

Town of Campton  
Zoning Board of Adjustment Minutes  
May 18, 2023

**Board Attendees:** Charlie Wheeler, Tim Scanlon; Planning Board Ex-Officio, Janet Lucas, Lee Williams, Alternate; Margaret Sweeney, Alternate; and Jade Hartsgrrove, Planning, Zoning, and Assessing Coordinator.

**Attendees:** Eric Constantino, Kevin & Cassandra Millar, Michael Carrier, and Derek Todd.

**Call to Order:** The ZBA opened the meeting at 6:33 pm.

**Approval of the Minutes:** Janet Lucas motioned to approve the minutes from April 14, 2023; Tim Scanlon seconded, and the Board voted all in favor.

**Public Hearing**

**Millar Equitable Waiver:** Kevin and Cassandra Millar wants to add a second story to their garage. When they redesigned their septic, they noticed their garage was built in the setback. Their garage was built in 1990, and they purchased the home in 2007. They are not looking to build more into the setback, just building up for a second story. Tim Scanlon asked why they applied for an equitable waiver instead of a variance. There was discussion around equitable waiver versus variance. The office staff recommended that the Millars get a waiver due to the structure being in the setback, and it follows the criteria. After a lengthy discussion, Tim Scanlon suggested continuing this to discuss the subject with the planning board. Tim Scanlon motioned to continue the public hearing until June 18<sup>th</sup>, Janet Lucas seconded the motion, and the Board voted all in favor.

**Legacy Construction Variance:** Eric Constantino is interested in purchasing a non-conforming lot off Ellsworth Hill Road and would like to build a house on the lot. Charlie Wheeler read the application out loud with the answers. After the Board read the application, Charlie explained that it would be difficult to approve because the lot is not grandfathered because there was never anything built on it. He said approving a variance of this magnitude seems like a stretch. Derek Todd, the lot owner, was in attendance and stated that pre-zoning, his grandfather created the lot with the intent of not having it built on and having a view. The Board thanked Derek for the clarification, and Charlie asked if anyone else had questions or comments. Being none, Tim Scanlon made a motion to deny the variance, Janet Lucas seconded, and the Board voted all in favor.

**Board Concerns and Directives**

**Non-conforming Lot:** Lee Williams asked how that lot was created if it was not buildable. The lot was created pre-zoning, and per NHMA, it would've been "grandfathered" if there was a structure already on the lot, but being none, the lot does not qualify. Also, the lot is in the forest conservation zone, meaning the lots need at least 3 acres to build on.

**Possible Zoning Amendment:** Tim Scanlon stated he might propose a zoning amendment to increase density in the commercial zone. Currently, the commercial zone does not allow mixed-

use, and there have been many inquiries to have a business and residence on the same property. In the overlay zone, this is allowed. The overall consensus was that they supported the amendment. Tim will bring it up to the Planning Board as well.

**Privilege of the Floor**

-None-

**Correspondence**

-None-

Charlie Wheeler adjourned the meeting at 7:16 pm.

Respectfully submitted,

Jade Hartsgrove  
Planning, Zoning, and Assessing Coordinator