APPROVED

ANDOVER ZONING BOARD OF ADJUSTMENT

February 16, 2021

Members present: Jon Warzocha Co-Chair; Jeff Newcomb; Katherine Stearns and Jeffery Dickinson, Co-Chair

Also present for duration of appropriate item: Mark Vashro; James Vashro; Mary Hiller; Nick Kaufman; Karen and David Leak; Lisa Meier, Secretary

The meeting was opened by Jon Warzocha at 7:00 p.m.

Approval of December 15, 2020 Minutes

Stearns – Motion to approve

Dickinson – Second

Unanimous – Vote to approve

Public Hearing – A request from James and Kathryn Vashro, for a Special Exception as specified in the Andover Zoning Ordinance Article V Section B2A, to operate a single campsite that will promote outdoor recreation and Andover tourism. The property is located at 120 Valley Road and is Tax Map 23, Lot 323,194 in the Agricultural / Residential Zone

Warzocha opened the public hearing at 7:06 p.m. and advised the applicants that because there is less than a full board of five members, in the event the application is denied, the applicants cannot appeal based on there being less than a full board. The Vashro’s stated they understood and agreed to move forward with less than a full board.

Vashro presented a Special Exception Application along with a copy of the Andover Zoning Ordinance indicating uses permitted in the Agricultural / Residential Zone by Special Exception. Warzocha stated that the site was deemed suitable for the use by the Planning Board. Vashro explained that the total acreage is 118 acres and less than ¼ acre would be utilized for the campsite. The campsite would consist of a canvas wall tent made by TENTER and the tent would be on a temporary platform along with a sleeping cot, picnic table, portable outhouse, outdoor shower, water cooler and potable water access, trash can and access trail. A brochure was provided for review by board members and the public present. Each stay would be only a couple of days and there is parking available next to the campsite.

Concerns of the board and public include:

1. Is this a 2-person tent? The response was yes but it could go up to a 6-person tent.
2. What is the distance from the platform to the tent? The response was 15’.
3. Would people be allowed to bring their own tents? The response was no.
4. How would people access this in the winter? The response was they would walk / hike in.
5. Is the platform built by a company? The response was yes, built but would be constructed at the site by the property owner.
6. The peace and tranquility of the neighborhood is an attraction of the area and what happens should they opt to have another campsite? The response was they would have to come back before the board.
7. Are there any other commercial activities in the area? The response was no.
8. Mr. Leak asked if this was an official application and was each criteria on the D2 addressed? The response was yes, it is an official application and the correct “Section” was provided to Mr. Leak.
9. If a second tent goes up, would this be considered two campsites? The response was a site is listed as two tents and the ordinance indicated camping sites – plural no singular.
10. There was concern with the acreage minimum for the campsite.
11. Warzocha stated that the property is divided by two zones and the actual location of the campsite would need to be determined in order to determine the actual zone of the campsite.

Mr. Leak stated he would like the board to deny the application and explained how this did not meet the criteria for a special exception. He further stated that the structure / campsite is too close to their property line per the Zoning Ordinance requirements and headlights on the road shine into his home and that the town removed the bridge from Valley Road in order to preserve the character of the area and a campsite would cause major issues with preservation. Newcomb asked if there was a code of conduct for tenters and the response was yes.

Newcomb stated that the applicant has heard from the neighbors and asked if they wished to continue based on the negativity and James Vashro stated they need to reconsider the proposal. Warzocha stated that the Zoning Ordinances across the state have not adapted to new “camping” being done by residents of NH i.e glamping. Hiller asked if this could be relocated further in and the response was yes. Dickinson asked if it is satisfactory to dispose of human waste at the dump and the response was chemicals would be used for disposal. Newcombe stated that the taxpayers would be picking up the expense of disposal this way. Warzocha stated more information is needed for this proposal in order to made an informed decision. Newcomb stated the applicants need to give some serious thought to continuing this proposal. Warzocha stated there are three options to consider – the first being voting based on the information provided; the second being continuing the hearing and the third being the applicants withdraw the application. The applicants requested to continue the hearing. Stearns made a motion to continue the hearing. Dickinson seconded the motion and the board voted unanimously in favor of continuing the hearing. Warzocha stated the board would need the following items:

1. An accurate map indicating the location of the campsite; the setback and the access.
2. Warzocha stated he would ask the Planning Board to determine the actual location of the site.

There being no further discussion, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Lisa Meier, Secretary

Andover Zoning Board of Adjustment