



ZONING BOARD OF ADJUSTMENT BELMONT, NH

Meeting Minutes of August 26, 2026 Belmont Mill & Zoom

Members Present: Chairman Peter Harris; Vice Chairman Mark Mastenbrook; Dana Silcock; Susan Bouthiette; and Dennis Grimes

Members Absent: **None**

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 - IDH Realty, LLC.: Applicant is requesting a Variance from Article 8, Section G:13 (detached dwelling unit subordinate to nonresidential use) to build a two-bedroom house in the Commercial Zone. Property is located 121 Laconia Road, Tax Lot 205-069-000-000, in the Commercial Zone. ZBA Case # 21-26Z.

Clay Dunn was present to discuss his application. He stated that he is proposing to build a two-bedroom house on the $\frac{3}{4}$ acre property. He stated that it would be 1,200 sq feet, two bedrooms. There is an existing garage on site. They recently paved the driveway.

Current Considerations:

The application meets the criteria for granting variances

Development of Regional Impact

Chairman Harris 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: Chairman Harris moved that the proposal does not have a potential regional impact.

Second: D. Silcock

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

Departmental Responses:

Fire: No Concerns.

Police: No Concerns.

Public Works/Water/Sewer: No issues or concerns at this time.

Town Administrator: No Concerns.

Building/Code Enforcement Officer: No Concerns.

Conservation Commission..... No Concerns.
Assessing:No Concerns.
Land Use Technician:See staff comments

Staff Comments:

Applicant is requesting a Variance from Article 8, Section G:13 (detached dwelling unit subordinate to nonresidential use) to build a two-bedroom house in the Commercial Zone.

Site plan approval was granted at the Planning Board for the commercial (contractors' yard) use of the property on July 27, 2026. If a variance is granted, the applicant must receive a Conditional Use Permit from the Planning Board for the dwelling unit subordinate to non-residential use.

Chairman Harris opened the public hearing. There was no public comment.

MOTION: D. Silcock moved to grant a variance from Article 8, Section G:13 (detached dwelling unit subordinate to nonresidential use) to build a two-bedroom house in the Commercial Zone, based on the following criteria:

1. The variance will not be contrary to the public interest because: The proposal does not conflict with the explicit purpose of the ordinance. It does not alter the essential character of the neighborhood, if anything it improves the character. It does not threaten health, safety or otherwise injure public rights.
2. The spirit of the ordinance is observed because: The applicant came to the Board knowing why he needed the ordinance, because it needed to be detached. It does not conflict with the explicit or implicit purpose of the ordinance.
3. Substantial justice will be done because: The benefit to the applicant will not outweigh the harm to the general public or to other individuals.
4. The variance would not diminish the value of surrounding properties because: This takes what the applicant deemed "looking like a junkyard" to now a residential property that is cleaned up with a mowed lawn, therefore it will not diminish 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:
 - 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 hardship that has been establish is that the dwelling unit must be attached, and this unit cannot because of the septic service.and
 - b. the proposed use is a reasonable one because: The hardship that has been establish is that the dwelling unit must be attached, and this unit cannot because of the septic service.

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 8/26/28 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.
- D. A Conditional Use Permit is required from the Planning Board.

Second: M. Mastenbrook

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

Abutters Hearing - Route 106 Realty Trust Applicant is proposing to build a single-family home with attached barn/garage and is requesting the following relief:

- A Variance from Article 5, Table 1 (Permitted uses)
- A Variance from Article 4, Section I.4.g (Prohibited signs)

Property is located at 54 Peggy Drive, Tax Lot 210-017-000-000, in the Commercial Zone. ZBA Case 20-26Z.

Status of Application: New

History:

6/10/1975 – Subdivided.

3/3/2016 - Prior manufactured home removed.

11/2/2018 – Lots merged (w/ 210-016-000-000). The lot is a vacant parcel with old paved driveway and billboards near the roadway.

2/23/2022 – Board approved the construction of a single-family residence in the commercial zone.

4/27/2022 – ZBA approve a variance to allow the billboard to remain in place.

Current Considerations:

The application meets the criteria for granting variances.

Development of Regional Impact

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: Chairman Harris moved that the proposal does not have a potential regional impact.

Second: M. Mastenbrook

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

Departmental Responses:

Fire: No response.

Police: No concerns.

Water/Sewer: No response.

Public Works: No issues or concerns at this time.

Town Administrator: None.

Code Enforcement Officer: Having billboards approved for new single-family construction may set a difficult future precedent.

Conservation Commission..... No comment.

Land Use Technician:..... No response.

Building Official:..... No response.

Staff Comments:

There are two variance requests for the parcel.

The owner is proposing a single-family home with attached barn/garage. They propose to use the existing paved drive off Peggy Drive. The new house would be serviced by private well and septic.

The Billboard that exists on site is a pre-existing nonconforming use. The Board approved a Variance to allow the construction of a single-family home with attached barn/garage (in the Commercial Zone) in February 2022. This added an additional nonconforming use to the site. When considering whether or not a hardship exists, the Board should make sure it is not an applicant-created hardship.

Jon Rokeh was present to discuss this application. J. Rokeh stated that in 2022 they had received a variance to upgrade the house. They extended the variance in 2024, now they are reapplying for the same variances. Nothing has changed since the original approval.

Chairman Harris opened the public comment portion of the meeting.

Cal Dunn asked if the electrical service would be supplied through Peggy Road. J. Rokeh stated that the electrical service has been installed at one point up to the top of the hill.

MOTION: M. Mastenbrook moved to grant a Variance from Article 5, Table 1 (Permitted uses) to build a single-family home with attached barn/garage in the Commercial Zone, based on the following criteria:

1. The variance will not be contrary to the public interest because: the house is well over 100 feet away from the road.
2. The spirit of the ordinance is observed because: The ordinance is to limit the number of residential uses in the Commercial Zone along Rt. 106. The lot would be difficult to develop commercially.
3. Substantial justice will be done because: The owner will be able to build a home on a lot that has limited development potential other than single family home development.
4. The variance would not diminish the value of surrounding properties because: The surrounding property value would not be diminished because the proposed home will add substantial value to the property value and enhance the surrounding 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 purpose of

the ordinance is to encourage commercial development along the Rt. 106 corridor. The topography of this lot prevents it from being commercially developed.

and

- d. the proposed use is a reasonable one because: A single home with a large barn/garage that is located well off the 106 corridors.

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 8/26/28 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: D. Silcock

Vote: All in favor. (5/0)

MOTION: M. Mastenbrook moved to grant a variance to A Variance from Article 4, Section I.4.g (Prohibited signs)

1. The variance will not be contrary to the public interest because: The existing billboards have been in place for numerous years and are located off of State Highway 106. There is no detriment to the public interest for the billboard to remain in place.
2. The spirit of the ordinance is observed because: The ordinance is to limit the creation of signs that advertise for an off-site use. The existing billboards were put in place prior to this restriction and no additional size or expansion is proposed to the existing condition.
3. Substantial justice will be done because: The owner will be able to leave the existing billboard in place and the construction of the single-family home will be able to move forward.
4. The variance would not diminish the value of surrounding properties because: The surrounding property values would not be diminished by the proposal. The billboards have been in place for numerous years and leaving them in place is not a detriment to the neighborhood.
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:
 - 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 purpose of the ordinance is to limit the creation of new signs that advertise offsite use. This site had the billboard in place prior to the ordinance that limits them was implemented. No new signs or expansion of the existing sign is proposed.

and

- b. the proposed use is a reasonable one because: The billboards are an existing use that has been in place for numerous years. Allowing them to remain in place unchanged is a reasonable request.

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 8/26/28 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: D. Silcock

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

Minutes of July 22, 2026

MOTION: M. Mastenbrook moved to approve the July 22, 2026 minutes as amended.

Second: D. Silcock

Vote: 4/0/1 (P. Harris abstained)

Staff Report

K. Santoro stated that it was the time of year that they start to discuss ordinance changes. One that they will be addressing is cleaning up the language of the existing ordinances to align with the state regulation about residential units allowed in the commercial zone.

The court case that they have been dealing with is essentially over. They are waiting for a ruling from the judge.

They are starting to work on the CIP. She is hoping to get more department heads involved.

There was brief discussion about the new housing lots that were just approved off of Mile Hill Road.

ADJOURNMENT

MOTION: S. Bouthiette moved to adjourn at 6:36 PM

Second: D. Silcock

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

Respectfully Submitted,



Susan M. Austin
Land Use Assistant