

FRANCONIA ZBA HEARING

October 11, 2023

5:00 PM

Franconia Town Hall

The hearing was opened at 5:00 PM by Susan Retz, chairperson. She stated that she would be recusing herself due to interests that may conflict with the appeals being heard. Therefore, she deferred the conducting of the hearing to Phil Krill, vice chair. In addition to Phil, board members in attendance were Peter Grote, Mark Hesler, and Brian Williams.

Phil continued by asking each board member to introduce themselves to the applicant Arthur Daly. In addition to Arthur, Phil asked each of those in attending the hearing (four observers and one potential tenant) to introduce themselves. There were no abutters in attendance.

The hearing began by Phil asking Arthur Daley to present his three Variance Requests. Arthur stated that he wished to lease the apartment over his barn and move into his nearly completed house – all on his property at 716 Wells Road. By doing this, he needed variances to Article III Sections A, B and G. Section A requires an ADU be attached to primary dwelling – his will not be. Section B requires an interior door between ADU and primary dwelling – his will not. Section G requires that the ADU be no larger than 1/3 the size of the primary dwelling – his will be larger.

The vice chair (Phil) invited members of the board to ask Arthur all questions and concerns they might have. Numerous questions were asked including the use of the proposed rental now and in the future. Arthur stated that it was his intent to have the rental as long term by a Franconia resident only and at a reasonable cost. There was much discussion about the shortage of long term rentals in Franconia and the very serious need for such property. Arthur was asked his interpretation of long term. He felt that long term meant one year lease

minimum. He also stated that he was going to incorporate such a provision into his will for perpetuity. All board members thought that to be reasonable. After the board members concluded their questions, the vice chair then invited all of the observers to ask Arthur and the board any questions/concerns that they might have. Most of the questions concerned clarification of what was being requested by Arthur. There was no opposition to Arthur's appeal/request to the board. After there were no more questions, the vice chair closed that portion of the meeting for deliberation and decision by the ZBA board.

Each of the five supporting criteria/requirements was reviewed by the board on all three application requests. After all motions for approval were seconded and passed, the approval of all three requests was given to Arthur with the provision that he rent the unit each time for a minimum of one year, to a Franconia resident only, and at as reasonable cost.

The hearing was adjourned at 5:35 PM.

LYNN TERRES OBSERVER

Arthur Daily presenter

SUZANNE BEAUCHESE potential TEWANT

Mary Grotz Observer

Brian Williams BOARD MEMBER

Peter Grotz " "

Guren Katz Board Member

Dawn Steele observer

Pat Garvin observer

Phil Krill Board Member

MARK HESLER BOARD "