

LYMAN ZONING BOARD of ADJUSTMENT MINUTES
December 16, 2020

Call to Order: Chairman Stephen Moscicki called the meeting to order at 6:00 pm.

Roll Call:

Members – Stephen Moscicki, Mark Draper, Patricia O'Brien, Michael O'Brien, Larry Schieman

Others: William & Brenda Minot

Meeting Minutes:

The minutes for the September 11, 2019 regular meeting were reviewed. P. O'Brien motioned to accept the minutes as written, 2nd by Schieman, all voted in favor.

The minutes for the April , 2020 regular meeting were reviewed. Moscicki motioned to accept the minutes as written, 2nd by Draper, all voted in favor.

Correspondence:

NH Town and City magazines for September/October 2020 & November/December 2020 were provided. P. O'Brien took both magazines and will review them for anything that might pertain to the ZBA.

Old Business:

The continued need for ZBA alternates was discussed briefly. This will remain on the agenda until this need has been met.

New Business:

Chairman Moscicki

Public Hearing:

Chairman Stephen Moscicki opened the public hearing at 6:15 pm to address the application for a variance received from William and Brenda Minot for a property located at Dodge Pond Rd, Map 216 Lot 028. The following people were present for the hearing:

Applicant: William and Brenda Minot

Abutter: None

The hearing was noticed in the Courier, on the Town of Lyman Website, and posted at the Lyman Town Hall. Abutters were noticed via certified mail.

The application for the following variance in the Lyman Zoning Ordinance: Article 7 Section 706 – Construction was read by Chairman Moscicki.

1. Chairman Moscicki asked if granting the variance WOULD or WOULD NOT be contrary to the public interest. Mr. Minot explained that expanding the first floor

footprint would not be possible due to the structures proximity to the water and road.

2. Chairman Moscicki asked if the spirit of the ordinance WOULD or WOULD NOT be observed. Chairman Moscicki stated that allowing the existing structure to be improved upon would be following the spirit of the ordinance.
3. Chairman Moscicki asked if granting the variance WOULD or WOULD NOT do substantial justice. Michael O'Brien stated that because this structure is already permitted improving its current state would be a benefit to both the applicants and neighboring properties and Patricia O'Brien agreed that improvements to a building that has been in existence since 1964 on the property would be doing substantial justice.
4. Chairman Moscicki asked if the values of the surrounding properties WOULD or WOULD NOT be diminished. The board agreed that improvements to the structure would be a benefit to surrounding properties.
5. Unnecessary Hardships:
 1. Chairman Moscicki asked if there IS or IS NOT a fair & substantial relationship between the general public purpose of the ordinance provision and the specific application of the provision to the property. Chairman Moscicki stated that the size of the lot did not lend itself to expansion of the existing structure.
 2. Chairman Moscicki asked if the proposed use IS or IS NOT a reasonable one. All the board members agreed that it was reasonable.

Chairman Moscicki asked if anyone had any questions or concerns. There were none. Chairman Moscicki closed the public hearing at 6:25 pm.

The board discussed the application further before making a decision. The Chairman asked if the board had any additional questions or concerns for the applicants. There were no questions or concerns. Chairman Moscicki motioned to accept the variance as he believed that all five criteria had been met, 2nd by P. O'Brien, all voted in favor. The application for variance was approved.

Next Regular Meeting Date: Scheduled as needed.

Adjourn:

Moscicki motioned to adjourn the meeting at 6:30 pm, 2nd by Draper, all voted in favor.

Approved Date: _____
