



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision

Request for Special Exception

Richard & Nancy K. Glaim Family Trust

Richard & Nancy K. Glaim, Trustees

December 8, 2022

Applicant: Richard & Nancy K. Glaim

24 Gansy Lane

Moultonborough, NH 03254-4424

Location: 24 Gansy Lane, Moultonborough, NH (Tax Map 130, Lot 64)

On December 7, 2022, the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of Richard & Nancy Glaim (hereinafter referred to as the "Applicant" and/or "Owner") to obtain a Special Exception to relocate the existing nonconforming footprint to a more nearly conforming location, as is provided for under newly adopted Zoning Article 7.5.5.5 on the parcel, Tax Map 130, Lot 64 that is located in the Residential Agricultural (R/A) Zoning District.

Based on the application, testimony given at the hearings, additional documentation and plan(s), the Board hereby makes the following findings of fact:

- 1) The property is located on 24 Gansy Lane, Moultonborough, NH (Tax Map 130 Lot 64).
- 2) The Richard & Nancy K. Glaim Family Trust is the owner of record for the lot.
- 3) Richard Glaim presented the application for the special exception.
- 4) The lot is in the Residential/Agricultural (R/A) Zoning District, and the residential use is a use allowed by right in the district.
- 5) The applicants are proposing to relocate the existing nonconforming footprint to a more nearly conforming location, for the construction of a new single-family dwelling unit.
- 6) In addition to subject Lot 64 the applicants also own Tax Map 130, Lot 52 which is located diagonally to Lot 64.
- 7) No members of the public spoke to the special exception request.
- 8) The specific site is an appropriate location for the use as it is located adjacent to other residential properties.

- 9) The use is compatible with the character of the neighborhood in the Residential Agricultural (R/A) Zone.
- 10) The property values in the district will not be negatively impacted by the use in the district.
- 11) There will be no nuisance or hazard to pedestrians or vehicles from any activity conducted on the site.
- 12) There will be no additional burden on Town infrastructure or services by the proposed single-family dwelling.
- 13) The proposed use complies with the minimum land space requirements contained in Article 3.2 and the Table in Article 3.2.1.3.
- 14) The capacity of existing roads to carry related traffic is sufficient to allow for the single-family use of the site, without requiring upgrading or repair of the roadway for the development's use.
- 15) The site is a waterfront parcel in which the lake may be accessed as a fire pond for fire protection facilities. The applicant stated that they have aqua-therms on their dock which will keep the lake open during winter months and accessible if needed for fire protection.
- 16) The application meets all the requirements for a Special Exception under Article 6.5.2.1 and Article 6.5.4.

On December 7, 2022, the Zoning Board of Adjustment voted by a vote of five (5) in favor (Stephens, St. Peter, DeMeo, Mills, Hopkins) and none (0) opposed to grant the request for Special for Richard & Nancy Glaim, Tax Map 130, Lot 64, 24 Gansy Lane, to relocate existing nonconforming footprint to a more nearly conforming location, as is provided for under newly adopted Zoning Article 7.5.5.5, with the following conditions: 1) Project shall obtain necessary state and local permits, to include approval of a town building permit, and all conditions of such permits shall be perpetually complied with, and all necessary inspections shall be successfully completed prior to use. 2) All representations made by the applicant and applicant's agent shall be incorporated as a condition of approval. 3) The applicant and owner are solely responsible to comply with conditions of approval. 4) Per RSA 673:33, approval expires on 12/7/2024 if use is not substantially acted on., and further to close the Public Hearing. They moved to direct Staff to draft a formal Notice of Decision for review and approval for signing at the next meeting.

The Board of Adjustment, on December 21, 2022, approved this formal Notice of Decision language and authorized the Vice-Chairman to sign the Notice of Decision and send to the applicant and place same in the case file by a vote of three (3) in favor (St. Peter, DeMeo, Mills) and one (1) abstention (Poloian).

The decision made on December 7, 2022, granting the special exception, shall not take effect until thirty (30) days have elapsed and no request for rehearing has been filed in accordance with RSA 677:2, or that if such request has been filed, it has been dismissed or denied, in accordance with RSA 677:3.



Robert St. Peter
Vice- Chairman, Zoning Board of Adjustment

cc. Scott Dvorak – Building Inspector (by email only at sdvorak@moultonboroughnh.gov)
Map Lot Document File