Town of Swanzey, New Hampshire
Swanzey Zoning Board of Adjustment (ZBA)
Meeting Minutes – **December 15, 2025**
Whitcomb Hall, Main Street, Swanzey, NH

CALL TO ORDER:
Chair Adam Mulhearn called to order the meeting at Whitcomb Hall at 7:00 p.m. Other members present were Vice Chair Jay Ward, Ann Karasinski, Bryan Rudgers and Alternates Wayne Lechlider and Joe Parisi. Also present were Town Planner Adam Paquette and Recording Secretary Susan Ells.

ABSENT: Pete Delaney, Jessica Ramsey-Sanchez and Lisa Thorne.

OTHERS PRESENT:
George Mayo, David Johnson

SEATING ALTERNATES:
The chair seated Wayne Lechlider for Lisa Thorne

REGIONAL IMPACT:
Karasinski made a motion that there was no regional impact. There was a second by Ward. All were in favor. With no further discussion, the motion passed.

MINUTES:
The meeting minutes of October 20, 2025 were considered. Jay Ward mentioned a misspelling of Ann Karasinski's name. Karasinski made a motion to approve the minutes as amended. There was a second made by Lechlider. All were in favor and the m*otion passed.*

PUBLIC HEARING:
ZBA 25-019: Variance – George Mayo has requested a variance under Section IV, Article B.3 of the Zoning Ordinance to allow a shed to encroach into the front setback at 65 Wilson Pond Road. The property is identified as Tax Map 106, Lot 20 and is in the Residence District.

Parisi asked to make a point of order regarding Lisa Thorne's vacancy. She has submitted her resignation because she is selling her house and moving out of Swanzey. Parisi believes there is an RSA that states an alternate member cannot be seated for a member in the case of a vacancy, only for an absence. Chair Mulhearn said he was not aware of the RSA and said that in the past the alternates have filled in until the next election. Paquette will verify the RSA, but for this meeting, Lisa Thorne is still a resident, and her letter of resignation has not been accepted, so she will be considered absent from this meeting.

Paquette explained that the applicants are seeking approval to locate an 80 square foot shed within the required 30-foot front setback. The structure is positioned approximately 13 feet from the front property line, resulting in a 17-foot encroachment. It measures approximately 11 feet from the side property line, which is permitted per Section III, Article C.3. The shed was installed without first obtaining a building permit.

Paquette would prefer the shed be relocated in order to comply with regulations and avoid the need for a variance, but he has not personally viewed the property. The Town has had no communication from the abutters regarding the shed. The reason they are requesting a variance is because the building inspector informed the owner that there was a complaint and that they need a variance.

George Mayo is the trustee of the trust that owns the property where David Johnson is living and is representing him at this meeting.

The group discussed alternate locations, such as behind the house, but that would be closer to the shoreline. While it might be within the setbacks, it would be expensive and there is a concern of rising water levels encroaching on the location and potentially causing damage to the tools and equipment being stored there. It would also be difficult for David to get his tools and equipment to his truck because he has difficulty walking, so he would need to drive his truck down the slope, which would damage the land and potentially cause problems for the water. Mayo stated the terrain slopes 2-3 feet toward the shoreline and if the shed had to be moved, it would need a foundation to make it level and that would require a building permit. Putting it on the side of the house would require the homeowner to relocate the wood for his heating system and would cause other concerns such as snow removal.

Chair Mulhearn explained that the applicant can request an extension, or request the Board move forward to a vote; if the variance fails, this case would be closed, but the applicants could still consider moving the shed toward the shoreline. Mayo requested they move to a vote.

Chair Mulhearn closed the public hearing.

The Board deliberated the checklist for granting a variance.

1. **Could the variance be granted without being contrary to the public interest?**

- Lechlider – Yes – they have identified no detriment to the public.
- Rudgers – Yes -feels the same
- Ward – Yes - agrees
- Karasinski – Yes – contemplated alternatives which are not better locations.
- Mulhearn – Yes – feels it poses potentially less damage to the water.

2. **Would the spirit of the ordinance be observed if the variance were granted?**

- Rudgers - Yes
- Ward – No – the spirit of the ordinance is the setback.
- Karasinski – No – that is what the ordinance specified.
- Lechlider -Yes – the spirit of the ordinance is being observed.
- Mulhearn – Yes – spirit of the ordinance also protects the water.

3. **Would granting the variance do substantial justice?**

- Ward – Yes – homeowner needs access to his tools.
- Karasinski – Yes - keeping the tools in a shed instead of in the yard is more esthetically pleasing.
- Lechlider - Yes
- Rudgers – Yes – the properties on the lake were not intended for year-round living; at that time, no land was planned for sheds.

- Mulhearn – Yes

4. Could the variance be granted without diminishing surrounding property values?

- Karasinski – Yes – the shed will improve the appearance of the property.
- Lechlider – Yes, agrees.
- Rudgers – Yes - agrees.
- Ward – Yes - agrees.
- Mulhearn – Yes - agrees.

5. Do special conditions of the property exist that distinguish it from other properties in the area?

- Lechlider – Yes – discussed slope, regulations near the shoreline.
- Rudgers – Yes – evidence shows there is not much alternative.
- Ward – Yes – all properties have these limitations that distinguish them from others in town.
- Karasinski – Yes – the Town had realigned the street which removed some footage from the property line.
- Mulhearn – Yes – with caveat –that when buying the property, the owner should learn the conditions and restrictions.

A.i. Owing to the special conditions of the property that distinguish it from other property in the area, there is not a fair and substantial relationship between the general public purpose of the ordinance and the specific application of the provision to the property?

- Rudgers – Yes, same rationale, variety of setbacks within Town,
- Ward – Yes – Wilson Pond properties need the accessory dwellings.
- Karasinski – Yes – agree with all the reasons.
- Lechlider – Yes - agrees.
- Mulhearn – Yes, agrees, but the Board does need to look at each application to determine if it is within the spirit to prevent overburdening the area

A.ii. Is the proposed use a reasonable one?

- Ward - Yes
- Karasinski - Yes
- Lechlider - Yes
- Rudgers - Yes
- Mulhearn - Yes

If the criteria in subparagraph A.i. and A.ii. are not met, an unnecessary hardship will be deemed to exist if, and only if:

B. Owing to the special conditions of the property that distinguish it from other properties in the area the property cannot be reasonably used in strict conformance with the ordinance, and a variance in necessary to enable a reasonable use of the property:

Not needed

Lechlider made a motion to grant variance 25-019, Karasinski seconded – all were in favor and the motion passed.

OTHER DISCUSSIONS
The board discussed the schedule of upcoming meetings. Paquette clarified that the Board could appoint an alternate to fill the vacancy until the next election.

ADJOURNMENT
Rudgers made a motion to adjourn which was seconded by Ward and all were in favor. The motion passed. Adjournment occurred at 8:25pm.

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on February 9, 2026