

Town of Campton
Zoning Board of Adjustment Minutes
November 30, 2023

Board Attendees: Charlie Wheeler, Alicia Williams, Janet Lucas, Tim Scanlon, George Baranowsky, Margaret Sweeney, Lee Williams, and Jade Hartsgrove, Planning, Zoning, and Assessing Coordinator.

Attendees: Lisa & Scott DeMatteo, Chris Boldt, Donald Johnson, Skye Bartlett, Tim Scanlon via Zoom, and a high school student.

Call to Order: The ZBA opened the meeting at 6:30 p.m.

Approval of the Minutes: Alicia motioned to approve the minutes from November 9th. Charlie seconded, and the Board voted all in favor.

Public Hearing

The Board entered and started the public hearing at 6:32 p.m.

DeMatteo Administrative Appeal: Chris Boldt, Lisa & Scott DeMatteo's attorney, presented their case. He stated that the Planning Board got this decision wrong. Chris explained that the property in question has the same type of buffering as each other property along Southmayd. The applicants are asking the ZBA to find that the Planning Board's decision was an unlawful and unreasonable interpretation of the zoning ordinance. There was no concern about the uses or the site plan itself. After the ZBA heard what Chris had to say, Charlie explained that the zoning ordinance does say encouraged and not required, and it is their job to interpret what the ordinance says. Alicia asked if there were any abutters; Donald Johnson was there, and he used to own the property years ago when it was a gravel pit, and he has no problem with what Scott wishes to do with the property. Skye Bartlett was another abutter present and said that he thought it was ridiculous that it was denied and that it even had to go to the ZBA.

Chris said in closing, the ZBA must send the applicants back to the Planning Board with a direction that they meet the requirements of the zoning ordinance. If there is an additional set of notices, it should be at the town's expense, as they shouldn't have had to be there.

Tim Scanlon was on Zoom and stated he was asked to resign from the ZBA because he is also on the Planning Board. Tim said that he shouldn't have had to be here because it is not contrary to the zoning ordinance. Tim was speaking tonight as a private citizen but would like it on record that he is the one who motioned to approve the site plan on the Planning Board.

The public hearing ended at 6:46 pm.

Charlie Wheeler motioned to grant the administrative appeal. Then, he discussed that at the current time, he didn't have the exact wording that they would give the planning board, but the instruction would be that they should not deny the site plan because of the reason they did. The ZBA instructs the Planning Board to approve the site plan. Alicia Williams motioned, Janet Lucas seconded the motion, and the Board voted unanimously in favor.

The applicants thanked the Board for their time.

Privilege of the Floor

-None-

Correspondence

ZBA Resignation: Tim Scanlon was asked to step down from one of the Boards he serves on. The Town Attorney stated that it could be a conflict of interest and that he would like Tim to step down on one of the Boards. Tim decided to remain on the Planning Board, which leaves an open full-time position on the ZBA. The two alternates said they had discussed it between themselves, and Margaret Sweeney would like to take the full-time position. Lee motioned to appoint Margaret for the full-time position, Janet Lucas seconded, and the Board voted unanimously in favor.

Floating Parcels: Jade explained to the Board that a subdivision was approved in the 1980s, and there are “floating parcels,” but they don't have actual road frontage. Their deeds state that they have the right to build a driveway and a house. Jade is asking how the ZBA would like this handled, and there is an owner who wants to build. Alicia asked what came first, whether the frontage requirements or the subdivision. Tim asked if these owners should go to the planning board first. The typical process would be no, as the Planning Board is not really involved with the zoning compliance applications. Charlie asked if they would try to pull a ZCA, and then it would be denied, and at that point, they would need to go to the ZBA. The Board said they didn't feel comfortable with a blanket answer and that more research should be done. Jade will dive deeper into this and get back to the Board.

Board Concerns and Directives

Janet Lucas: Janet had asked if there was a conflict of interest in the same household where one individual serves on the PB and the ZBA. Jade said no, they are okay if they are in the same household. What the attorney was concerned about was a member serving on both boards.

Charlie Wheeler: Charlie asked the high school student what he thought and if he had any questions. The student stated that he thinks he was able to answer all the questions he had. Charlie had signed a slip in the beginning of the meeting for his class.

Janet Lucas motioned to adjourn the meeting, Alicia Williams seconded the motion, and the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Jade Hartsgrove
Planning, Zoning, and Assessing Coordinator