

**TOWN OF HOLDERNESS  
Zoning Board of Adjustment  
Meeting Minutes April 12, 2022**

**Members Present:**

Bob Maloney, Chairman  
Judith Ruhm, Member

Bill Zurhellen, Member  
Robin Dorff, Alternate

Kristen Fuller, Member

**Members Not Present:** Eric Macleish, Bryan Sweeney

**Staff Present:** Town Administrator, Michael Capone

**Others Present:** Dean Smith, Great Woods Septic Design

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

**Motion: "To approve the minutes of December 14, 2021 as written"**

Motion: B. Zurhellen

Second: K. Fuller

Discussion: None

Motion Passes: 5-Yes            0-No

New Applications: **Case 467-4-12:** Application submitted by Robert Eich-Great Woods Septic Design on behalf of Robert C. Lamb Jr. for property identified as Tax Map 235-023-000 located at 54 Howard Road in the General Residential District for a Variance from Section 400.8.2 to allow the location of a new septic system within the setback.

Mr. Maloney appointed alternate member, Robin Dorff as a voting member for this hearing.

Mr. Maloney inquired of the Town Administrator whether the application was complete and all notices and other notifications had been properly posted. The Town Administrator answered in the affirmative.

Dean Smith, a representative from Great Woods Septic Design, was present and reviewed the application with the Board. A new septic system was being installed on the property to replace the old system which would be insufficient to accommodate the planned expansion of the home. He noted that the applicant was seeking relieve from the minimum setback requirements for the leach field from proximity to wetlands and the septic tank from the side setback. The structures met the State setback, but not the Town setback. He mentioned that the firm had explored other options for placement of the system, but this was the best location

as it satisfied the most criteria for placement. This location will also keep the system outside of the well radius for the adjacent lot. Mr. Smith then took questions from the Board.

Mr. Maloney asked if this would be a pump system. Mr. Smith said that it would be.

Mr. Dorff asked if the relief sought from the side setback was 13 feet and not 7 feet as noted in the application. Mr. Smith replied it was 13 feet.

Mr. Zurhellen inquired about the position of the leach field in relation to abutting properties. Mr. Smith replied that there were no conflicts.

Mr. Maloney asked Mr. Smith to confirm that this was the best location for the system on the lot. Mr. Smith confirmed that it was.

Mr. Dorff asked if any abutters had commented on the application. The Town Administrator mentioned that one abutter had stopped in to the office and he reviewed the details of the plan with them.

There being no further questions from the Board, and no abutters present to comment, Mr. Maloney closed the public hearing at 6:32PM.

The Board then reviewed each of the five criteria required to obtain a variance.

1. The variance would not be contrary to the public interest. The Board voted 5-0 in support of that fact.
2. The spirit of the ordinance is observed. The Board voted 5-0 in support of this fact.
3. Substantial justice is done: The Board voted 5-0 in support of this fact.
4. The value of surrounding properties are not diminished. The Board voted 5-0 in support of this fact.
5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. The Board voted 5-0 in support of this fact.

**MOTION: “To approve the variance requested for Case 467-4-12:** Application submitted by Robert Eich-Great Woods Septic Design on behalf of Robert C. Lamb Jr. for property identified as Tax Map 235-023-000 located at 54 Howard Road in the General Residential District for a Variance from Section 400.8.2 to allow the location of a new septic system within the setback

Motion: R. Dorff  
Second: K. Fuller

Motion Passed: 5 – Yes 0 – No

**OTHER BUSINESS:** The Town Administrator distributed copies of the updated Zoning Ordinance and the latest edition of the Land Use Handbook to the members present.

He also mentioned that registration was still open for the State Land Use Planning and Zoning Conference. It is a remote conference and there is no charge to attend.

**MEETINGS:**

Next meeting: May 10, 2022 if necessary. Presently no applications have been received.

**ADJOURNMENT:**

At 6:40 P.M. the following motion was made:

**MOTION: “To adjourn.”**

Motion: B. Zurhellen

Second: R. Dorff

Discussion: None

Motion Passes: 5-Yes                      0-No

Respectfully submitted,

Michael R. Capone  
Town Administrator