ZONING BOARD OF ADJUSTMENT
BELMONT, NH

Meeting Minutes of October 22, 2025
Belmont Mill & Zoom

Members Present: Chairman Peter Harris; Vice Chairman John Froumy; Mark Mastenbrook
Members Absent: Liz Stewart and Dana Silcock
Alternates Present: Susan Bouthiette
Alternates Absent: Thomas Ceniglio
Staff Present: Karen Santoro, Town Planner; Susan Austin, Land Use Assistant
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 Susan Bouthiette would be seated as a voting member

Abutters Hearing - Susan Condodemetraky Revocable Trust: Continuation of a 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.

Ethan Wood was present with Stephan Condodemetraky and George Condodemetraky. E. Wood stated that they would like to continue this application until November when there will hopefully be a full board.

MOTION: M. Mastenbrook moved to continue Case 10-25Z until November 19, 2025.
Second: S. Bouthiette
Vote: All in favor, motion carried. (3/0)

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.

K. Santoro stated that the applicant is requesting to continue this case until November to allow her more time to get her updated site plan.

MOTION: M. Mastenbrook moved to continue Case 22-25Z until November 19, 2025.
Second: J. Froumy
Vote: All in favor, motion carried. (4/0)

Abutter's Hearing – The Lake Time Trust, Gerald Crump, Trustee: Applicant is proposing to remove and replace the existing 18' x 36'cottage and is requesting the following:

- A variance to Article 4, Table 1 (Wetlands Ordinance) to place the new cottage closer (22') to public waters than is allowed (50').
- A variance to Article 5, Table 2 (Dimensional Requirements) to place the new cottage closer (1.5') to the side lot line than is allowed (12.5').
- A variance to Article 5, Table 2 (Dimensional Requirements) to place the new cottage closer (3.5') to the front lot line than allowed (50').

Property is located at 11 Island Drive, Tax Lot 111-008-000-000, in the Residential Single Zone. ZBA Cases 26-25Z, 27-25Z, & 28-25Z.

William Butterfield, from Hillbilly Home Development, was present to speak for the applicant. He stated that they have demolished the existing cottage that was built in the 40's, and they would like to replace it in the same footprint. The lot is approximately .89 acres, so anything they propose would need Zoning Board relief.

History:
9/07/2020 – Wetlands PBN
9/30/2025 – Building Permit denial
10/07/2025 – Demo Permit

Chairman Harris opened the public hearing.

K. Santoro stated that they received a phone call from one of the abutters. George and Jeananne Bowersox, who live on 9 Island Drive, stated that they are okay with this proposal.

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

Property is in the Aquifer Protection Zone.

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: M. Mastenbrook.
Vote: All in favor, motion carried. (4/0)

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:

Applicant is proposing to remove the existing 18' x 36' cottage and replace it in the same footprint, and is requesting the following relief:

- A variance to Article 4, Table 1 (Wetlands Ordinance) to replace the existing home with a new 18' x 36' cottage in the same footprint that is closer (22') to public waters than is allowed (50').

- A variance to Article 5, Table 2 (Dimensional Requirements) to replace the existing home with a new 18' x 36' cottage in the same footprint that is closer (1.5') to the side lot line than is allowed (12.5').

- A variance to Article 5, Table 2 (Dimensional Requirements) to replace the existing home with a new 18' x 36' cottage in the same footprint that is closer (3.5') to the front lot line than is allowed (50').

MOTION: J. Froumy moved to grant a variance to Article 4, Table 1(Wetlands Ordinance) to replace the existing home with a new 18' x 36' cottage in the same footprint that is closer (22') to public waters than is allowed (50'), as it meets the following criteria:

Second: S. Bouthiette
Vote: All in favor, motion carried. (4/0)

1. The variance will not be contrary to the public interest because: It doesn't conflict with the implied or explicit purpose of the ordinance. It fits into it because there was a structure before in this exact same spot and is a similar structure. It doesn't threaten public safety, health, welfare or injure public rights.

2. The spirit of the ordinance is observed because: It doesn't conflict with the implied or explicit purpose of the ordinance. It fits into it because there was a structure before in this exact same spot and is a similar structure. It doesn't threaten public safety, health, welfare or injure public rights.

3. Substantial justice will be done because: Any loss to the applicant that is not outweighed by a gain to the general public is an injury to the applicant.

4. The variance would not diminish the value of surrounding properties because: This is presently a vacant lot, as the old building was removed. Surrounding property values would not be diminished by a new building, in fact they may be enhanced.

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: 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: Because the lot is so small, literal enforcement would be unfair to the applicant. The applicant is choosing to place the new structure in the same footprint of the old structure.

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 10/22/27 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: S. Bouthiette
Vote: All in favor, motion carried. (4/0)

MOTION: J. Froumy moved to grant a variance to Article 5, Table 2 (Dimensional Requirements) to replace the existing home with a new 18' x 36' cottage in the same footprint that is closer (1.5') to the side lot line than is allowed (12.5'). as it meets the following criteria:

1. The variance will not be contrary to the public interest because: It doesn't conflict with the implied or explicit purpose of the ordinance. It fits into it because there was a structure before in this exact same spot and is a similar structure. It doesn't threaten public safety, health, welfare or injure public rights.

2. The spirit of the ordinance is observed because: It doesn't conflict with the implied or explicit purpose of the ordinance. It fits into it because there was a structure before in this exact same spot and is a similar structure. It doesn't threaten public safety, health, welfare or injure public rights.

3. Substantial justice will be done because: Any loss to the applicant that is not outweighed by a gain to the general public is an injury to the applicant.

4. The variance would not diminish the value of surrounding properties because: This is presently a vacant lot, as the old building was removed. Surrounding property values would not be diminished by a new building, in fact they may be enhanced.

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: 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: Because the lot is so small, literal enforcement would be unfair to the applicant. The applicant is choosing to place the new structure in the same footprint of the old structure.

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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 10/22/27 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: J. Froumy
Vote: All in favor, motion carried. (4/0)

MOTION: J. Froumy moved to grant a variance to Article 5, Table 2 (Dimensional Requirements) to replace the existing home with a new 18’ x 36’ cottage in the same footprint that is closer (3.5’) to the front lot line than is allowed (50’), as it meets the following criteria:

1. The variance will not be contrary to the public interest because: It doesn’t conflict with the implied or explicit purpose of the ordinance. It fits into it because there was a structure before in this exact same spot and is a similar structure. It doesn’t threaten public safety, health, welfare or injure public rights.

2. The spirit of the ordinance is observed because: It doesn’t conflict with the implied or explicit purpose of the ordinance. It fits into it because there was a structure before in this exact same spot and is a similar structure. It doesn’t threaten public safety, health, welfare or injure public rights.

3. Substantial justice will be done because: Any loss to the applicant that is not outweighed by a gain to the general public is an injury to the applicant.

4. The variance would not diminish the value of surrounding properties because: This is presently a vacant lot, as the old building was removed. Surrounding property values would not be diminished by a new building, in fact they may be enhanced.

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: 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: Because the lot is so small, literal enforcement would be unfair to the applicant. The applicant is choosing to place the new structure in the same footprint of the old structure.

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 10/22/27 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: J. Froumy
Vote: All in favor, motion carried.

Abutter's Hearing – John Tremblay: Applicant is proposing to install a park model trailer with a deck, three season room, and shed and is requesting the following relief:

- A variance to Article 5, Table 2 (Dimensional Requirements) to place the park model trailer closer (29.5') to the front lot line than is allowed (50').
- A variance to Article 8.B.9.f.1 (Setbacks between sheds) to place the new shed closer (12.5') to an unrelated structure than allowed (20').

Property is located at 5 Berkshire Drive, Tax Lot 117-015-000-062, in the Residential Single Zone. ZBA Cases 29-25Z & 31-25Z.

John and Terry Tremblay were present to discuss their application. They stated that they are looking for relief to place a park model trailer, deck, shed and 3 season room.

History:
9/29/2025 – Building Permit Denial
10/22/2025 – Variance applications

Current Considerations

The application meets the criteria for granting a Variance.

Property is located in the aquifer protection zone

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: M. Mastenbrook moved that the proposal does not have a potential regional impact.
Second: S. Bouthiette
Vote: All in favor, motion carried (4/0)

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

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: ……...No concerns

Staff Comments:

Applicant is proposing to install a park model trailer with a deck, three season room, and shed and is requesting the following relief:

- A variance to Article 5, Table 2 (Dimensional Requirements) to place the park model trailer closer (29.5') to the front lot line than is allowed (50').
- A variance to Article 8.B.9.f.1 (Setbacks between sheds) to place the new shed closer (12.5') to an unrelated structure than allowed (20').

Property is located at 5 Berkshire Drive, Tax Lot 117-015-000-062, in the Residential Single Zone. ZBA Cases 29-25Z & 31-25Z.

MOTION: S. Bouthiette moved to grant a variance to Article 5, Table 2 (Dimensional Requirements) to place the park model trailer closer (29.5') to the front lot line than is allowed (50').

1. The variance will not be contrary to the public interest because: The proposed use will not conflict with the explicit or implicit use of the ordinance. The proposed use will not alter the character of the neighborhood or threaten public safety or welfare.

2. The spirit of the ordinance is observed because: The proposed use will not conflict with the explicit or implicit use of the ordinance. The proposed use will not alter the character of the neighborhood or threaten public safety or welfare.

3. Substantial justice will be done because: Any loss to the applicant will not be outweighed by a gain to the general public. This will allow the applicant to use the land as it's meant to be.

4. The variance would not diminish the value of surrounding properties because: It will not dimmish the surrounding property values, in fact, it may add value to the surrounding properties.

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: Not granting relief will prevent the applicant from using their property as it should be used.

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 10/22/27 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: J. Froumy
Vote: All in favor, motion carried. (4/0)

MOTION: S. Bouthiette moved to grant a variance to Article 8.B.9.f.1 (Setbacks between sheds) to place the new shed closer (12.5') to an unrelated structure than allowed (20').

1. The variance will not be contrary to the public interest because: The proposed use will not conflict with the explicit or implicit use of the ordinance. The proposed use will not alter the character of the neighborhood or threaten public safety or welfare.

2. The spirit of the ordinance is observed because: The proposed use will not conflict with the explicit or implicit use of the ordinance. The proposed use will not alter the character of the neighborhood or threaten public safety or welfare.

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Second: J. Froumy
Vote: All in favor, motion carried. (4/0)

Minutes of September 24, 2025

The Board chose to table the minutes of September 24, 2025 until the November meeting.

Staff Report

Meeting date update.

K. Santoro stated that the November and December meetings will be moved a week early because of the holidays. The November meeting will be on November 19, and the December meeting will be December 17.

ADJOURNMENT

MOTION: S. Bouthiette moved to adjourn at 6:50 PM
J. Froumy seconded the motion.
Vote: All in favor, motion carried. (4/0)

Respectfully Submitted,

Susan M. Austin
Land Use Assistant