

EPSOM BOARD OF ADJUSTMENT

1598 DOVER ROAD, EPSOM, NEW HAMPSHIRE 03234

RECORD OF DECISION

Zoning Appeal: Case 2023-15 (Paquette - AA)

Applicant: Geraldine & Donald Paquette

Owner: John & Maria Norton

Tax Map: U-19 **Lot:** 21

Zoning District: Residential/Agricultural

Notice is hereby given that the **Administrative Appeal** seeking to overturn the Zoning Compliance Officer's November 17, 2023 decision that Tax Map U-19, Lot 21 is currently a year round residence was **denied** by unanimous vote of the Zoning Board of Adjustment at the Public Hearing held on Wednesday, January 17, 2024. The property is located on Lake View Road within the Residential/Agricultural Zone and is identified by Epsom Tax Map U-19 as Lot 21.

This decision was based on the following findings of facts:

All evidence provided confirms that the property was used as a year-round residence as of 2001 which was prior to the enactment of the Town's seasonal use ordinance (Art. III.B.7) in 2007. Therefore the establishment of year-round residence at that point in time was a conforming use and exempted from the seasonal use ordinance.

The property was sold in 2016 and the new owner used the property seasonally before it was then transferred to the current owners in 2022. However, since the right to use the property as year-round residence had been vested in 2001, it was and remains a conforming use not impacted by the Town's non-conforming use ordinance (Art. III.B.3.b.i) for cessation of use for any one-year (1) period as administratively appealed in this case.

Conclusion: The Zoning Compliance Officer's November 17, 2023 decision that Tax Map U-19, Lot 21 is a year round residence is upheld.



Glenn A. Horner, Chairman
Zoning Board of Adjustment
Date: January 18, 2024

Note: Any person affected has the right to appeal this decision and/or conditions of the approval. If you wish to appeal the decision, or any conditions contained herein, you must act within a thirty (30) day period beginning with the next working day after the

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Zoning Board of Adjustment meeting when the decision was made. The first step in the appeal process is to apply to the board of adjustment for a rehearing. The motion for a rehearing must set forth all the grounds on which you will base your appeal.

cc: John & Maria Norton, 69 Champlin Ridge Road, Rochester, NH 03867
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Epsom Board of Selectmen
Epsom Planning Board Chair
Epsom Zoning Compliance Officer
Epsom Town Clerk
File Case 2023-15 (Paquette - AA)