



TOWN OF SWANZEY

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SWANZEY ZONING BOARD OF ADJUSTMENT MEETING FEBRUARY 14, 2011

Minutes are not final until reviewed and approved by the Board. Review and approval of minutes generally takes place at the next regularly scheduled meeting of the Board.

ATTENDANCE

William Hutwelker, Chair; Bob Mitchell, Jerry Walker; alternate Charles Beauregard, Jr. Town Planner Sara Carbonneau also was present. Chairman Hutwelker called the meeting to order at 7:04.

MINUTES

Motion by Mitchell to approve the minutes of the December 20, 2010 meeting. Second by Walker. All in favor, with Beauregard, Jr. (who was not present at the December 20, 2010 meeting) abstaining.

1. (Public Hearing) Special Exception

Applicant: Pilgrim Pines/East Coast Conference of the Evangelical Church of America, Inc.

Property owner: Pilgrim Pines/East Coast Conference of the Evangelical Church of America, Inc.

Property location: Tax Map 46, Lot 6

Zoning District(s): Rural/Agricultural and Shoreland Protection District

Request: Special exception from Section XI.A.2. to permit the demolition of an existing building and construction of a new building on the same lot, approximately 80 feet to the west.

Members seated: Hutwelker, Mitchell, Walker. Beauregard, Jr. was seated for Thibault. Hitchcock stated that he had no objection to proceeding with review of the application by a four-member Board.

Representing the application: Rob Hitchcock, SVE Associates

Abutters present: Lynne & Peter Hoden, Jonathan Hoden
Hutwelker called the public hearing to order at 7:05.

DISCUSSION

Members received a February 8, 2011 application summary from Town Planner Carbonneau. Carbonneau stated that the existing tent platform slightly exceeds setbacks, and the proposed cabin would meet setbacks.

Representing the application, Hitchcock said that the application proposes to remove Tilly Cabin and a tent platform, and build a new 16' x 20' cabin with deck that would be situated close to the location of the tent platform but farther away from Swanzeey Lake. Hitchcock said that the combined footprint of Tilly Cabin and the tent platform is 607 sf, and the proposed cabin with deck would have a footprint of 320 sf. He said that the number of beds (3) would remain

unchanged. Hitchcock said that the non-conforming use triggers the requirement for a special exception.

Reviewing the criteria for granting a special exception, Hitchcock stated that the exception is allowed by the Ordinance; the use is similar, but will be located farther from the Lake; abutters (the Hodens) support the project; the project will not pose a greater hazard to vehicles or pedestrians than what currently exists; the proposed structure would have electrical service, but no running water or sewer service. L. Hoden stated that, in her family's thirty years of experience as neighbors of the campground, all improvements at Pilgrim Pines have been an aesthetic improvement.

~~Hearing no further comments or questions, Hutwelker closed the public hearing at 7:13. Mitchell said that, when reviewing proposals for development on Swanzey Lake, his focus always is on intensity of usage. Mitchell said that the current proposal would result in the same intensity of use with a reduction in impervious service, and also would meet the setback.~~

Motion at 7:14 by Beauregard, Jr. to re-open public hearing. Second by Mitchell. All in favor. Beauregard, Jr. asked Hitchcock whether hard-wired smoke detectors would be installed in the cabin, as required by State building code. Hitchcock said that hard-wired smoke detectors would be installed if required by State building code. Hutwelker closed the public hearing at 7:15.

Members reviewed the criteria for granting the requested special exception.

1. Is the exception allowed by the ordinance?

Members agreed in the affirmative.

2. Are specific conditions present under which the exception may be granted?

a. Is the proposed use similar to one or more of the uses already authorized in that District and is it an appropriate location for such use?

Citing Mitchell's summary of the reasons for his support of the proposal, members agreed in the affirmative.

b. Will such approval reduce the value of any property within the District, or otherwise be injurious, obnoxious or offensive to the neighborhood?

Members agreed that testimony indicates the proposal will improve the property, and agreed that they had received no testimony to suggest that the proposal would reduce the value of any property within the District.

c. Will there be a nuisance or serious hazard to vehicles or pedestrians?

Members agreed that there would be no nuisance or serious hazard to vehicles or pedestrians.

d. Will adequate and appropriate facilities be provided for the operation of the proposed use?

Members agreed that facilities would be adequate and appropriate.

Motion by Beauregard, Jr. to approve the special exception from Section XI.A.2. to permit the demolition of an existing building and construction of a new building on the same lot, approximately 80 feet to the west. Second by Mitchell. All in favor.

2. Other matters as may be required

Carbonneau alerted those present to the existence and brief details of five bills, currently pending in Legislature, that would affect Comprehensive Shorelands Protection District regulations.

ADJOURNMENT

Motion by Beauregard, Jr. to adjourn. Second by Mitchell. All in favor. The meeting adjourned at 7:19 p.m.

Respectfully submitted,

Victoria Barlow

Victoria Reck Barlow
Recording Secretary