

**ZONING BOARD OF ADJUSTMENT
NELSON TOWN OFFICE
NELSON, NH**

JUNE 19, 2013

Minutes

Board Members Present: Richard Popovic, Chairman, John Cucchi and Jason Walter. Michelle Lange was absent. Meeting called to order at 7:05 by Richard P.

Public in Attendance: Leslie & Sharon Castor, Frank Murdough, Charlie Lang, Dennis Dellegraca and Debbie Poanessa

Old Business: May 16, 2013 minutes were read, accepted and signed

New Business:

Hearing of ZBA case Z13-01 – Leslie & Sharon Castor

Clerk Report: Certified letters for the Castor hearing were sent to the three listed abutters. Meeting notices were posted on Town Boards; legal notices were in the Keene Sentinel June 16, 17 and 18 and the Shoppers News on June 19. The Castor's signed a Quorum Agreement since a full board was not present.

Rich P. summarized the Castor's request for the board. Leslie Castor then was asked to describe what he wants to do on his property. He is proposing to tear the old place down, make the cement floor wider and bring it out 2 feet on the edge, put in a new slab and install a new mobile home on the site. He also plans on finishing the barn across the street. He will be expanding the house footprint and the driveway. Some discussion followed. Jason W. asked about the location of the well. L. Castor pointed it out on the map. His property is not quite 2 acres and is a non-conforming lot. Charlie Lang, an abutter spoke in favor of this request. No abutter opposed. Rich P. asked about the length of road frontage. Leslie C. did not know. The public part of this hearing was then closed and the deliberation session began.

The board looked over the diagrams provided by Leslie Castor and discussed the particulars of article 10. Jason W. commented on how his plan was well thought out, the setbacks are met and he is expanding his footprint slightly. The board decided that the barn does not come into play in this case. The general consensus was that all of these improvements would greatly improve the property.

Rich P. proposed that a vote be taken on the five criteria:

- 1) Property value: Does granting this variance not diminish the value of surrounding properties? Vote was unanimous.
- 2) Public interest: Would granting the variance not be contrary to public interest? Vote was unanimous.
- 3) Unnecessary Hardship: By granting this variance would not be any unnecessary hardship. Vote was unanimous.
- 4) Substantial justice: By granting this variance would justice to private gain not outweigh public gain. Vote was unanimous.
- 5) Spirit of the ordinance: Would granting this variance not violate the ordinance's basic zoning objectives? Vote was unanimous.

Therefore, this appeal for a variance was granted. A Notice of Decision will be sent to the petitioners by the clerk and a copy provided to the Board of Selectmen.

Rich P. made a motion to adjourn at 7:35 pm. The motion was 2nd and unanimously accepted.

Next Meeting: No future meetings have been scheduled.

Respectfully submitted,

Julia Lennon
ZBA Clerk

Date signed: _____

Richard Popovic _____

John Cucchi _____

Jason Walter _____