

Effingham Zoning Board of Adjustment
Meeting Minutes August 12, 2015

5 **Present:** Jim Pittman, Tim White, Mike Cahalane , Jory Augenti, Paul Bartoswicz,
Tom Hart (alternate), Len Espie (alternate)

Guests:

- Representing the Preservation Society: Carol Pfister, Sandra Lodico, Leo Racine, Jason Earle, Karen Payne.
- 10 • Representing the Historic District Commission: Paul Potter, Eric Potter, Elaine Cahalane.
- Abutter: Joan Blades
- Public: Sheila Jones

15 Minutes prepared by Barbara Thompson

The meeting was called to order at 7:05 pm.

20 Jim explained this is a joint hearing for the Historic District Commission and the ZBA and that the ZBA will conduct the meeting. It was decided the Historic District Commission should hear their case first at which point Jim ceded the floor to Paul Potter, Chair of the Historic District Commission (7:10pm).

8:00 pm

25 **Case #082**

Effingham Preservation Society

6 Town House Road

Map 204, Lot 51

Variance Application for relief from front setback per section 706.

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Jim conducted roll call for both the ZBA and Guests, went over the rules of procedure, and read the application.

35 Karen spoke for the Preservation Society explaining they wished to construct a handicap ramp to the main entrance and is seeking relief from the front setback as the building is very close to the road. The measurements of the ramp are such that they will meet the requirements of the American Disability Act (ADA).

Discussion:

40 Paul questioned just how close to the road the ramp will be. Karen explained the ramp will come out 6 feet from the building which will leave about 10' to the edge of the road. She also explained that the Society realizes that the ramp will be buried under plowed snow during the winter. Paul questioned if the snow plows will have enough room to make the turn onto Town House Rd. Karen responded the committee worked hard to
45 make as much room as possible to minimize any impact on plowing.

These minutes are considered draft until approved at a future regular meeting of the ZBA. Any changes or corrections will be noted in the next meeting minutes.

50 Joan Blades (abutter) opposed the design and would like to see a new design with the ramp running into an area that has a solid surface and handicap parking. In her opinion the ramp is too long.

55 Jory told Joan that the ZBA has been asked for a variance on what has been proposed (setback relief) and the board cannot get into design issues. Mike agreed and stated that surface types are not an issue for discussion.

Carol explained the reason the ramp is going out as far as it does is to meet the ADA requirements.

60 Jim closed public comment at 8:35pm.

Deliberation

Paul moved to take a straw poll to judge the mood of the board. Jory seconded. The motion passed.

- 65 Criteria 1 (not contrary to public interest) – all voted yes
Criteria 2 (not contrary to spirit of ordinance) – all voted yes
Criteria 3 (substantial justice is done) – all voted yes
Criteria 4 (values of surrounding properties not diminished) – all voted yes
Criteria 5 (hardship) – all voted yes

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Motion

Mike moved to have the straw poll stand as the decision of the board. Paul seconded. The motion passed with unanimous approval on all five criteria and the variance was granted.

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Jim closed the hearing at 8:40 pm.

Other Business:

80 Roger Lacasse (Province Shore Campground) left an application for variance. The board briefly reviewed the application and ear marked it for the September 2nd agenda for acceptance. Regarding the multiple and varied applications before the board concerning Province Shore Campground, the Town Attorney suggested a meeting with the board to discuss the procedural process. Jim will contact the attorney and offer a range of dates for a meeting.

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Adjournment: Paul moved and Tim seconded to adjourn the meeting. The motion passed and the meeting adjourned at 8:58 pm.