



ZONING BOARD OF ADJUSTMENT

BELMONT, NH

Meeting Minutes of July 22, 2026

Belmont Mill & Zoom

Members Present: Vice Chairman Mark Mastenbrook; Dana Silcock; Susan Bouthiette; and Dennis Grimes
Members Absent: Chairman Peter Harris
Staff Present: Karen Santoro, Town Planner

6:00 Public Meeting

Vice Chairman Mastenbrook opened the meeting at 6:00 pm and welcomed those in attendance and announced that as Vice Chairman of the Belmont Zoning Board of Adjustment, this public body is authorized to meet using Zoom. He announced that any party experiencing any difficulty in accessing the meeting through Zoom at any point, should call 603-267-8300 x 101, and the meeting will be recessed until access can be restored for all parties. He also noted that there were only four Board members present, so if any applicants wanted to continue their cases until a meeting with a full Board, they were welcome to do so.

Abutter's Hearing - Jeffrey and Heather Deardorff: Applicant is proposing to build a porch and front entry and is requesting the following relief:

- A Variance from Article 5, Table 2, to build a porch closer (42.9') to front setback than is allowed (50').
- A Variance from Article 5, Table 2, to build a front entry porch closer (12.5') to the front setback that is allowed (50').
- A Variance from Article 5, Table 2, to build a front entry porch closer (6.5') to the side setback that is allowed (12.5').

Property is located at 6 Rodin Road, Tax Lot 111-055-000-000, in the Residential Single Zone. ZBA Case # 15-26Z.

Jeffery Deardorff was present to discuss his application. He stated that in 2021 they were granted variances to build a garage and addition. He stated that the project became too expensive, so they changed their plans to add a covered porch and a paved parking area instead.

Current Considerations:

The application meets the criteria for granting a Variance.

Development of Regional Impact

Vice Chairman Masterson stated that in order to provide timely notice, provide opportunities for input and consider the interests of other municipalities the Board shall act to determine if the development has a potential regional impact as defined by RSA 36:55. Impacts may include, but are not limited to: Relative size or number of dwelling units as compared with existing stock; Proximity to the borders of a neighboring community; Transportation networks; Anticipated emissions such as light, noise, smoke, odors, or particles; Proximity to aquifers or surface waters which transcend municipal boundaries; Shared facilities such as schools and solid waste disposal facilities.

MOTION: D. Silcock moved that the proposal does not have a potential regional impact.

Second: D. Grimes

Vote: All in favor, motion carried. 4/0

Staff Comments:

Applicant is proposing to build a porch and front entry and is requesting the following relief:

- A Variance from Article 5, Table 2, to build a porch closer (42.9') to front setback than is allowed (50').
- A Variance from Article 5, Table 2, to build a front entry porch closer (12.5') to the front setback that is allowed (50').
- A Variance from Article 5, Table 2, to build a front entry porch closer (6.5') to the side setback that is allowed (12.5').

MOTION: S. Bouthiette moved to grant a variance from Article 5, Table 2, to build a porch closer (42.9') to front setback than is allowed (50'), based on the following criteria:

1. The variance will not be contrary to the public interest because: The property is currently developed with an existing single-family home. The existing home is currently located in the front setback as are most homes along Rodin Road. The proposed covered porch areas but will not be closer to Rodin Road than the existing house. The improvement is consistent with the neighborhood and is similar to improvements made to neighboring properties.
2. The spirit of the ordinance is observed because: the location of the existing home prevents any sort of addition from the side being added and not encroach on the front setback.
3. Substantial justice will be done because: The applicant will be able to make improvements to the existing house and property. Adding covered porch areas improves the safety and comfort of the occupants with their daily use of the property. The improvements to both the interior of the house and the exterior property could not be achieved without relief from the setback from Rodin Road.
4. The variance would not diminish the value of surrounding properties because: The proposed improvements will increase the value of the existing home. Property values of the surrounding houses should only be enhanced by the proposed improvements.
5. Owing to special conditions of the property, that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because of the following: The fact that the existing home is located well within the front setback already made it unique in that no improvements can be made without relief for the front setback.
 - a) no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because: The setback requirement in the ordinance is set up to provide an adequate distance from roadways to building and accessory structures for both function of the roadways and the aesthetics of the community. The zoning for this lot includes a wide range of lot sizes where large lots can easily accommodate the setback requirements. This lot is one of the smallest in the zone where strictly applying the setback would create an unnecessary hardship. An adequate distance can be achieved from the roadway to the structures n the subject lot to make the improvements work well and not interfere with the travel way or the aesthetics. Other homes along Rodin Road are located at similar distances to the roadway, so this proposal is consistent with the existing neighborhood. of the neighborhood.

and

- b) the proposed use is a reasonable one because: The existing house will be substantially improved with the addition of the cover porches. This is a normal improvement to older lakefront properties and are consistent in size and location to other homes within the neighborhood.

Additional conditions:

- A. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
- B. The applicant and owner are solely responsible to comply with the approved plan and conditions of approval. Contractors should be sufficiently warned regarding same.
- C. Approval expires on 6/24/2028 if use is not substantially acted on and if an extension is not granted. Approval also expires if use ceases for more than two years.

Second: D. Silcock

Vote: All in favor, motion varied. (5/0)

MOTION: S. Bouthiette moved to grant a variance from Article 5, Table 2, to build a front entry porch closer (12.5') to the front setback that is allowed (50'). based on the following criteria:

1. The variance will not be contrary to the public interest because: The property is currently developed with an existing single-family home. The existing home is currently located in the front setback as are most homes along Rodin Road. The proposed covered porch areas but will not be closer to Rodin Road than the existing house. The improvement is consistent with the neighborhood and is similar to improvements made to neighboring properties.
2. The spirit of the ordinance is observed because: the location of the existing home prevents any sort of addition from the side being added and not encroach on the front setback.
3. Substantial justice will be done because: The applicant will be able to make improvements to the existing house and property. Adding covered porch areas improves the safety and comfort of the occupants with their daily use of the property. The improvements to both the interior of the house and the exterior property could not be achieved without relief from the setback from Rodin Road.
4. The variance would not diminish the value of surrounding properties because: The proposed improvements will increase the value of the existing home. Property values of the surrounding houses should only be enhanced by the proposed improvements.
5. Owing to special conditions of the property, that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because of the following: The fact that the existing home is located well within the front setback already made it unique in that no improvements can be made without relief for the front setback.
 - a) no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because: The setback requirement in the ordinance is set up to provide an adequate distance from roadways to building and accessory structures for both function of the roadways and the aesthetics of the community. The zoning for this lot includes a wide range of lot sizes where large lots can easily accommodate the setback requirements. This lot is one of the smallest in the zone where strictly applying the setback would create an unnecessary hardship. An adequate distance can be achieved from the roadway to the structures n the subject lot to

make the improvements work well and not interfere with the travel way or the aesthetics. Other homes along Rodin Road are located at similar distances to the roadway, so this proposal is consistent with the existing neighborhood. of the neighborhood.

and

- b) the proposed use is a reasonable one because: The existing house will be substantially improved with the addition of the cover porches. This is a normal improvement to older lakefront properties and are consistent in size and location to other homes within the neighborhood.

Additional conditions:

- A. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
- B. The applicant and owner are solely responsible to comply with the approved plan and conditions of approval. Contractors should be sufficiently warned regarding same.
- C. Approval expires on 6/24/2028 if use is not substantially acted on and if an extension is not granted. Approval also expires if use ceases for more than two years.

Second: D. Silcock

Vote: All in favor, motion varied. (5/0)

MOTION: S. Bouthiette moved to A Variance from Article 5, Table 2, to build a front entry porch closer (6.5') to the side setback that is allowed (12.5') based on the following criteria:

1. The variance will not be contrary to the public interest because: The property is currently developed with an existing single-family home. The existing home is currently located in the front setback as are most homes along Rodin Road. The proposed covered porch areas but will not be closer to Rodin Road than the existing house. The improvement is consistent with the neighborhood and is similar to improvements made to neighboring properties.
2. The spirit of the ordinance is observed because: the location of the existing home prevents any sort of addition from the side being added and not encroach on the front setback.
3. Substantial justice will be done because: The applicant will be able to make improvements to the existing house and property. Adding covered porch areas improves the safety and comfort of the occupants with their daily use of the property. The improvements to both the interior of the house and the exterior property could not be achieved without relief from the setback from Rodin Road.
4. The variance would not diminish the value of surrounding properties because: The proposed improvements will increase the value of the existing home. Property values of the surrounding houses should only be enhanced by the proposed improvements.
5. Owing to special conditions of the property, that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because of the following: The fact that the existing home is located well within the front setback already made it unique in that no improvements can be made without relief for the front setback.

- a) no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because: The setback requirement in the ordinance is set up to provide an adequate distance from roadways to building and accessory structures for both function of the roadways and the aesthetics of the community. The zoning for this lot includes a wide range of lot sizes where large lots can easily accommodate the setback requirements. This lot is one of the smallest in the zone where strictly applying the setback would create an unnecessary hardship. An adequate distance can be achieved from the roadway to the structures on the subject lot to make the improvements work well and not interfere with the travel way or the aesthetics. Other homes along Rodin Road are located at similar distances to the roadway, so this proposal is consistent with the existing neighborhood. of the neighborhood.

and

- b) the proposed use is a reasonable one because: The existing house will be substantially improved with the addition of the cover porches. This is a normal improvement to older lakefront properties and are consistent in size and location to other homes within the neighborhood.

Additional conditions:

- A. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
- B. The applicant and owner are solely responsible to comply with the approved plan and conditions of approval. Contractors should be sufficiently warned regarding same.
- C. Approval expires on 6/24/2028 if use is not substantially acted on and if an extension is not granted. Approval also expires if use ceases for more than two years.

Second: D. Silcock

Vote: All in favor, motion varied. (5/0)

Abutter's Hearing – John and Cynthia Cushman: Applicant is proposing to replace an existing travel trailer with a park model and is requesting the following relief:

- A Variance from Article 5, Table 2 to place a park model camper closer to the rear setback (5') than is allowed. (25')
- A Variance from Article 8.1.B to place a park model camper closer (7.8') to an unrelated structure than is allowed (15')

Property is located at 3 Sparrow Drive, Tax Lot 117-015-000-111, in the Residential Single Zone. ZBA Case # 18-26Z.

Jessica Bailey was present to discuss this application. She stated that the applicant is seeking relief to replace an existing fifth wheel travel trailer with a 31' x 12.8' park model. She stated that the applicant has already obtained their shoreland permit from NHDES.

Current Considerations:

The application meets the criteria for granting a Variance.

Development of Regional Impact

Vice Chairman Masterson stated that in order to provide timely notice, provide opportunities for input and consider the interests of other municipalities the Board shall act to determine if the development has a potential regional impact as defined by RSA 36:55. Impacts may include, but are not limited to: Relative size or number of dwelling

units as compared with existing stock; Proximity to the borders of a neighboring community; Transportation networks; Anticipated emissions such as light, noise, smoke, odors, or particles; Proximity to aquifers or surface waters which transcend municipal boundaries; Shared facilities such as schools and solid waste disposal facilities.

MOTION: D. Silcock moved that the proposal does not have a potential regional impact.

Second: D. Grimes

Vote: All in favor, motion carried. (5/0)

Staff Comments:

Applicant is proposing to replace an existing travel trailer with a park model and is requesting Relief from Article 5, Table 2 to place a park model camper closer to the rear setback (5') than is allowed. (25') and relief from Article 8.1.B to place a park model camper closer (7.8') to an unrelated structure than is allowed (15').

MOTION: D. Silcock moved to grant a variance from Article 8.1.B to place a park model camper closer (7.8') to an unrelated structure than is allowed (15') based on the following criteria:

1. The variance will not be contrary to the public interest because: This proposal will not conflict with anybody. The ordinances are hard to get around in that area.
2. The spirit of the ordinance is observed because: The size of the lot and surrounding lots create a situation in which any improvements that are done in that area will need relief from the Zoning Board.
3. Substantial justice will be done because: Travel trailers degrade over time, and need to inevitably be replaced. A park model will last longer and improve the value of the lot.
4. The variance would not diminish the value of surrounding properties because: If anything, this will improve the surrounding property values.
5. Owing to special conditions of the property, that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because of the following:
 - c) no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because: The hardship comes from the size of the lot. The applicant cannot do any significant improvements without getting relief from the Zoning Board.
 - and
 - d) the proposed use is a reasonable one because: The applicant is not asking for anything unreasonable for the property. It is perfectly reasonable to replace an older travel trailer with a new park model.

Additional conditions:

- A. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
- B. The applicant and owner are solely responsible to comply with the approved plan and conditions of approval. Contractors should be sufficiently warned regarding same.
- C. Approval expires on 7/22/28 if use is not substantially acted on and if an extension is not granted. Approval also expires if use ceases for more than two years.

Second: S. Bouthiette

Vote: All in favor, motion carried (5/0)

Abutter's Hearing – Larry Dubin: Applicant is requesting a Variance from Article 5, Table 2 to place a shed closer (18.6') to the front setback than is allowed (50'). Property is located at 150 Gardners Grove, Tax Lot 120-018-000-000, in the Residential Single Zone. ZBA Case # 19-26Z.

K. Santoro noted that this applicant has requested to table this application until the next meeting.

MOTION: D. Silcock moved to continue Case 19-26Z until August 26, 2026.

Second: D. Grimes

Vote: All in favor, motion carried. (5/0)

Minutes of May 18, 2026

MOTION: S. Bouthiette moved to approve the minutes of June 24, 2026, as written

Second: D. Grimes

Vote: All in favor, motion carried. (5/0)

STAFF REPORT

K. Santoro stated that there is a new law regarding tiny homes. Staff will be working on updating the existing ordinances to incorporate this new law.

"Innovative housing structures" (IHS), which include tiny houses, tiny houses on wheels (THOWs), and yurts, allowing them to be used as single-family homes or accessory dwelling units (ADUs) in areas zoned for such housing, provided they meet local land use requirements and state standards for water and wastewater. It outlines requirements for off-site construction, meaning structures built in a factory before being moved to the dwelling site, ensuring these components are inspected either under the state building code or modular building statutes, with approvals accepted by local officials for occupancy. The bill also addresses the transportation of these structures, permitting the use of dealer or temporary trailer plates for moving them to their final location, and directs state agencies to adopt rules for wastewater treatment and disposal specific to these innovative housing types, while also clarifying that IHS are generally not considered "modular buildings" unless the applicant chooses that program. Finally, it mandates that the state building code be updated to incorporate these new provisions.

ADJOURNMENT

MOTION: S. Bouthiette moved to adjourn at 6:45 PM

Second: D. Silcock

Vote: All in favor, motion carried. (5/0)

Respectfully Submitted,



Susan M. Austin
Land Use Assistant