

**Zoning Board  
Goshen, NH  
Minutes of June 8, 2022  
FINAL**

**Attendance** (*quorum* = 3): Alicea Bursey (Chair), Ray Porter (Vice-Chair), Judy Martz, and Bruce Nadeau

Meeting called to order at 7:00pm

**Minute Review**

*Bruce Nadeau motioned to accept the meeting minutes from May 11, 2022 'as is'. Judy Martz seconded the motion. All were in favor, minutes approved.*

**Membership Discussion - Update**

The Board discussed advertising for member positions. They decided to advertise on Facebook that the Board is looking for residents who might be interested either as an alternate or a full-time member. This announcement will be advertised on town and non-town Facebook pages.

If anyone is interested in becoming a member, please stop by a meeting on the second Wednesday of any month.

**Driveway Permit Review**

The Board tabled this discussion until a future meeting.

**Other Business**

- **Land Use Inquiry:** Lydia Hawkes emailed the Board asking about land use regulations regarding noise ordinances surrounding her home. She has some concerns with her neighbors and their target practice activities. The Board discussed and agreed that the issue does not fall under the Zoning Board's jurisdiction. They will recommend to Ms. Hawkes that she should reach out to Chief Anderson at the Police Department. Chair Bursey will follow-up with Ms. Hawkes.
- **Land Use Inquiry:** Harvey Gabriel Jones emailed the Board inquiring about purchasing a lot with an existing home/structure on it. He has the intention of building a permanent home at a later date but would like to build that home very close (likely within setbacks) of the existing structure. His question was would it be permissible to build the new home next to the existing structure and then remove the existing structure when the new one is ready to be lived in. The project would take place in the next three to five years. The Board agreed that a variance would need to be applied if the new build fell within the setbacks and that approval of the variance would like be conditional with regarding the existing structure. Additionally, a if the project moved forward the new build would be subject to the standard regulations including a Building Permit and Certificate of Occupancy. Chair Bursey will follow-up with Mr. Jones.
- **Driveway Permitting and Wetland Setback:** Cole Gallant emailed the Board requesting the details for a wetland setback and the details for specific setback requirements for a driveway from wetlands. The Board will direct him to the State regulations and the Town regulations. No further actions were made.
- **Short Term Regulations:** The Board will continue to review requirements for short term rentals and discuss them during a future meeting.

- **Lot Line Adjustment/Annexation:** Chair Bursey brought a project that is currently being reviewed during the Planning Board meetings to the Zoning Board and Code Enforcement Officer for review. Alan Greenhalgh and Wayne McCutcheon (Surveyor) approached the Planning Board to discuss a potential lot line adjustment/annexation on 303 Center Road. The proposed project would be to carve off 6.98 acres from tax map 206, lot 1.1 and annex it to tax map 203, lot 24.1 and would also carve off 3.19 acres from tax map 203, lot 25 and annex it to tax map 203, lot 24.1. The two parcels would be annexed into the back section, adding approximately 10 acres to an existing 81-acre (tax map 203, lot 24.1) lot resulting in a 91-acre lot. After reviewing the map, the Zoning Board had a few concerns. Ray Porter questioned whether it was possible to combine properties that are deeded in different names. It was also suggested that either NHMA or the Town's attorney be contacted to review the project. Chair Bursey will suggest their recommendations to the Planning Board during the next meeting.
- **Broadband Internet Update:** After reviewing the Broadband Bond payment form that treasurer, Heather Peckham sent to the Board, they would like Recording Secretary to reach out to her and ask a few questions for clarification purposes. No further actions were made.
- **Bike Path Discussion:** No discussion currently. This will remain a standing item.
- **Transfer Station:** Judy Martz and Alicea Bursey attended the Board of Selectman's meeting on May 23, 2022 to offer the Zoning Board's assistance in helping research options for the transfer station. Although the Board of Selectman did not take a vote, they agreed to allow the Zoning Board to assist them with issues that have arisen at the transfer station. They reassured the Board of Selectman that the Zoning Board would be on a fact-finding mission only and ultimately the decisions would be left to the Board of Selectman. The Board discussed how they would like to proceed with this project. Chair Bursey suggested that Judy Martz act as team lead and Chair of this project with Alicea Bursey as Vice-chair for the project. Judy suggested that the board members look at other towns and gather information regarding how other transfer stations are operated. The Board will research and gather information and discuss their findings during a future meeting. This work will be under a separate committee, call the Transfer Station Committee but since there will be a quorum of Zoning Board members, the minutes and votes of the committee will be captured with the ZBA minutes and documented accordingly.
- The next regular meeting will be the second Wednesday of July - July 13, 2022.

#### **Standing Items:**

- Transfer Station
- Broadband Internet Discussion - Update
- Driveway Permit Waiver - Pending
- Bike Path Discussion - Ongoing
- Member Discussion - seeking alternates and full-time members – Ongoing
- *Budgets will be due 12/1/2022*
- *Annual report is due 2/1/2023*

***Bruce Nadeau made a motion to adjourn. Ray Porter seconded the motion. All were in favor; motion carried.***

The meeting adjourned at 8:22pm

Respectfully Submitted,  
Melissa Salinardi  
Recording Secretary

Zoning Board  
Goshen, NH

**From:** Zoning Board zba@goshennh.org  
**Subject:** Re: Shooting range  
**Date:** June 13, 2022 at 6:42 PM  
**To:** Lydia Hawkes lydiahawkes@gmail.com  
**Cc:** Zoning Board zba@goshennh.org



Good evening, Lydia,

The Goshen Zoning Board met last week, on Wednesday, June 8. Your question regarding a shooting range/neighbor shooting.

As presented in your email we believe this is not an issue the Zoning Board can provide assistance with. The ZBA notes that you have already reached out to Goshen Police. And that is the recommendation that came out of their discussion. Local law enforcement will be able to enforce the local noise ordinance and state laws for shooting on private property.

If there is other information that we may not have considered or if you have additional questions, please feel free to email or attend one of our meetings.

## Goshen Zoning Board

On Jun 9, 2022, at 12:39, Lydia Hawkes <lydiahawkes@gmail.com> wrote:

Darn, I could have gone! Yikes. Sorry I missed it.

Sent from my iPhone

On Jun 9, 2022, at 6:58 AM, Zoning Board <zba@goshennh.org> wrote:

Hello Lydia,  
There is no meeting this evening, it was last night (Wednesday).

The Board discussed the issue and will be sending you a follow up message in the next few days.

On Jun 8, 2022, at 19:28, Lydia Hawkes <lydiahawkes@gmail.com> wrote:

Hi Alicea,  
I will try to make the meeting, but I am scheduled to work until 2030 tomorrow; so it would be very lucky if I could get out earlier.

I have reached out to Ed Anderson but have not heard anything back.

My concern is that I hang laundry out in my backyard, and while they have been "target practice with a 22 rifle" I can hear bullets whistling through the woods and hitting things very near my property. There also have been 3-4 hour sessions in the evening with at least 3 different gun types, one of which sounds like a cannon.

I might be repeating myself, but this is my yard too and I don't want to get hurt. And I shouldn't have to hide in my home when they start shooting.

Thanks, Lydia

Sent from my iPhone

On Jun 7, 2022, at 1:51 PM, Zoning Board <zba@goshennh.org> wrote:

Hello,

The ZBA will be meeting tomorrow, Wednesday, June 8 at 7pm in the upper level of the town. This item has been added to their agenda. Please feel free to join us if you wish. Otherwise, I'll follow up after their meeting.

Cheers,  
Alicea

On May 31, 2022, at 13:20, Lydia Hawkes <lydiahawkes@gmail.com> wrote:

Hello,

I was wondering if there are any regulations regarding a gun shooting/firing range. I have a neighbor who likes to shoot for 3-4 hours in the evenings with various gun/ammunition and it makes me jump pretty much every time (I do have PTSD) I know that there is a noise ordinance, and I know he has rights; but when I am in my back yard, I can hear the bullets hit things in the woods nearby.

Thank you for your consideration, Lydia Hawkes

Sent from my iPhone

**From:** Zoning Board zba@goshennh.org  
**Subject:** Re: Wetland Setback  
**Date:** June 13, 2022 at 7:33 PM  
**To:** Cole Gallant cole.gallant@maine.edu  
**Cc:** planningboard@goshennh.org, Zoning Board zba@goshennh.org

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Good evening, Cole,

Just a standard disclaimer that nothing communicated in this email is representative of any binding opinion or a decision of any Goshen Board. This communication is purely informational. To receive a binding opinion please plan to attend a board meeting and submit a requisite application.

Setback regulations tend to fall under the Zoning Board so I have sent your inquiry to them. Their input is below.

We do not have specific regulations that include distance setback for wetlands.

However, there are regulations at the state level that would need to be followed including the possible need for a DES permit.

In addition to the possible need of DES permitting town regulations require a special exemption for development of wetlands. Where wetlands are concerned, the Goshen Conservation Commission may weigh in as well.

From the Zoning and Building Ordinances section IX.B will trigger input from the Planning Board where impervious space is in excess of 15% or 2,500 sq.ft. Whichever is greater.

The excerpts from the local regulations are copied below, the full regulations can be found on the Goshen website.

Please feel free to email with follow up questions or to join us at a meeting for additional discussion.

Regards,  
Goshen Zoning Board

FROM THE SUBDIVISION REGULATIONS:

#### 4.30 WETLANDS

The purpose of this section is to acknowledge the significance that wetlands/prime wetlands have to the Town, and to indicate that Town standards shall be specified toward their protection as described in state statutes, Wetland Board guidelines and Town intent.

The Board will utilize criteria including the following in a thoughtful evaluation process: soils, flora, fauna, food chain protection, hydrology, historical/archeological and/or scientific importance, outstanding geomorphologic features, aesthetics, size, other selected issues appropriate to the protection of these areas.

## FROM THE ZONING AND BUILDING ORDINANCES

### H. WETLANDS DEVELOPMENT

There shall be no development or improvement in wetland areas without a special exception. The Zoning Board of Adjustment may grant such a special exception if and only if it finds that the application meets the criteria of Section IX, B and, in addition:

- a. That the proposed use is consistent with the intent of these Regulations, and is approved by other agencies or boards which have jurisdiction;
- b. That the proposed use or structure cannot reasonably be located outside the wetland;
- c. That the proposal, considered together with any proposed mitigation measures shall result in no net adverse effect on the natural functions of the wetland, including the capacity to filter pollution, trap sediment, recharge groundwater, retain and absorb chemicals and nutrients, produce oxygen, store and moderate flood waters, and provide habitat for aquatic or wetlands species;
- d. That the proposal adequately protects water quality and quantity, and protects soil from erosion by specifically described erosion control measures; and
- e. That the plan presented represents the feasible alternative for achieving the applicant's objectives with the least impact on the wetland. (Note: In designated Floodplain regions, special provisions of the Town's Floodplain Development Ordinance, as presented in a later section of this ordinance, may be applicable.)

### IX. CONDITIONAL USES

The Planning Board may grant a Conditional Use Permit for a use, which is otherwise permitted within the underlying district, if the permitted use is or is involved in one or more of the following:

- A. Storage, handling, and use of regulated substances in quantities exceeding 100 gallons or 800 pounds dry weight at any one time, provided that an adequate plan is in place to prevent, contain, and minimize releases from catastrophic events such as spills or fires which may cause large releases of regulated substances;
- B. Any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater.

In granting such approval the Planning Board must first determine that the proposed use is not a prohibited use and will be in compliance with the Performance Standards as well as all applicable local, state and federal requirements. The Planning Board may, at its discretion, require a performance guarantee or bond, in an amount and with surety conditions satisfactory to the Board, to be posted to ensure completion of construction of any facilities required for compliance with the Performance Standards.

On May 25, 2022, at 15:57, Cole Gallant <cole.gallant@maine.edu> wrote:

Hello,  
I was wondering what the wetland setback for building in Goshen, NH is?

Also I was wondering if there is a specific setback for a driveway from the wetlands?

Thanks much.

**From:** Zoning Board zba@goshennh.org  
**Subject:** Re: Building on existing parcel  
**Date:** May 23, 2022 at 9:35 PM  
**To:** Gabriel Jones gabe.jones1969@gmail.com  
**Cc:** Zoning Board zba@goshennh.org

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Good evening Gabriel,

Just a standard disclaimer that nothing communicated in this email is representative of any binding opinion or a decision of any Goshen Board. This communication is purely informational. To receive a binding opinion please plan to attend a board meeting and if needed submit a requisite application.

Just to clarify it sounds like your inquiry is specifically about building one home in a very close proximity (reduced setbacks) to a second. When the second home is completed you would tear down the original home leaving only one home on the property, is that correct? Also to clarify, the project would last 3-5 years? Or the project would occur in the next 3-5 years?

Cheers,  
Alicia

On May 23, 2022, at 10:06, Gabriel Jones <gabe.jones1969@gmail.com> wrote:

Good Morning

My name is Harvey Gabriel Jones

I am looking to purchase a home (double wide manufactured/mobile home in Goshen with the intention of building a more permanent home at a later date.

I would like to keep the property as undisturbed as possible which would require me to build fairly close to the manufactured/ mobile home.

Once the construction was completed I would be removing the manufactured/ mobile home.

With all this information in mind, would this be something that could be permitted and allowed in the next 3-5 yrs.