AGENDA
6:00 p.m.  Call to Order
Approval of minutes for April 15, 2013
Correspondence

1.) ZBA Case 13-05 Kevin Lacasse, Manager of Country Meadows Manufactured Home Community, LLC is seeking a variance to Article 14.4 Section 14.4.2 of the zoning ordinance to permit a subdivision of the house from the park property with more than the required 3 acres due to wetlands surrounding the property. The property is located at 311 School Street in the Rural Agricultural District. (Tax map R13 Lot 8)

Members Present: Bob Brown – Chairman, Joe Plessner – Vice Chairman, Kathy Yeo, Marina Sumner, and Arthur Demass.

Others Present: Ben Wadleigh, Dave Wadleigh, Kevin Lacasse, and Augusta Marsh.

Meeting: Chairman Brown called the meeting to order at 6:07 p.m. Chairman Brown began by introducing the Board to the people in attendance.

1. ZBA Case 13-05 Kevin Lacasse, Manager of Country Meadows Manufactured Home Community, LLC is seeking a variance to Article 14.4 Section 14.4.2 of the zoning ordinance to permit a subdivision of the house from the park property with more than the required 3 acres due to wetlands surrounding the property. The property is located at 311 School Street in the Rural Agricultural District. (Tax map R13 Lot 8)

Hearing no disqualifications from the Board members, Chairman Brown asked the applicant to begin the presentation.

Kevin Lacasse, Manager of the Country Meadows explained he had met with the Planning Board to discuss the subdivision and the lack of enough dry land required to meet the 3 acres minimum subdivision requirement in the Rural Agricultural District. The Planning Board stated the requirement is part of the Zoning Regulations and he would need to seek a variance from the ZBA. Mr. Lacasse continued by stating the plan when he purchased the mobile home park was to subdivide the house from the park property and put the proceeds of the sale into the parks infrastructure. Mr. Lacasse explained the surveyor Brain Crockett determined there was only 1.269 acres of dry land which includes all the existing structures. The field which appeared dry except around the pond was actually determined to be wetlands. Mr. Lacasse is proposing a subdivision of the house and outbuildings with a total of 7.259 acres of land, which is two times the amount of acreage required per the subdivision regulation.

Mr. Plessner stated the intent of the ordinance was to prevent subdivision of a piece of property into less than 3 acre parcels not to include wetlands. This proposed subdivision size would still allow the parcel to be worked agriculturally.

Chairman Brown hearing no further questions from the Board opened the discussion to the public.

Ben Wadleigh asked Mr. Lacasse who would be owning the seasonal stream which runs down between the barn and the swale? Mr. Lacasse stated the seasonal stream would go with subdivision of the farmhouse property.

Dave Wadleigh asked if this subdivision is allowed would it be allowed to be subdivided again. Mr. Lacasse stated this lot could not be further subdivided due to the wetlands. Chairman Brown agreed with Mr. Lacasse statement and that a condition could be put on the approval stating no further subdivision would
Chairman Brown reviewed the variance criteria as follows:

1.) Granting the variance would not be contrary to the public interest because: The farm house and outbuildings, as well as the mobile home park have been in existence for at least 40 years with no adverse effect.

2.) If the variance were granted, the spirit of the ordinance would be observed because: All improvements to the property all ready exist. We are simply separating the uses (mobile home park from the farm house lot).

3.) Granting the variance would do substantial justice because: The proceeds from the subdivision and sale of the farm house will be reinvested into the mobile home park. It will also ensure an owner/occupant in the farmhouse and add to the tax base.

4.) If the variance were granted, the values of the surrounding properties would not be diminished because: The values would actually be increased because the farm house will be a stand alone house which can be sold and taxed separately.

5.) Unnecessary hardship:
   A. Owning to a special condition of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:
      I. No fair and substantial relationship exist between the general public purposes of the ordinance provision and the specific application of that provision to the property because: All improvements already exist. The ordinance calls for 3 acre lots, however this lot will be 7.259 acres which is mostly field.
      II. The proposed use is a reasonable one because: It is of similar style and use of all surrounding properties along School Street also it would allow the multiple uses of the overall property to be split.

Hearing no further discussion Mr. Plessner made a motion to GRANT the requested variance to allow the creation of a 7.259 acre lot as depicted on the survey dated May 27, 2013 with the following conditions:
   • The single family residence on the lot shall always remain a single family residence.
   • No further subdivision of the lot itself.
   • No additional structures other than outbuildings shall to be created on the lot.

Motion was seconded by Ms. Yeo. Vote was taken and motion passed with 5 (five) affirmative votes.

Minutes:
Chairman Brown brought the meeting minutes of April 15, 2013 to the floor for review and approval.

Mr. Plessner made a motion to accept the April 15, 2013 meeting minutes as written. Motion was seconded by Ms. Sumner. Vote was taken, motion passed with 5 (five) affirmative votes.

Hearing no further discussion motion to adjourn the meeting.

Meeting adjourned at 6:45 p.m.

Minutes prepared by Augusta Marsh.

(These minutes are subject to the review and approval by the ZBA at the next scheduled meeting.)