

**TOWN OF NEW HAMPTON
ZONING BOARD OF ADJUSTMENT
MEETING MINUTES**

**Town Offices upstairs meeting room
6 Pinnacle Hill Road, NEW HAMPTON, NH 03256**

August 5, 2026

MEMBERS PRESENT	Regular members: Mr. Newman, Ms. Gattermann, Mr. Tierney, Mrs. Selko. Mr. Akers arrived at 6:03 PM.
OTHERS PRESENT	Compliance Officer Ron Cormier, Administrative Assistant/Deputy TCTX Tamara Van Lenten, Katie Wood Hedberg, Viking Hedberg
CALL TO ORDER	Mr. Newman called the meeting to order at 6:00 PM.
PUBLIC HEARING <i>Jack Cosselman, 38 Kelley Pond Road, Tax Map R4, Lot 41C, for a Variance – Article IV, Section B.4.iii. of the New Hampton Zoning Ordinance.</i>	Mr. Newman stated that this is a continuation and that it was not necessary to read the notice into record. Mr. Newman asked if anyone was present representing Mr. Cosselman and there was no one. Mr. Cormier stated he had visited the property after the July meeting, took measurements and reviewed what the property looked like. He said there was less space than had been noted on the map that Mr. Cosselman had provided. The property slopes up significantly. The land behind the house slopes even steeper and there is a retaining wall. The area behind the house is narrow. The lawn area in front of the house is the leach field. Between the leach field and the road, the property is wet. The other side of the driveway is narrow. He stated that the area which Mr. Cosselman had requested for the variance is the best location to put the garage without significant labor and cost to cut into the slope. He said he thought the garage could be brought closer to the house, however, and could perhaps make a 10' setback rather than the 4' that Mr. Cosselman had requested. Mr. Newman asked if there had been any correspondence with Mr. Cosselman. Mr. Cormier said he had emailed and let Mr. Cosselman know that he would communicate his findings to the Board. He stated that Mr. Cosselman had also spoken with Mrs. Vose who had suggested that he come to the meeting. Mr. Newman stated that the Board could proceed with the variance request without Mr. Cosselman present and approve or deny. Another option would be to contact Mr. Cosselman to verify what he wants to do. Mr. Tierney suggested moving this item to the end of the meeting in case the applicant arrives. The Board agreed.
PUBLIC HEARING	Ms. Kathryn Neel and Ms. Kristin Neel were present.

(ZBA Minutes, August 5, 2026, cont.)

Kathryn Neel, 71 West Shore Road, Tax Map U14, Lot 45, for a Special Exception - Article IV, Section B.3.

Mrs. Van Lenten read the notice into record that advised that the applicants, Kathryn Neel, has requested a Public Hearing in accordance with RSA 676:7, for a Special Exception request under Article IV, Section B.3. of the New Hampton Zoning Ordinance. The applicant's proposal is to operate a short-term rental, which is a permitted use by Special Exception. The property belonging to Kathryn Neel is located at 71 West Shore Road, Tax Map U-14, Lot #45, in the General Residential, Agricultural & Rural District and the Lake Waukegan Watershed Overlay District. Mr. Newman asked if correspondence had been received from any abutters. Mrs. Van Lenten said there was not. Mr. Newman noted that abutters Katie and Viking Hedberg were present. Mrs. Hedberg stated she had submitted some correspondence to the Town Administrator, Mr. Davenport. Mr. Newman said that information will be added to the record. Mr. Newman confirmed with board members that they had read the application and that 3 of 5 members had driven by the property (Mrs. Selko and Mr. Tierney had not). It was the consensus of the Board that this did not have a regional impact.

Ms. Neel said she has owned the property since 2015 and that her family has been coming to the Lakes Region for generations. Her family would like to continue to enjoy the property, but she lives in New York. To offset some of the costs for maintaining the home, they would like to be able to rent the property- primarily in the fall and winter. Mr. Newman explained that, if granted, a Special Exception carries with the land. There is a new yearly permitting process for STRs. Ms. Neel said that the property is being maintained by Ray Mason of Mason Enterprises in Ashland and they have also been in contact with a rental agent who would handle renter-related matters. Mr. Newman spoke about the septic system which is approved for a 2 bedroom. There had been a 3 bedroom design but it expired in 2020. Ms. Neel said it had been emptied once since they have owned it. Mr. Newman asked if there are cameras and the applicant said there are not, but they are talking about installing those and also a decibel meter. Mr. Tierney asked if the property was up to date with fire alarms and smoke detectors and said there would be a life safety inspection completed. Ms. Neel said these items were up to date and new fire extinguishers had just been obtained.

Katie and Viking Hedberg were present and expressed concern because the Neel property has a right of way to the lake through their property. She said they have no assurances if the property were to be sold since approval would be granted in perpetuity to the property. Mrs. Hedberg stated she had submitted her Easement Deed with the ROW information, and a map of current conditions depicting elevation and photos. She said they would not be absolved of liability should anyone be injured on the path to the shoreline. Mr. Newman pointed out that these new STR regulations and the annually required permit application would apply to new owners as well, and that the regulations allow for enforcement procedures. Mr. Newman read from p. 2 of the Confirmatory Easement Deed "it being understood that the use of said Right of Way shall be at the sole risk of the party or parties of using same". Mr. Hedberg said their attorney told them they could still be sued. Mr. Newman stated the new STR permit process allows for it to be revoked if there are issues. Mr. Newman stated the question of liability is not in the Board's purview and is a civil matter. Ms.

Neel said it is not their intention to list the easement access as part of their rental listing.

As there were no other questions, Mr. Newman advised the board would close the public hearing and go into deliberations.

Mr. Newman reviewed the special exception criteria.

The specific site is an appropriate location for such use: Due to its fairly large property size and the owner's plan to use a rental and property management company, Mr. Newman felt it was appropriate and the Board agreed.

There is adequate area for safe and sanitary sewage disposal: A septic design construction for 3-bedroom septic had been approved but expired in 2020. The Board agreed the applicant may want to get an updated design but that it would not be a condition of approval. Mr. Cormier said the Town may wish to inspect the tank prior to issuing the STR permit. The Board agreed this criterion was met.

The use will not adversely affect the adjacent area: The Board agreed this would not have a negative effect and since it will be managed by someone, along with the new regulations and permit process, this criterion was met.

There will be no nuisance or hazard created: Mr. Newman said the STR permitting process provides a method to deal with issues. The Board agreed.

Adequate and appropriate facilities will be provided for the proper operation of the proposed use: Mr. Newman said they will be using a property management company and there is adequate parking. Mr. Tierney said it should be made a condition that the STR permit be obtained. The Board agreed this was met.

The use will not impair the aesthetic values exhibited by the surrounding neighborhood: The Board agreed that this would not change the neighborhood at all.

The development of any lot including any building or impermeable area will not exceed the maximum percentage of lot coverage in the applicable zoning district: The Board agreed this did not apply as nothing would be changing.

Relative to the Agritourism criteria the Board agreed this did not apply

Mr. Tierney made a motion, seconded by Mr. Akers to approve the Special Exception for Kathryn Neel at 71 West Shore Road to allow the use of the property as a short-term rental with the conditions that a Short Term Rental Permit be obtained from the Town and that the Septic Tank be looked at by a septic contractor to determine the size and condition and whether it needs pumping yearly. Vote was unanimous.

PUBLIC HEARING

John Fontaine, 6 Cottage Lane, Tax Map U9, Lot 8A2, for a Special Exception – Article VI, Section B. of the New Hampton Zoning Ordinance.

John Gregsak and Colton Perron were present, with authorization allowing Mr. Gregsak to represent Mr. Fontaine.

Mrs. Van Lenten read the notice into record advising that the applicants, John Fontaine, has requested a Public Hearing in accordance with RSA 676:7, for a Special Exception request under Article VI, Section B. of the New Hampton Zoning Ordinance. The applicant's proposal is add onto a dimensionally nonconforming structure, but which is part of a conforming use, which may be enlarged by Special Exception. The existing condominium unit is non-conforming at 4.3 feet from the side property line. The proposed addition will be no more than 4.3 feet from where it comes closest to the east side property line, also being the Meredith Town line. The ordinance requires structures be 20 feet from side and rear property lines. The property belonging to John Fontaine is located at 6 Cottage Lane, Tax Map U-9, Lot #8A2, in the General Residential, Agricultural & Rural District.

Mr. Newman asked if board members had reviewed the new application and 4 of 5 members confirmed that they had. Mr. Newman asked if there was any correspondence received relative to this application and Mrs. Van Lenten said there was not. It was the consensus of the Board that this did not have a regional impact.

John Gregsak advised the property is having drainage issues which they want to address. He said the Fontaines want to lift the building and put in a new foundation to add space for storage underneath. They are adding deck space and will be following a dog ear of the foundation so as not to encroach further towards the property line. The structure is pre-existing, non-conforming and Mr. Newman stated it cannot be made more non-conforming. Mr. Newman noted the shoreland permit was included and Mr. Gregsak said they will stay under the 20% impervious area limit. There was some discussion because this is a condominium and it was agreed that having the state permit shows that they have met the state's criteria even if the board cannot deduce the exact number is because of the association aspect of the land.

As there were no other questions, Mr. Newman advised the board would close the public hearing and to into deliberations.

Mr. Newman reviewed the special exception criteria.

The specific site is an appropriate location for such use: It is a property that has been lived in for a long time and the change is to improve the structural aspect of the home and land. Mr. Newman felt it was appropriate and the Board agreed.

There is adequate area for safe and sanitary sewage disposal: The Board was familiar with the septic on this property and agreed this criterion was met.

The use will not adversely affect the adjacent area: The Board agreed this would not really change much and was intended as an improvement. The Board agreed this criterion was met.

There will be no nuisance or hazard created: The Board agreed it would not present a nuisance or hazard, rather it could prevent something catastrophic happening to the home related to runoff.

Adequate and appropriate facilities will be provided for the proper operation of the proposed use: Mr. Newman said there will be no change to the way the property is being used. The Board agreed this was met.

The use will not impair the aesthetic values exhibited by the surrounding neighborhood: The Board agreed that this would be an upgrade.

The development of any lot including any building or impermeable area will not exceed the maximum percentage of lot coverage in the applicable zoning district: Mr. Tierney said the DES has approved the changes as proposed so it meets at least the state requirements. When dealing with a condominium, the total condominium area is being looked at. The Board agreed this passed.

Relative to the Agritourism criteria the Board agreed this did not apply.

PUBLIC HEARING

Jack Cosselman, 38 Kelley Pond Road, Tax Map R4, Lot 41C, for a Variance – Article IV, Section B.4.iii. of the New Hampton Zoning Ordinance.

Mrs. Selko made a motion, seconded by Mr. Akers to approve the Special Exception as submitted for 6 Cottage Lane, New Hampton. Vote passed unanimously.

Mr. Tierney stated that this application could be continued to next month. He said a letter should be written to Mr. Cosselman asking if he wishes to withdraw. He must come to the next meeting, if not, the application could be withdrawn with prejudice. Mr. Tierney said a variance could not be approved with the application we have now. Mr. Newman said if there were a map with accurate measurements, it would be something that could be discussed.

Mr. Akers moved to continue the Cosselman variance request to the September 2, 2026 meeting. Mrs. Gatterman seconded the motion. All voted to approve.

OTHER BUSINESS

Mr. Newman said the bylaws needs to be voted on in order to change the annual election of officers from May to April.

Mrs. Gatterman made a motion, seconded by Mr. Akers, to approve the amendment to the bylaws for the change of month from May to April in numbers 1, 2 and 3. Vote passed 5-0-0.

MINUTES

Mr. Tierney suggested that the minutes from the July 1, 2026 meeting be held for further review until the September 2, 2026 meeting. All members of the Board agreed.

(ZBA Minutes, August 5, 2026, cont.)

ADJOURNMENT

Mr. Tierney made a motion, seconded by Mr. Newman, to adjourn at 7:09 PM. Vote was unanimous.

Respectfully Submitted,
Tamara Van Lenten