

**TOWN OF CAMPTON
ZONING BOARD OF ADJUSTMENT
MINUTES
APRIL 2, 2009
MEETING**

The Zoning Board of Adjustment met this date with Robert Barach, Chairman, Roger Blake, Sam Plaisted, Paula Kelly, Martha Aguiar, Alternate and James Palmer, Alternate.

Robert Barach opened the meeting at 7 PM.

First on the agenda, the minutes for the March 26, 2009 meeting. Roger Blake made a motion to approve the minutes for the March 26, 2009 meeting. Sam Plaisted seconded the motion. The Zoning Board of Adjustment voted in affirmative, unanimously.

Next on the agenda, Chris Hogan's application for a variance under Article IV, Section 8 of the Zoning Ordinance, to permit a garage apartment, in a residential zone. This meeting was continued from March 26, 2009. The Zoning Board had asked Chris Hogan to check on the covenants in his subdivision to see if he could subdivide. Chris Hogan said that he checked the covenants to see if he could subdivide and he cannot. He said that he had looked into raising the building or moving it and it didn't look like it was feasible. Paula Kelly wanted to know if he had thought anymore about attaching the two buildings. Paula said that in Holderness on Shepherd Hill Road they had attached two buildings. The regulations do not have specific criteria on how you attach the two buildings.

Roger Blake said that two dwelling units on a property are against the zoning ordinance. Robert Barach had asked May to call the Town Attorney to get an opinion. Walter Mitchell, Town Attorney, responded with an email, which was passed out to the Zoning Board for review. Attorney Mitchell discussed RSA 674:33, which basically allows the ZBA to grant a variance without having to satisfy the hardship standard, as long as the other 4 standards are met, and only when "reasonable" accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises. Chris Hogan said that his father has a 80% disability from the Veterans, and is working on the 100% disability. In this case the Zoning Board is authorized to limit the existence of the variance. Paula Kelly said that this could have been avoided if he had checked with the town before he built the apartment. This puts the Zoning Board in a bad position. The Zoning Board went over the five criteria and decided that the spirit of the ordinance was not to create a hardship in the care of his father.

Page 2

Sam Plaisted made a motion to grant the variance for Chris Hogan contingent upon:

- 1. A letter from the Veterans Administration stating the percentage of disability.**
- 2. The variance is limited to the father (Mr. Hogan).**
- 3. The apartment cannot be inhabited after the father moves out.**

Robert Barach seconded the motion. The Zoning Board of Adjustment voted in affirmative, unanimously. Paula Kelly suggested that Mr. Hogan work on the connection of the two units.

Next on the agenda, Martha Aguiar, an alternate, would like to be a voting member of the Zoning Board of Adjustment. The Zoning Board discussed that they have only four voting members and three Alternate members, and they need one more voting member of the Zoning Board. The Zoning Board all agreed that Martha Aguiar should be a voting member of the Zoning Board of Adjustment. Ann Marie will have the appointment drawn up for the Board of Selectmen to sign.

The Zoning Board adjourned at 7:45 PM.

Respectfully submitted,

**May Brosseau
Zoning Board of Adjustment, Clerk**

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