that there aren't any pictures of the property that would show the proposed location of the shed. He also felt that the site plan was difficult to read.

J. Froumy stated that he feels that they could meet the setbacks, as it's only 6 more feet. P. Harris stated that he agrees. C. Buckley stated that they have an open building permit for an addition, so that is another reason for their choice of the shed placement. J. Froumy stated that it would be helpful if the Board knew where they were planning this addition. C. Buckley provided a rough sketch of the proposed addition.

J. Froumy stated that the Board needs to decide if denying this would cause unnecessary hardship. He stated that the legal question is "can the hardship be overcome in a reasonable fashion?" They need to explore whether or not there is a reasonable way to have a shed on their property. They agree that having a shed is reasonable. If the hardship cannot be overcome reasonably, it meets the hardship criteria.

L. Stewart stated that the distance from the proposed shed to the well would help her determine if there is a hardship. That measurement is needed for the Board to make the hardship determination.

The Board determined that they would like to continue this until the next meeting in order to allow the applicant to provide the distance from the proposed shed location to the well, the location of the proposed addition, and the direction that the doors of the proposed shed will open and the relationship to the well.

MOTION: J. Froumy moved to continue ZBA Case # 22-25Z, until October 22, 2025, to allow the applicant to update her plans with the requested information.
Second: L. Stewart
Vote: All in favor, motion carried. (5/0)

Abutter's Hearing – Stephen Carlucci: Applicant is proposing to replace the existing second story deck and construct a new storage shed and is requesting the following:

- A variance to Article 4, Table 1 (Wetlands Ordinance) to replace the existing deck with a new 12' x 31' deck closer (20.4') to public waters than is allowed (50').
- A variance to Article 5, Table 2 (Dimensional Requirements) to replace an 8'x10' shed with a 12'x20' shed closer (3') to the side lot line than is allowed (12.5').

Property is located at 29 Sargent Lake Road, Tax Lot 238-013-000-000, in the Residential Single Zone. ZBA Cases 23-25Z and 24-25Z.

History:
9/26/1990 – Building Permit: Addition
5/15/1996 - Variance granted to allow a second-floor addition
5/22/1996 – Building Permit: Second floor addition
7/17/1996 – Special Exception granted to allow an in-law apartment
8/21/1996 – Special Exception granted to allow a deck closer to the high-water mark than allowed.
10/20/2017 – Generator permit issued.
11/18/2022 - Septic permit issued.
3/09/2023 – Electrical permit issued.
8/17/2023 – Mechanical permit issued – new propane tank.
10/03/2023 – Driveway permit issued.
9/24/2024 – Application submitted for two variances.

Current Considerations:
The application meets the criteria for granting a Variance.

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 moved that the proposal does not have a potential regional impact.
Second: T. Ceniglio
Vote: All in favor, motion carried. (5/0)

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

- The project is located in the residential - single family zone on a pre-existing, non-conforming parcel.
- It appears that there may be alternative locations available for placing the shed away from the property line.

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.

- A variance to Article 4, Table 1 (Wetlands Ordinance) to replace the existing deck with a new 12’ x 31’ deck closer (20.4’) to public waters than is allowed (50’).
- A variance to Article 5, Table 2 (Dimensional Requirements) to replace an 8’x10’ shed with a 12’x20’ shed closer (3’) to the side lot line than is allowed (12.5’).

Stephen Carlucci was present to discuss his application. He stated that they are requesting two variances, the first one is to replace the existing deck. He stated that they purchased this house a year and a half ago, and realized that the deck wasn’t in great shape, as well as it being very small. It also is causing leaking into the house. For those reasons they would like to build a bigger deck. He stated that they would also like to replace the existing shed with a larger shed, as the existing shed is old and falling apart.

Chairman Harris opened the public hearing.

Karen Gilbert (Center Lake Road) asked if an application for a shoreline permit was applied for in regards to the applicant cutting trees down in order to place the shed in that location. S. Carlucci stated that they have not yet decided if they will need to cut any trees down. K. Gilbert stated that there is a TREX water collection system on the market, and she was wondering if the applicant had looked into anything like

that. J. Froumy stated that they have already established that there wouldn't be an additional runoff that is different than what exists now.

K Santoro read a letter from an abutter into the record.

Dear Members of the Zoning Board,

I am writing to express my support for the variance requests submitted by Mr. Stephen Carlucci for his property at 29 Sargent Lake Road.

After reviewing the proposal, I believe the planned improvements—a new deck and replacement shed—are reasonable and in keeping with the character of the neighborhood. The proposed deck will replace an existing structure and provide safe, functional outdoor space for the owners, while the new shed represents a practical upgrade from the smaller structure currently on the lot.

Importantly, these changes do not appear to present negative impacts on neighboring properties, public access, or the overall environment of Sargent Lake. On the contrary, the updates will help maintain and enhance the property's value and appearance, which benefits the surrounding community as well.

I respectfully encourage the Board to approve these variance requests.

Thank you for your time and consideration.

Sincerely,
Cecille and Ralph Valliere
35 Sargent Lake Road
Belmont, NH 03220

Karen Gilbert (Center Lake Road) asked what side the shed doors would open to. S. Carlucci stated that they would be on the shore side.

J. Froumy asked that the applicant get the proper permits if he does end up cutting trees.

Chairman Harris closed the public hearing.

J. Froumy stated that the proposed shed would border a wooded area, that abuts the Sargent Lake dam. One of the implied purposes of an ordinance is that it doesn't interfere with other properties. The dam will not be affected.

MOTION: J. Froumy moved to grant a variance to Article 4, Table 1 (Wetlands Ordinance) to replace the existing deck with a new 12' x 31' deck closer (20.4') to public waters than is allowed (50'). Property is located at 29 Sargent Lake Road, Tax Lot 238-013-000-000, in the Residential Single Zone. ZBA Cases 23-25Z, as it meets the following criteria:

1. The variance will not be contrary to the public interest because: The proposed use does not conflict with the implied purpose of the ordinance, it doesn't alter the essential character of the

neighborhood, it doesn't threaten public health, safety or welfare and does not injure any public rights with the construction of this deck. The deck furthermore takes into consideration drainage issues and runoff.

2. The spirit of the ordinance is observed because: The proposed use does not conflict with the implied purpose of the ordinance, it doesn't alter the essential character of the neighborhood, it doesn't threaten public health, safety or welfare and does not injure any public rights with the construction of this deck. The deck furthermore takes into consideration drainage issues and runoff.

1. Substantial justice will be done because: The proposed use doesn't conflict with the explicit or implicit purpose of the ordinance and doesn't alter the essential character of the neighborhood and it does not threaten public health, safety or welfare, or otherwise injure public rights, because of this, it meets the standard of the variance criteria.

3. The variance would not diminish the value of surrounding properties because: This is a small project that has no esthetic impact on the neighborhood. There is no reason to believe it would diminish and of the values of surrounding property values.

4. 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: The provisions would be esthetics; it would be interfering with other properties views along the lake and/or runoff into the lake. This proposal will won't interfere with any of these.

and

    b) the proposed use is a reasonable one because: Decks are a reasonable request on a property such as this.

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 9/24/27 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.

Second: L. Stewart
Vote: All in favor, motion carried

MOTION: J. Froumy moved to grant a variance to A variance to Article 5, Table 2 (Dimensional Requirements) to replace an 8'x10' shed with a 12'x20'

shed closer (3') to the side lot line than is allowed (12.5'). Property is located at 29 Sargent Lake Road, Tax Lot 238-013-000-000, in the Residential Single Zone. ZBA Cases 23-25Z, as it meets the following criteria:

1. The variance will not be contrary to the public interest because: The proposed use does not conflict with the implied purpose of the ordinance, it doesn't alter the essential character of the neighborhood, it doesn't threaten public health, safety or welfare and does not injure any public rights with the construction of this deck. The deck furthermore takes into consideration drainage issues and runoff.

2. The spirit of the ordinance is observed because: The proposed use does not conflict with the implied purpose of the ordinance, it doesn't alter the essential character of the neighborhood, it doesn't threaten public health, safety or welfare and does not injure any public rights with the construction of this deck. The deck furthermore takes into consideration drainage issues and runoff.

2. Substantial justice will be done because: The proposed use doesn't conflict with the explicit or implicit purpose of the ordinance and doesn't alter the essential character of the neighborhood and it does not threaten public health, safety or welfare, or otherwise injure public rights, because of this, it meets the standard of the variance criteria.

3. The variance would not diminish the value of surrounding properties because: This is a small project that has no esthetic impact on the neighborhood. There is no reason to believe it would diminish and of the values of surrounding property values.

4. 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: The provisions would be esthetics; it would be interfering with other properties views along the lake and/or runoff into the lake. This proposal will won't interfere with any of these.

    and

    b) the proposed use is a reasonable one because: Decks are a reasonable request on a property such as this.

Additional conditions:

A. The applicant shall obtain any required local, state and federal permits.
B. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.

C. The applicant and owner are solely responsible to comply with the approved plan and conditions of approval. Contractors should be sufficiently warned regarding same.
D. Approval expires on 9/24/27 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

Second: L. Stewart
Vote: All in favor, motion carried. (5/0)

The Board recessed at 7:26 PM, and returned at 7:30PM.

Abutter's Hearing – Shawn and Tricia Beauchesne: Request for a variance approval extension from Article 5, Table 1 of the Zoning Ordinance to allow a veterinary clinic/boarding kennel (canine daycare & boarding) in existing residence and associated fenced in area. (Original date of approval was October 25, 2023) Property is located at 677 Union Road, Tax Lot 222-047-000-000; Residential Single Zone. ZBA Case 25-25Z

History:
5/03/1977 – Subdivision.
6/06/1977 – Septic
6/08/1982 – Building permit – Addition
2/05/2021 - Home Occupancy.
10/25/2023 – Variance granted – permitted uses.
4/24/2025 – Septic
6/23/2025 – Planning Board Site Plan Approval Application – Withdrawn.
9/24/2025 – ZBA request for approval extension.

Current Considerations:
The application meets the criteria for granting a variance.

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 moved that the proposal does not have a potential regional impact.
Second: J. Froumy
Vote: All in favor, motion carried. (5/0)

Departmental Responses:
Fire:.....No concerns.

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

Staff Comments:
Applicant is requesting a variance approval extension from Article 5, Table 1 of the Zoning Ordinance to allow a veterinary clinic/boarding kennel (canine daycare & boarding) in existing residence and associated fenced in area. (Original date of approval was October 25, 2023)

Zoning Ordinance Section 13:D
A variance shall expire if such use is not substantially acted upon within, or ceases for more than, two (2) years. For a use not substantially acted upon within two (2) years, a one-time, one-year extension may be granted upon application to the Zoning Board of Adjustment for good cause shown. Application for extension must be filed with the Land Use Office not later than thirty (30) days prior to the expiration of the original approval.

Application for extension was received more than 30 days prior to the expiration of the variance.

Shawn and Trish Beauchesne were present to discuss their application. T. Beauchesne stated that they need the extension to allow them to work on their site plan approval. They were in front of the Planning Board a few months prior and withdrew that application due to issues with their site plan, so they need more time to allow for the corrections to their site plan.

MOTION: T. Ceniglio moved to grant the request for a one-year extension of approval of a Variance to Article 5, Table 1 of the Zoning Ordinance to allow a veterinary clinic/boarding kennel (canine daycare & boarding) in existing residence and associated fenced in area, to allow the applicant time to get their site plan approval from the Planning Board. New date of expiration will be 10/25/2026

Second: L. Stewart
Vote: Motion carried. (4/1 J. Froumy voted no)

Minutes of August 27, 2025
MOTION: J. Froumy moved to approve the minutes of August 27, 2025.
Second: L. Stewart
Vote: All in favor, motion carried. (5/0)

Staff Report

K. Santoro stated that the Land Use office has been very busy. It's also Budget season, as well as Zoning Amendment season. The Board is currently working on the petitioned warrant article that was passed in March, as well as updating the definition of commercial solar versus residential solar.

ADJOURNMENT

MOTION: S. Bouthiette moved to adjourn at 7:45 PM
J. Froumy seconded the motion.
Vote: All in favor, motion carried. (5/0)

Respectfully Submitted,

Susan M. Austin
Land Use Assistant