ZONING BOARD OF ADJUSTMENT
BELMONT, NH
Meeting Minutes of November 18, 2026
Belmont Mill & Zoom

Members Present: Chairman Peter Harris; Vice Chairman Mark Mastenbrook; Dana Silcock; Susan Bouthiette; and Dennis Grimes
Members Absent: **none**
Staff Present: Karen Stuyniski, Town Planner

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. He also noted that there were only four Board members present, so if any applicants wanted to continue their cases until a meeting with a full Board, they were welcome to do so.

Abutter's Hearing - D&M Homes, LLC: Applicant is proposing to construct a single-family home and is requesting the following relief:

- A variance from Article 11.C (Non-conforming structures) The lot does not have the required road frontage to be conforming.
- A variance from 674:41 (Road Frontage) The lot does not front on a Class V or higher road.

Property is located on Durrell Mountain Road, Tax Lot 212-043-000-000, in the Rural Zone.
ZBA Case # 24-26Z

Current Considerations:
The application meets the criteria for granting variances

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

K. Stuyniski stated that at the last meeting, an abutter to this lot brought up questions about the location of the 20 foot right of way. The applicant has provided the members with a survey that confirms the location of the right of way.

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

Sean Dunne was present to discuss his application.

Departmental Responses:

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

Staff Comments:

Applicant is proposing to construct a single-family house on a lot with no frontage on a public road. Lot is accessed via a 20' ROW over lot 212-044-000-000

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

MOTION: S. Bouthiette moved to grant a variance from Article 11.C (Non-conforming structures) The lot does not have the required road frontage to be conforming. Property is located on Durrell Mountain Road, Tax Lot 212-043-000-000, in the Rural Zone.

1. The variance will not be contrary to the public interest because: It conforms to the neighborhood, and the access to the proposed homes is existing with an existing approved driveway.

2. The spirit of the ordinance is observed because: The purpose of the frontage requirement is to ensure a dwelling has suitable and reliable access. The right of way and existing driveway provide adequate access to the site.

3. Substantial justice will be done because: Granting the variance would allow a reasonable residential use of the lot.

4. The variance would not diminish the value of surrounding properties because: The use would conform to the neighborhood; the original subdivision plan designed the lot with this use in mind and the use would not have a detrimental impact on 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: Given the lot's grandfathered layout, requiring direct frontage

    and

    b. the proposed use is a reasonable one because: A single family home is customary in the neighborhood; it is modest in size and reasonable for this lot.

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 11/18/28 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: D. Silcock
Vote: All in favor, motion carried. (5/0)

MOTION: S. Bouthiette moved to grant a variance from 674:41 (Road Frontage) The lot does not front on a Class V or higher road. Property is located on Durrell Mountain Road, Tax Lot 212-043-000-000, in the Rural Zone. ZBA Case # 24-26Z

1. The variance will not be contrary to the public interest because: It conforms to the neighborhood, and the access to the proposed homes is existing with an existing approved driveway.

2. The spirit of the ordinance is observed because: The purpose of the frontage requirement is to ensure a dwelling has suitable and reliable access. The right of way and existing driveway provide adequate access to the site.

3. Substantial justice will be done because: Granting the variance would allow a reasonable residential use of the lot.

4. The variance would not diminish the value of surrounding properties because: The use would conform to the neighborhood; the original subdivision plan designed the lot with this use in mind and the use would not have a detrimental impact on 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: Given the lot's grandfathered layout, requiring direct frontage

   and

   b. the proposed use is a reasonable one because: A single family home is customary in the neighborhood; it is modest in size and reasonable for this lot.

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 11/18/28 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: D. Silcock
Vote: All in favor, motion carried (5/0)

Abutters Hearing – N&M Realty, LLC: Applicant is proposing to add a second floor addition to an existing single family residence and is requesting a Special Exception From Article 11:A.3.c (Non-conforming uses/structures) Property is located at 12 Nancy Drive, Tax Lot 107-085-000-000, in the Residential Single Zone. ZBA Case 26-26Z.

History:
10/1975 – Septic permit & plan
6/2014 – FEMA Letter of Map Amendment (Floodplain)
8/2016 – Mechanical permit (tank swap)
9/2022- Shoreland Permit
6/2023 – Building permit (denied – Variance required)
5/22/24 – Variance Granted (Setbacks)

Current Considerations:
The proposal is specifically authorized as a Special Exception by the ordinance.

Property is within the Aquifer Protection District.

Development of Regional Impact
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 (5/0)

Ronnie Ghannem was present to discuss his application. He stated that the existing home is a three-bedroom home, and the bedrooms are very small. They are proposing to remove one bedroom in order to fit a staircase that will lead to the upper floor master bedroom. They are removing one bedroom, and adding a master bedroom and a master bath. The upper floor addition will be 24' x 24' square feet.

Departmental Responses:
Fire: .....No concerns.
Police:.....No concerns.
Public Works/Water/Sewer: .....No concerns.
Town Administrator: .....No concerns.
Building/Code Enforcement Officer: .....No concerns.
Conservation Commission: ……..No concerns.
Assessing:.....No concerns.
Land Use Technician: ……See staff comments

Staff Comments:
Applicant is proposing to add a second-floor addition to an existing single-family residence; this is an expansion of a non-conforming structure and requires a Special Exception. Relief was granted for the existing single-family residence in May of 2024.

MOTION: M. Mastenbrook moved to grant a Special Exception from Article 11:A.3.c (Non-conforming uses/structures) Property is located at 12 Nancy Drive, Tax Lot 107-085-000-000, in the Residential Single Zone. ZBA Case 26-26Z.

1. The proposal is specifically authorized as a Special Exception by the ordinance. Yes
2. If applicable, the proposal satisfies applicable Special Exception criteria set forth in Ordinance Article 13.F. Not applicable.
3. The proposal is not incompatible to other uses in the area through the creation of noise, fumes, dust, odor, lighting, smoke or other impacts. The owner proposes no ground level extension, only adding a second floor.
4. The proposed location is of adequate size. The 576 square foot upper floor is contained within the existing building footprint.
5. The proposal does not create undue traffic congestion or unduly impair vehicular or pedestrian safety. The property will remain a single-family residence, with no new dwelling unit or commercial use.
6. The proposal does not overload any existing water, drainage, sewer or other system, nor will there be any significant increase in stormwater runoff onto adjacent property or street. The addition does not expand the ground level footprint or propose any additional paved area. The home is already serviced with Town water and sewer.
7. The proposal does not create excessive demand for municipal services and facilities. The project is only adding household living space rather than a separate dwelling or commercial activity. The home will stay residential.
8. The proposal does not create hazards to the health, safety or general welfare of the public. The construction of the upper floor will be subject to a building permit review and inspections. There will be no safety hazards created from this expansion.

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 11/18/28 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: D. Silcock
Vote: All in favor, motion carried (5/0)

Minutes of October 28, 2026
MOTION: M. Mastenbrook moved to approve the October 28, 2026 minutes.
Second: D. Silcock
Vote: All in favor, motion carried. (5/0)

Staff Report
K. Stuyniski stated that the Planning Board will have the first public hearing for the Zoning Ordinance changes on November 23, 2026. The changes they are proposing are in reference to the state law changing to allow residential use in the commercial and industrial zone. It doesn't allow much control by the municipality except that they can

limit it to the second floor or above, and keep the first-floor retail or commercial use. If there were some adaptive reuses, the applicant can go in front of the ZBA for relief to allow the first floor to be used as residential. The other proposed amendment is for short term lodging, which is basically to define it, and to keep it limited to the Residential Single, Multifamily, Rural and Village zones. Some of the thought behind that is with the new laws that are allowing multi family housing in Commercial and Residential zones, then they will end up with the equivalent of a hotel or motel. It limits it to the Residential zones, provides a definition and has some basic rules attached to it.

ADJOURNMENT

MOTION: S. Bouthiette moved to adjourn at 6:37 PM
Second: D. Silcock
Vote: All in favor, motion carried. (5/0)

Respectfully Submitted,

Susan M. Austin
Land Use Assistant