

**TOWN OF SUNAPEE  
ZONING BOARD OF ADJUSTMENT  
MINUTES  
DECEMBER 7, 2023, 6:30 p.m.  
SUNAPEE TOWN MEETING ROOM**

**Members present in the meeting room:** Jeff Claus, Jim Lyons, Michael Jewczyn, David Munn, Pierre Lessard, Chris Murphy, David Andrews

**Also present in the meeting room:** Michael Marquise, Town Planner; Allyson Traeger, Land Use and Assessing Coordinator

Chairman Claus called the meeting to order at 6:35 p.m.

**CONTINUED CASES**

**Case #VA 23-12, Parcel ID 0104-0057-0000** on behalf of Hugh & Sarah McCann of 46 Oak Ridge Road, located in a Residential District, requesting a **VARIANCE** from Article III, Section 3.10 to allow an increase of 48 square feet to replace the current 6' x 8' shed with an 8' x 12' shed within the 50-foot road setback. Reducing the 50-foot setback to 30 feet.

**DECISION:** Applicant has withdrawn the application.

**DISCUSSION:**

Ms. Traeger said the applicant has withdrawn the current application. They will resubmit a secondary application with two variance requests in January 2024.

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Chair Claus appointed David Andrews to sit in for Jamie Silverstein and Chris Murphy for David Munn.

**Case #VA 23-09, Parcel ID 0133-0087-0000** on behalf of Sunapee Harbor Riverway, Quack Shack, 72 Main Street, Village Commercial District, requesting a **VARIANCE** from Article III, Section 3.40(c) to allow a 9.5' x 9.5' panelized freezer to be placed within the 50-foot shoreline setback of Sugar River.

**DECISION:** Application continued to February 2024.

**DISCUSSION:**

Dave Hoffman, Sunapee Harbor Riverway board member, reported they have engaged Brett Allard to advise them, so have requested a continuance until the February 2024 meeting. After discussion, the Board agreed to approve the continuance.

**A motion was made and seconded to continue Case #VA 23-09, Parcel ID 0133-0087-0000 on behalf of Sunapee Harbor Riverway, Quack Shack, 72 Main Street, Village Commercial District, requesting a VARIANCE from Article III, Section 3.40(c) to allow a 9.5' x 9.5' panelized freezer to be placed within the**

## **SUNAPEE ZONING BOARD OF ADJUSTMENT – DECEMBER 7, 2023**

**50-foot shoreline setback of Sugar River to February 2024. A vote was taken, all were in favor. The motion carried unanimously.**

### **NEW CASES**

David Munn joined the board. Chair Claus appointed Chris Murphy and David Andrews as voting members.

**Case #VA 23-15, Parcel ID 0104-0022-0000** on behalf of Growth Cap Management , LLC, 27 Prospect Hill Road, Village Residential District, requesting a **VARIANCE** from Article III, Section 3.10 to reduce the 10,000 square foot requirement per dwelling unit to allow the addition of five dwelling units. Reducing the 10,000 square foot requirement to 6,075 square feet.

**DECISION:** The application was continued to January 2024.

### **DISCUSSION:**

Ms. Traeger reported she received an email that the applicant had a family emergency and would not be able to attend the meeting. She also noted the applicant has addressed some of the fire safety concerns and she shared an email from Chief Galloway and the state fire marshal regarding those concerns. She noted variances have been granted for this property previously.

Mr. Marquise said this property may not be as out of compliance, if the proposed zoning ordinance reducing the requirement from 10,000 square feet to 7,000 square feet is adopted. The Board discussed the preference in the ordinance to limit multi-family structures to three to five units per building.

The Board discussed a letter received from an abutter stating s/he was not properly notified. Ms. Traeger verified that the hearing was properly noticed and abutters notified per the RSA. She confirmed that the notification window was shortened due to the Thanksgiving holiday, but still met the requirements of the RSA.

**Chair Claus moved to continue Case #VA 23-15, Parcel ID 0104-0022-0000 on behalf of Growth Cap Management, LLC, 27 Prospect Hill Road, Village Residential District, requesting a VARIANCE from Article III, Section 3.10 to reduce the 10,000 square foot requirement per dwelling unit to allow the addition of five dwelling units. The motion was seconded. A vote was taken, all were in favor. The motion carried unanimously.**

### **REVIEW AND ACCEPTANCE OF MINUTES**

Ms. Traeger said she is not posting the draft versions of the minutes online, although they are available in the Town offices on request. They are posted, once the Board approves them. The Board discussed the format and the purpose of the minutes, and agreed to reinstitute signing the approved minutes.

### **September 7, 2023**

**Chair Claus moved to approve the minutes of the September 7, 2023, ZBA meeting as presented. The motion was seconded. A vote was taken, all were in favor. The motion carried unanimously.**

### **October 5, 2023**

**SUNAPEE ZONING BOARD OF ADJUSTMENT – DECEMBER 7, 2023**

Chair Claus moved to approve the minutes of the October 5, 2023, ZBA meeting as presented. The motion was seconded. A vote was taken, all were in favor. The motion carried unanimously.

**November 2, 2023**

Chair Claus moved to approve the minutes of the November 2, 2023, ZBA meeting as presented. The motion was seconded by David Munn. A vote was taken, all were in favor. The motion carried unanimously.

**ADJOURNMENT**

A motion was made and seconded to adjourn. A vote was taken, all were in favor. The motion carried unanimously.

Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Beth Hanggeli  
Recording Secretary

Jeff Claus, Chairman

Michael Jewczyn

David Andrews

Chris Murphy

Jamie Silverstein

Jim Lyons

David Munn

Pierre Lessard

