

Zoning Board Of Adjustment Meeting
Tuesday April 21, 2026
Downstairs Town Hall Conference Room

Board Members in Attendance: Jeff Dickinson, Jeff Newcomb, Jon Warzocha

Public in Attendance: Land Use Coordinators Jessica Rand & Christine Vigenault, Mary Jurta, Donna Duclos, Ken Wells, Lee Wells, Gary Cassidy, Allen Cassidy, Christine Frost, Patrick Frost, Erin Mazur, Chris Mazur

7:01 PM- Quorum established, Warzocha called the meeting to order.

Review Agenda

- Warzocha reviewed the agenda and asked if there were any line items to add to the agenda. Rand noted that the Land Use office had some reconstructed minutes for the board to review. The Board agreed to add the item to the agenda.

New Business

- **7:02 PM, Warzocha opened the public Hearing for Mary Jurta to request variances to subdivide her lot, located at 91 Maple St. (Tax map 17-80-346), into 2 lots.**
 - Jurta provided an overview of her property, a 2.93 acre property which she would like to subdivide into two parcels of 2.08 and 0.85 acres. Jurta discussed her family history on the property and that she planned to remain on the property. Jurta provided a map outlining the proposed subdivision and noted that her surveyor determined the best plot line based on NHDES requirements. Jurta recognized that variances would be required due to both lot size and road frontage being less than the minimum requirement for the zone, but believes that, despite these variances, the intended use of the property meets the scope and requirements for zoning. Jurta also presented the board with a list of surrounding properties that also did not meet the road frontage or acreage requirements.
 - Before opening the discussion Warzocha informed Jurta that, since there was only a 3 person board, approval of her proposal would require a unanimous vote. Jurta was presented with the opportunity to postpone the remainder of her hearing until there was a full board. Jurta chose to continue the hearing at the present date.
 - The Board asked Jurta about the buildability of the 0.85 acre lot, if the cottage would remain, if the property had enough room for the proper well radius and septic, if it would meet all state requirements and if a right of way would be granted through the larger parcel to allow for lake access. Jurta responded that based on her surveyors assessment the lot was buildable and would meet all NHDES requirements. The cottage would be removed to make room for a new house. Jurta was considering allowing a right of way so there would be lake access from the property and was seeking legal counsel to work out the right of way.
 - The Board asked if Jurta planned to sell the current home. Jurta responded that she would like to remain on the smaller parcel and sell the larger parcel.
 - Newcomb noted that both properties would need a variance for the road frontage.
 - Ken Wells reviewed the map and noted that the smaller parcel did not appear to meet the required 4 to 1 depth to width ratio. The board reviewed and agreed that would also require a variance.
 - Alan Cassidy asked if there was a house design available for the smaller lot. Jurta provided a map depicting the proposed location of the home.

- Gary Cassidy asked if the property had been perk tested since there appears to be a lot of water that pools on the property. Jurta responded that it had not been perk tested but she did not believe that would be an issue.
- Rand read a letter submitted to the Board from Mario & Caroline Ratzki noting their concerns of the precedent that may be set for future subdivisions if this subdivision was approved.
- Lee Wells noted that what has been permitted in the past should not necessarily designate what is permitted today especially if it did not match the rural character of the zone. Jurta responded that there are already small lots in the area, many smaller than her proposed lot.
- Warzocha noted that, while there are small lots along maple street, most lots in the area do comply with the zoning regulations, including lots abutting Jurta's. Jurta responded that she looked specifically along the southern side of maple street along the lake.
- Warzocha asked if Jurta attended a Planning Board meeting for a non-binding consultation. Duclos responded that Jurta had attended a non-binding consultation and the planning board did not believe that the subdivision would be possible without the Zoning Board's approval for variances.
- Erin Mazur asked if it would be possible to subdivide one of Jurta's other lots. Jurta responded that the lot is no longer owned by Jurta.
- **7:34 PM Warzocha closed the public hearing.**
 - Warzocha addressed that there were multiple variances that would need to be in effect for the application to be approved, road frontage, lot size, and depth to width ratio. A shoreland assessment would need to be done to ensure state compliance as well. Warzocha also noted he did not see the hardship that might justify the subdivision. Dickinson concurred and noted that the lot would not comply with the spirit of the current zoning ordinances.
 - Jurta requested to read her statement supporting her proposal to the board.
 - Warzocha- reviewed the 5 points of the variance test and noted why Jurta's application did not meet the requirements. Newcomb noted that the smaller lots that Jurta was comparing hers to were developed before the current ordinance and could not be used to set precedent for current subdivisions.
 - Dickinson made a motion to reject Jurta's application for the subdivision of her property. Newcomb seconded, all in favor, motion passed.
 - Warzocha informed Jurta that she could appeal their decision to the State Housing Review Board and the Land Use office could assist her.
- **Reconstructed ZBA Minutes from 2024 regarding Vertex Communications.**
 - Vigenault informed the Board that the Land Use Office was presented with 2 building permits by vertex towers for cell towers. In 2024 a special exception was granted with the condition that Vertex provided proof of their lease with Verizon. The minutes for the meeting could not be located. The Land Use Office utilized the recording from the meeting to reconstruct the minutes. Vigenault provided the minutes to the Board.
 - The Board requested time to review the minutes and will discuss them at the next meeting.

8:10 PM Dickinson made a motion to adjourn the meeting, Newcomb seconded, all in favor, meeting adjourned.

***Minutes Respectfully Submitted by:
Miranda Dawalga***