

# **SANBORNTON ZONING BOARD OF ADJUSTMENT**

P.O. Box 124

Sanbornton, New Hampshire 03269-0124

## **MEETING MINUTES**

**January 27, 2009**

Members of the board met to review and vote on two requests for rehearing. Chairman Jim VanValkenburgh asked the Clerk, Ann E. Littlefield to take a roll call of members present. In addition to Jim VanValkenburgh and Ann Littlefield, Wayne Elliott and Don Bormes were present.

Jim VanValkenburgh reviewed that in order for a rehearing to be granted, the requesting party must show, in writing, that either a procedural error was made at the original hearing for the matter or provide new evidence that was not available at the time of the original hearing.

**Request for Rehearing – Received from Barry and Terry Hersh**

Re: Case #440 – Originally heard November 25, 2008

Original Public Notice - A request from Joseph Plonski for an Area Variance from Article 17, Section A(3) of the zoning ordinance. Applicant seeks permission to expand a seasonal guest camp with less than the required road frontage. The property is located on Broadview Drive in the Commercial, Shorefront, and Aquifer Districts (TM 18 Lot 70).

It was stated that since the original hearing, Mr. Plonski has received the state variance and a town-issued building permit (#2909) for the project. Don Bormes stated that his original opinion and vote against the requested variance was due to the fact that Mr. Plonski had not been issued a building permit from the town. Realizing this concern has since been satisfied, he felt that rehearing the case would be redundant; his earlier objections have been satisfied.

There was no new evidence provided that was not available at the time of the original hearing.

With no further discussion, Don Bormes made a motion to deny the request for rehearing. Wayne Elliott seconded the motion. A vote was taken and the motion passed unanimously. Voting was Don Bormes, Wayne Elliott, and Ann Littlefield.

**Request for Rehearing – Received from Robert A. Mykytiuk**

Re: Case #437 – Originally heard November 25, 2008

Original Public Notice – A request from Kim Foley and Chris Harkins to hear An Appeal From An Administrative Decision. Applicant is appealing the decision for removal of heavy equipment parked on the property. The property is located on Contentment Road in the Recreational District (TM 3 Lot 182).

Jim VanValkenburgh briefly reviewed the case, in summary. Stated was the fact that the Zoning Board overturned the administrative decision, thereby granting the applicants their request. Further, the Contentment Road is a private road for which the town has no jurisdiction. Any concern about lawful travel on the roadway is an issue between the residents, town, and/or police.

The November 22, 2008 letter, erroneously not read at the original hearing, from Mr. Mykytiuk was read aloud. It was felt the letter presented no new evidence not available at the original hearing.

It was determined that no procedural error had been committed at the original hearing.

With no further discussion, Wayne Elliott made a motion to deny the request for rehearing. Don Bormes seconded the motion. A vote was taken and the motion passed unanimously. Voting was Jim VanValkenburgh, Wayne Elliott, Don Bormes, and Ann Littlefield.

### **OTHER BUSINESS**

Meeting minutes of November 25, 2008 were reviewed. Don Bormes made a motion to approve the minutes as written. Wayne Elliott seconded the motion. By unanimous vote of Jim VanValkenburgh, Wayne Elliott, and Don Bormes, the motion passed.

The next scheduled public hearing date is Tuesday, February 24, 2009 at 7:15 p.m.

Respectfully submitted, Ann E. Littlefield, Clerk.

*These minutes are subject to the review and approval of the Zoning Board of Adjustment. Until such time as approval by vote is recorded, posted and/or website minutes are representational of the Public Hearing and are for informational purposes only.*