

**Town of Cornish, New Hampshire  
Zoning Board of Adjustment  
Case 16-01  
May 2, 2016**

The Cornish Zoning Board of Adjustment met on Monday, May 2, 2016, at 7:30 pm in the Cornish Town Offices. Members present were Caroline Storrs, Chair, Bill Balch, Kate Freeland, and Dale Rook.

Also present: Kathleen Mackay; Heidi Jaarsma, recording secretary. No abutters were present.

Caroline Storrs called the meeting to order at 7:35 p.m.

**Case 16-01:** Kathleen Mackay has applied for a Special Exception concerning Article IV.D.2.b.ii. of the Cornish Zoning Ordinance. The applicant proposes to build a staircase going down to Mill Brook that is within the shoreline protection area on the property located at 528 Town House Road, Map 6, Lot 104, in Cornish, New Hampshire.

Voting: Bill Balch, Kate Freeland, Dale Rook, and Caroline Storrs.

The January 4, 2016, meeting regarding Case 16-01 had been tabled to May 2, 2016, so that the applicant could have an engineer make a determination regarding the location of the Regulatory Floodplain. A letter from Randall Rhoades of M&W Soils Engineering, Inc., was entered into the record. Mr. Rhoades found that the staircase in question was located in the Regulatory Flood Plain based on the FIRM maps and on the topography of the area. He offered that the staircase posed no greater risk to the owner or general public during a flood event than standing on the adjacent bank. He also posited that the structure would not change the direction or speed of flood waters. Mr. Rhoades did find that a flood event could damage the structure itself.

The Board reviewed the definitions related to the Regulatory Flood Plain in the Cornish Zoning Ordinance. The Board also reviewed the Regulatory Flood Plain Overlay District. Dale Rook stated that the engineering report made him comfortable with the structure. As outlined in Article IV.22.(b), several members voiced that the hydrologic and hydraulic analyses showed that the staircase would not result in any increase in flood levels within the community during base flood discharge. Ms. Freeland expressed concern that the staircase could wash away and cause a blockage. Mr. Balch stated that a flood would likely break the structure up. Ms. Mackay stated that the engineer had made a similar statement. The Board felt that the board-structure of the staircase would break up. The concrete piers would also allow water to flow through the structure.

Bill Balch made a motion to accept the plan as presented. Dale Rook seconded the motion, and the vote of the Board was in the affirmative, 4-0.

Other Business

Bruce Tracy had contacted the Board regarding meeting times. A work commitment would make 6:30 p.m. meetings more practicable. Kate Freeland made a motion to change the ZBA

meeting time to 6:30 p.m. Dale Rook seconded the motion, and the vote of the Board was in the affirmative, 5-0.

The Board reviewed Home Occupation and Cottage Industry as defined in the Cornish Zoning Ordinance.