

TOWN OF HOLDERNESS
Zoning Board of Adjustment
Meeting Minutes February 13, 2024

Members Present:

Bill Zurhellen, Vice Chair, Jude Ruhm, Alternate Robin Dorff, and Alternate Bryan Sweeney

Members Not Present: Bob Maloney, Chair, Eric McLeish, Kristen Fuller.

Staff Present: Lucinda M. Hannus, Land Use Assistant

Others Present: Attorney C. Boldt, Susan O'Connell and Chris Soloman

CALL TO ORDER:

The meeting was called to order at 6:15 P.M.

Vice Chair Zurhellen elevated Robin Dorff and Brian Sweeney to full member status for this meeting.

APPROVAL OF MINUTES:

Motion: "To approve the minutes of December 12, 2023 as submitted"

Motion: B. Sweeney

Second: J. Ruhm

Discussion: None

Motion Passes: 4-Yes 0-No

OLD BUSINESS: None

NEW APPLICATIONS: Case # Case # 487-01-08 Application submitted by Atty. Christopher Boldt as agent for Brian and Sarah O'Connell, to request a variance to demolish an existing ADU cottage and replace on the same footprint with a new two-story garage/home office in a location that needs a 30.8 foot variance from the southerly setback and a 5.1 foot variance from the ROW. Map-Lot 236-063-000 65 Kesumpe Point Road

V. Chair Zurhellen asked the applicant if they wanted to proceed with the hearing with the less than full board of members. Attorney Boldt as agent for the applicant responded in the affirmative.

Attorney Boldt agent for the O'Connell's introduced the project and explained that the property owners were requesting these variances in setbacks in order to raise the existing non-conforming grandfathered ADU and replace it with a two-story building housing a detached garage and home office. Attorney Boldt further stated that this proposed project is more in keeping with the neighborhood and will replace a ramshackle dwelling unit using the existing footprint. He further noted that the abutters had written letters of support for the project and asked that they be part of the record.

B. Zurhellen acknowledge receipt of the letters and confirmed that they were all written in support. He also asked if the applicant felt that a detached garage space should be considered living space. L. Hannus read the definition of living space from the town's zoning ordinance to the members. Attorney Boldt responded

that he would argue no, that it should not be considered living space. J. Ruhm stated that in the realty business she currently is employed in they do not consider detached garage space as living space.

B. Zurhellen stated it could be converted to living space in the future. Attorney Boldt would consider a condition of approval that it not be allowed to be converted to living space as this would increase the total non-conformance of the structure. The applicant is only here tonight for the conversion of the detached garage structure not for any additions or renovations of the main house as there is a question on the conversion of the covered porch to living space as shown on the plans presented with this application (Exhibit B) requiring an additional variance.

B. Sweeney asked how many bedrooms?

C. Boldt stated they are starting with three and will finish with three.

Attorney Boldt presented his narrative addressing the five criteria for a variance that was submitted with the application stating that all five have been appropriately addressed. The hardship criteria being that the existing lot has a very narrow building envelope, the existing functioning septic system restricts the area the accessory structure could be built and that they are removing a non-conforming ADU from the property and the proposed use as a detached garage and home office is reasonable and in keeping with the neighborhood. The shoreland permit is pending.

Being no further questions or discussion Vice Chair Zurhellen closed the Public Hearing.

No other concerns or questions from the members.

B. Sweeney made a motion that they “approve the variances requested conditioned on receipt of the necessary state NHDES shoreland permit(s), that there is no conversion of the detached garage space to living space now or in the future, and that if the laundry room or any other changes to existing structures are proposed that they are reviewed independently of this application.”

R. Dorff seconded the motion

All in favor 4 – Yes 0 – No

Other Business: V. Chair Zurhellen read a request from James and Susan DeGrace regarding their proposed plans to establish storage rental units on their property at 5 Ta Da Dump Road, Map/Lot 245-062-000. The board was in consensus that since it would be a multi-use facility that would require planning board site plan review that they should apply to the planning board first and then the ZBA would take it up as a special exception as it is located in the General Residential (GR) district.

Next meeting: March 12, 2024 at the Public Safety Building

ADJOURNMENT:

The chair asked for a motion to adjourn

Motion: B. Sweeney

Second: R. Dorff

Discussion: None

Motion Passes: 4-Yes 0-No

Meeting adjourned at 6:45 pm

Respectfully submitted,

Lucinda M. Hannus

Land Use Assistant