

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

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

July 1, 2026

MEMBERS PRESENT	Regular members: Mr. Newman, Mr. Akers, Ms. Gattermann, & Mr. Tierney.
OTHERS PRESENT	Land Use Administrator Mrs. Vose, Compliance Officer Ron Cormier, Administrative Assistant/Deputy TCTX Tamara Van Lenten
CALL TO ORDER	Mr. Newman called the meeting to order at 6:00 PM.
PUBLIC HEARING <i>Coursey's White Mountain Maintenance on property belonging to John Maguire, 118 Town House Road, Tax Map R4, Lot 70, for a Variance – Article V, Section C.1. of the New Hampton Zoning Ordinance.</i>	Kevin Coursey was present to represent Mr. Maguire. Septic designer Mike Carboneau was also present. Mrs. Vose read the notice into record advising that the applicant, Coursey's White Mountain Maintenance, has requested a Public Hearing in accordance with RSA 676:7, for a Variance request under Article V, Section C.1. of the New Hampton Zoning Ordinance. The applicant's proposal is to construct a septic system within the 20-foot setback of the property line; the proposed location of the system being 15 feet from the western side property line. The property belonging to John Maguire is located at 118 Town House Road, Tax Map R-4, Lot #70, in the General Residential, Agricultural & Rural District. Mrs. Vose said all abutters were notified but has heard from none. Mr. Newman advised that a full board consists of 5 members, and there are only 4 voting members for his application, asking Mr. Coursey if he wanted to move forward with just those members and he agreed. Mr. Newman advised that lack of a full board would not be a reason to request a rehearing. Mr. Newman confirmed with board members that they read the application and had driven by the property. It was the consensus of the Board that this did not have a regional impact. Mr. Coursey said the owner needs a new system and the current system is in the general area where this new one is proposed. They are looking to avoid a costly pump system due to slopes behind the house. Mr. Carboneau said the existing system is a concrete tank and drywell, located behind the house, which does not adequately treat affluent, which will be removed prior to the new construction. Mr. Tierney said there was mention in the application of a setback to a waterway on the property that creates a problem, but Mr. Coursey said that inclusion was an error and that statement should be struck. Mr. Coursey said the well is to the east of the driveway and they must maintain the 75' well radius so in order to meet the setback distance they'd have put the new system on the other side of the well, which would be more than 200', or more – based on soils in that area. He said this will meet the state setback of 10 feet. Mr.

Carbonearu said there would be an \$8,000-\$10,000 increase in cost to have it in another location, including changing circuitry in the old home.

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

Mr. Newman reviewed the variance criteria.

- **The variance will not be contrary to the public interest:** Mr. Newman said this system would be better than the current system and the Board agreed.
- **The spirit of the ordinance is observed:** Mr. Newman said that even with the setback requirements this system is a benefit to the area and Mr. Tierney advised the setback distance is in accordance with the state distance of 10 feet. The Board agreed.
- **Substantial justice is done:** Mr. Newman said by not allowing the applicant to do this would not be substantial justice to anyone and the Board agreed.
- **The values of surrounding properties are not diminished:** Mr. Newman said this would improve the area and the Board agreed.
- **5(A) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship because special conditions of the property that distinguish it from other properties in the area: (A) i. No fair and substantial relationship exists between the general or public purposes of the ordinance's provision and the specific application of that provision to the property; and – the proposed use is a reasonable one:** The Board agreed this met this criterion. Mr. Newman said based on the layout of the property and where the well is located, this location is appropriate. Mr. Tierney said the pitch behind the house is a problem and Ms. Gattermann said having to pump a long distance could create additional problems.

Ms. Gattermann made a motion, seconded by Mr. Akers to approve the Variance for the septic system to be 15' from the side property line. Vote was unanimous.

PUBLIC HEARING

*Mark & Jacqueline Boucher,
229 Old Bristol Road, Tax
Map R-12, Lot 16A, for a
Special Exception -Article
IV, Section B.3.*

Mr. and Mrs. Boucher were present.

Mrs. Vose read the notice into record that advised that the applicants, Mark & Jacqueline Boucher, have requested a Public Hearing in accordance with RSA 676:7, for a Special Exception request under Article IV, Sections B.3. of the New Hampton Zoning Ordinance. The applicants' proposal is to operate a short-term rental, which is a permitted use by Special Exception. The property is located at 229 Old Bristol Road, Tax Map R-12, Lot #16A, in the General Residential, Agricultural & Rural District. Mrs. Vose advised all abutters were notified and had heard from none, but noted a nearby neighbor was present. Mrs. Vose said all abutters were notified but has heard from none. It was noted that a nearby neighbor is present.

Mr. Newman advised that a full board consists of 5 members, and there are only 4 voting members for his application, asking if Mr. and Mrs. Boucher if they wanted to move forward with just those members and they agreed. Mr. Newman advised that lack of a full board would not be a reason to request a rehearing. Mr. Newman confirmed with board members that they read the application and had driven by the property. It was the consensus of the Board that this did not have a regional impact.

Mr. Boucher said they have experience as landlords and purchased this as a vacation home and are not at the property on a permanent basis and would like to offer it as a short-term rental on a limited basis. They've had good experience with their other rentals. They are selecting a property manager for this property since they live more than 2 hours away. Mr. Newman asked if there are cameras and the applicants said there are external cameras. Mr. Tierney confirmed with the applicants that they will have a property manager in place. Mr. Newman said that based on a new STR regulations this property could be allowed for up to 8 persons, based on the fact there is a 3-bedroom septic system and the assessment record lists 3 bedrooms. He said a subsequent STR application would also be required if this special exception was approved. Mrs. Vose clarified the STR permit would allow for up to eight, but it's up to the Bouchers if they want less renters. Relative to the size of the parking area, everyone felt it was more than suitable, which was indicated by a photo submitted.

Richard Morse was present expressing concerns that this approval would be granted in perpetuity to the property, and though he appreciates the Bouchers management is concerned with any future owner. Mr. Newman pointed out that these new regulations and permit application is required annually and applies to new owners as well, and regulations allow for enforcement procedures.

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 rural nature and amount of land, Mr. Newman felt it was appropriate and the Board agreed.
- **There is adequate area for safe and sanitary sewage disposal:** The Board agreed as it has a 3-bedroom septic system.
- **The use will not adversely affect the adjacent area:** The Board agreed this would not have a negative effect and with it being managed by someone, and with the new regulations and permit process this criterion was met.
- **There will be no nuisance or hazard created:** Mr. Newman said most typical concerns, such as size of the lot and parking availability, would not be the case in the situation. The Board agreed.
- **Adequate and appropriate facilities will be provided for the proper operation of the proposed use:** Mr. Newman said this is similar to the prior criterion that parking was adequate and 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.**

Ms. Gattermann made a motion, seconded by Mr. Akers to approve the Special Exception for Mark & Jacqueline Boucher to allow the use of the property as a short-term rental. Vote was unanimous. Mr. Newman advised the applicants to apply for the Short-Term Rental application.

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.

Mr. Cosselman was present.

Mrs. Vose read the notice into record advising that the applicant, Jack Cosselman, has requested a Public Hearing in accordance with RSA 676:7, for a Special Exception request under Article IV, Section B.4.iii. of the New Hampton Zoning Ordinance. The applicant's proposal is to construct a garage four (4) feet from the side property line, which is within the 20-foot setback of the side property line. The property belonging to Jack Cosselman is located at 38 Kelley Pond Road, Tax Map R-4, Lot #41C, in the General Residential, Agricultural & Rural District. Mrs. Vose said all abutters were notified but has heard from none.

Mr. Newman advised that a full board consists of 5 members, and there are only 4 voting members for his application, asking Mr. Cosselman if he wanted to move forward with just those members and he agreed. Mr. Newman advised that lack of a full board would not be a reason to request a rehearing. Mr. Newman confirmed with board members that they read the application and had driven by the property. It was the consensus of the Board that this did not have a regional impact.

Mr. Cosselman said he needs a garage for storing a vehicle that he was storing elsewhere. He wants to construct this garage 4 feet from the side property line. He has 2 large pine trees that would need removal prior to construction. Currently in that location is an 8' by 12' shed which will be torn down or moved to a different location on the property.

Mr. Newman said he drove up the property to look and asked how far the current shed is, from the property line, and Mr. Tierney said it appears to not meet the setback distance and stated that the abutters shed is also too close to the property line. Mr. Cosselman said he didn't know how long either shed has been there. Mr. Newman expressed concern with there being other possible areas to construct a garage, which would meet the setback requirements and Mr. Cosselman agreed. Mr. Cosselman suggested possibly digging into the 5' embankment, at the top of the driveway, and construct it there. Mr. Cosselman said his front lawn is where his septic system is and his well is behind the house, and ledge was found 7' down when they drilled. He said he might also have ledge behind the house and he's afraid if he disturbs any ledge, it could affect his water

supply. He said it is about 25' to the septic tank, then it continues to the field. Mr. Tierney said there might be the possibility to put the garage down near the road, while meeting the setback requirement. Relative to using the top of the driveway, Mr. Cosselman said that is where he processes his firewood for heating. The Board and applicant were in some agreement that there could be other possible locations for this garage. Ms. Gattermann pointed out that the well company did hit ledge behind the house and its possible there wouldn't be enough room in front of the house between the septic system and the road, which meets the front setback. Mr. Newman suggested moving the garage towards the house, to meet the 20' setback. Mr. Cosselman said there is ledge at the top of the driveway.

There was discussion on proceeding with review of the criterion, which would likely fail, or to continue the hearing while Mr. Cosselman explores other locations, or can provide evidence why his proposed location is the only place he could put it. Mr. Cormier offered to visit the property to look at it and Mr. Cosselman agreed.

Mr. Tierney made a motion, seconded by Mr. Akers to continue the hearing to August 5, 2026. Vote was unanimous.

PUBLIC HEARING

John Fontaine, 6 Cottage Lane, Tax Map U9, Lot 8A2, for a Variance – Article IV, Section B.4.iii. of the New Hampton Zoning Ordinance.

John and Bill Gregsak were present, with authorization allowing them to represent Mr. Fontaine.

Mrs. Vose 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 IV, Section B.4.iii. of the New Hampton Zoning Ordinance. The applicant's proposal is to construct an addition to a condominium unit, which is pre-existing, non-conforming at 4.3 feet from the side property line at its closest point. The addition would come closer to the side property line at 2.8 feet. The current setback requirement is 20 feet. 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 advised that a full board consists of 5 members, and there are only 4 voting members for his application, asking the John and Bill if they wanted to move forward with just those members and they agreed. Mr. Newman advised that lack of a full board would not be a reason to request a rehearing. Mr. Newman confirmed with board members that they read the application and had driven by the property. It was the consensus of the Board that this did not have a regional impact.

John Gregsak advised they are designing the Fontaines on their addition. They have drainage issues on the property, which they want to address. On the lakeside of the building there are piers and rock along the foundation. He said the Fontaines want to lift the building, and put in a new foundation to add space for storage underneath. They'd like to add onto the lakeside of the building, which if they follow the existing roofline, will encroach closer to the side property line. They are not adding living space to the first floor but adding deck space, as the current deck faces the abutting condo. The structure is pre-existing, non-conforming.

Mr. Newman said the added deck, is more of a want, versus a need, which makes it difficult in a variance request so the criterion may be difficult to meet. Ms. Gattermann said with it being non-conforming now, this would make it more non-conforming, which cannot be allowed. Mr. Tierney suggested that they alter the plans so the deck maintains the same distance to the side property line that the current structure is – at 4.3 feet. Mr. Newman said this will make the building no more non-conforming, and a variance would not be needed, but a different application would be required. Mr. Tierney said a non-conforming structure, which is part of the conforming use, can be enlarged by a Special Exception with the Zoning Ordinance.

Mr. Gregsak agreed the special exception request was the way to proceed and was advised of the next submission deadline date.

PUBLIC HEARING

Brown Engineering for property belonging to 1625 Summer Street Limited Partnership, 7 Granite Place, Tax Map U8, Lot 1B, for a Special Exception – Article IV, Section F.3. of the New Hampton Zoning Ordinance.

Mark McDonough of 1625 Summer Street Limited Partnership was present.

Mrs. Vose advised that the applicant, Brown Engineering, has requested a Public Hearing in accordance with RSA 676:7, for a Variance under Article IV, Section F.3. of the New Hampton Zoning Ordinance. The applicant's proposal is to create an exterior storage facility of vehicles, RVs, boats, etc on existing pavement. The ordinance states that more than 5,000 sq. ft. of outdoor display or storage, or use of outdoor areas for product display other than plants, trees, shrubs and landscape material is allowed by Special Exception. The property is located at 7 Granite Place, Tax Map U-8, Lot #1B, in the Business Commercial District (BC-3). Mrs. Vose said all abutters were notified but she has heard from none.

Mr. Newman advised that the Board consists of 5 members, of which only 4 are present, stating that if the Board were to deny this application the fact there are not 5 members present would not be reason to appeal. He asked Mr. McDonough if he would like to continue with 4 members and he agreed. Mr. Newman asked if all members had a chance to review the application and drive by the location, and they said they had. He asked members if they felt this application, if approved, would have a regional impact and they all agreed it did not.

Mr. McDonough said the property was previously approved for a Blu Box storage depot, and is a separate lot from their self-storage facility. It is well buffered by trees, and because of that they moved the Blu Box depot to the lot near I93. This is paved, but no present use and has seen a need for outdoor storage for RVs, boats, etc. This would be for someone who doesn't want to pay for the more expensive, indoor storage and they've had success at their other state locations for this use. The site is secure, has cameras, is well lit and supervised by staff. With the installation of an automated gate, this type of storage could be offered. He said he thinks this use meets all the criterion with it being 3 acres and in the commercial district along a major transportation corridor with similar uses. Mr. Newman confirmed that no structures would be constructed. Mr. McDonough expects very low traffic counts for this use.

Mr. Tierney expressed concern with leaking fluids onto the site from the stored items and the proximity to the abutting wetland areas, and asked if there are any protections in place to prevent this from happening. Mr. McDonough said that in other locations they have Speedy Dry which was a condition of approval. Mr. Cormier asked if the present site has a raised asphalt curb as he recalled seeing it on the previous site plans and Mr. McDonough said he thought there was and was willing that it be a condition if approved. Mr. Newman asked about staffing and Mr. McDonough said there is staff in the abutting self-storage office who can monitor this site as they will be the rental agent. There was some discussion on delinquent payments for storage and how it's handled, which would also apply in this case.

With no further discussion, Mr. Newman advised the board would now go into deliberations.

Mr. Newman reviewed the special exception criteria.

- **The specific site is an appropriate location for such use:** Mr. Tierney said it previously was storage and Mr. Newman said it is in the BC-3 District. The Board agreed.
- **There is adequate area for safe and sanitary sewage disposal:** The Board agreed this was not required as there would be no structure but that adding a condition relative to having a protection in place to address leaks would be good.
- **The use will not adversely affect the adjacent area:** Mr. Newman said it would not change much from what it was before and the Board agreed.
- **There will be no nuisance or hazard created:** Mr. Newman said with the fence, gated entry, cameras, and monitoring by staff this also addressed leaking storage. Mr. Tierney advised these should be maintained vehicles. The Board agreed.
- **Adequate and appropriate facilities will be provided for the proper operation of the proposed use:** Mr. Newman pointed out the gated entry and monitoring system and said a spill containment was a good idea.
- **The use will not impair the aesthetic values exhibited by the surrounding neighborhood:** Mr. Newman said with all the protections in place this criterion was met and the Board agreed.
- **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. Newman advised this was already approved for the current paving, so that restriction had been met.
- **Relative to the Agritourism criteria the Board agreed this did not apply.**

Mr. Tierney made a motion, seconded by Mr. Akers to approve the application for a Special Exception for Mark McDonough of 1625 Summer Street Limited Partnership, with the condition that the applicant must make provisions to contain any effluent, gasoline, oil, etc. from leaving the paved pad and entering the abutting wetlands. Vote was unanimous.

(ZBA Minutes, July 1, 2026, cont.)

OTHER BUSINESS

Mrs. Vose advised that Town Administrator Mr. Davenport has asked that the ZBA amend their by-laws so that the annual election of officers is done in April, not May, for his reporting purposes. Mrs. Vose provided the members with some marked up changes. Mr. Newman said they can discuss this August 5, 2026.

MINUTES

Mr. Akers made a motion, seconded by Mr. Tierney, to approve the minutes of 6/3/26 with the following change:

- Under Election of Officers – when Mr. Akers was elected, change Ms. Gattermann to Mr. Akers, as the person abstaining.

Vote was unanimous.

ADJOURNMENT

Mr. Newman made a motion, seconded by Mr. Akers, to adjourn at 8:01pm. Vote was unanimous.

Respectfully Submitted,
Pam Vose, Land Use Administrator