

Town of Campton  
Zoning Board of Adjustment Minutes

July 21<sup>st</sup> 2020

**Board Members Present:** Paula Kelly, Tim Scanlon, Dan Boynton, Ex-Officio, Martha Aguiar, Janet Lucas, Alternate, and Alicia LaDouceur, Alternate

**Attendees:** Sarah Dreshaj, Applicant, John Anderson, Applicant, Dana Borrowows, Sherry Borrowows, and Barbara Chase-Paula

The meeting was opened at 6:35 PM.

The first order of business was to approve the meeting minutes for May 19<sup>th</sup> 2020. There was one grammatical correction offered from Paula on the March meeting minutes. Martha made the motion to accept the minutes as amended, seconded by Dan. The Board voted unanimously in favor.

The next order of business was to appoint one of the alternate members as a temporary voting member for that meeting. Alicia was participating in person and Janet had called in via Zoom. The Board asked the alternates on their preferences to be a voting member. In that discussion it was determined that Janet's internet connection was causing a video lag and sporadic audio. The Board decided to appoint Alicia LaDoucer as a temporary member for this meeting, due to Janet's internet issues. The motion was made by Paula and seconded by Tim. The Board voted unanimously in favor.

The final item on the agenda is a setback variance appeal for the Dam Brewhouse. The Brewhouse was looking for a 16-foot variance for an addition that was built behind the tasting room. The owners, Sarah Dreshja and John Anderson, were both in attendance to argue their case for the variance. The Owners described the events from their perspective, which involved working with the State and Selectmen to get an outdoor liquor license. Dan Boynton gave a similar account of the applicant coming to the Select Board for a outdoor liquor license, but noted that the Board did not require or give permission for building during that meeting.

The applicant then went on to describe how they were worried about protecting patrons from the elements during the winter months and concluded they needed a building permit for their addition. They worked with the Code Enforcement Officer and the Clerk to fill out and complete the building permit process. The disagreement between the Town and the Applicants was over the building permit. The applicants called the Clerk after the building permit was approved for a nonpermanent structure and urged the Town to write permanent structure for insurance purposes. After consulting with the Code Enforcement Officer and Town Administrator they had agreed that indicating a permanent structure on the building permit for insurance purposes was fine. The Clerk indicated what the Applicant told him and added "roof over patio, permanent structure" on the approved building permit.

Dan Boynton suggested the Board get some feedback from the owner of the closest property via letter if possible. That abutter Barbra Chase-Paula was in attendance in that particular meeting.

The Board asked for her opinion on the structure and how it has affected her. She started by saying that she wished that this whole situation could have been avoided by checking this structure out first. The abutter did not want to see the applicant tear down the building, but mentioned that since the beer garden was put in that there was more noise and swearing than normal. Mrs. Chase-Paula also informed the Board that there have been incidences with patrons who have urinated in her backyard.

The Board generally discussed the previous site plan reviews and zoning board meeting with the applicants. Some on the Board thought that this addition should have been addressed during the site plan review on the property. Some discussion about the sequence of events and if a site plan review was done after they had seen the ZBA. The Applicants assured the Board that they had gone through site plan review.

The discussion was refocused on the actual application for a variance. The Applicants made the argument that the liquor licensing required that they had walls. The discussion turned to the difference in licensing and what requirements are mandated for each kind. The applicants also argued that a roof needed walls for structural integrity, but one of the members refuted that point. The member stated that post or other arrangements can be made to have a roof without using walls.

The Board asked for any additional feedback from the citizens in attendance. Mr. Dana Borrows was in attendance and spoke in favor of the addition. He spoke of its esthetic and the great addition it's been to the Dam Brewhouse. He also offered his take on the argument that it is a structure, arguing that it has no floor and really isn't a complete building.

The discussion finally went to the five criteria and what needed to be met in order to approve the variance. The Board was concerned with the criteria of contrary to the public interest. The Board referenced the concerns of the closest abutter as a reason to deny the application. There was also a discussion of the impact of the value of the property on the direct neighbor.

Martha made a motion to vote on the setback variance of 16 feet for the addition to the Brewhouse, seconded by Tim. The final vote was four denied the variance and one in favor of granting it. The variance for a 16-foot setback was denied by the ZBA.

There was no correspondence or privilege of the floor.

Motion to adjourn by Martha, seconded by Dan. Meeting was adjourned at 7:40 pm

Respectfully submitted,

Corey Davenport  
ZBA Clerk