

Town of Cornish, New Hampshire

Zoning Board of Adjustment

PUBLIC HEARING MINUTES **UNAPPROVED**

August 24, 2026

Case 2026-06 CONTINUED

The Zoning Board of Adjustment met on Monday, August 24, 2026 at 6:30pm at the Cornish Town Office to hear the CONTINUATION of Case 2026-06, a request for a Variance from Marc and Stephanie Gattie for a garage/workshop attached to the existing home in a wetlands buffer zone.

Present for the ZBA: Michael Fuerst, Kate Freeland, Merilynn Bourne, Kerry Osgood,
Alternate: Karim Chichakly

Present for the Public: Marc Gattie

Michael Fuerst, Chair, called the meeting to order at 6:30pm to re-open the Hearing of August 13, 2026

Michael asked Mr. Gattie if he had any information he wished to share with the board. Marc reported that he had located and measured the stonewalls on West Pass Road and they were located fifteen (15) feet or less from the center of the road which makes West Pass a two (2) rod road.

The board then reviewed the records gathered by Merilynn Bourne showing the various permits and additions to the original structure. The documents were shared with Mr. Gattie and then added to the record.

Michael reported that the current tax card showed total square footage, and not the footprint square footage. Michael also reported that the property is not in any Special Flood Hazard Zone. The area is a minimal flood area.

Michael stated that the existing residence is 72' long x 16' wide for a total of 1,152 sq.ft. The existing decks and porch would add another 160 square feet to bring the total to 1,312 square feet. Proposed garage is 45 x 28 which is 1,260 sq.ft. Marc stated that storage and the workshop will be moved from the shed into the garage because he plans to remove the shed. Marc would like to build a two (2) bay garage with a workshop. Kate Freeland stated that a standard garage is 24' x 24' and an oversize garage is 24' x 30'. She asked if a 24' x 24' garage with a lean-to could be permitted? The response was "yes". Kate continued that the proposed size would compound the non-conforming issue. Mr. Gattie replied that if

the garage were to be much smaller, he would most likely not remove the “out building”. Michael commented that the existing 12’ x 16’ sun room would be removed. Kate feels there is an argument to be made for consideration of the fact that he would be removing the 675 sq.ft. shed that is close to the brook. Michael commented that 24 x 36 is a standard 3 bay garage. Marc will be removing the sun room which is 192 sq. ft. Michael commented that if the building is 24’ wide the truck would still fit it would just be tight. Marc feels there wouldn’t be room to access the work space and he wants to put the lawn mower in there as well. The work space would be to the left in the garage. Vehicles parked to the right.

Michael stated that a Variance requires proving hardship. He read the standards for a Variance. The size of the structure Mr. Gattie wishes to add has a direct bearing on determining hardship. Kate stated that adding a garage in NH is a reasonable use of the property. Merilynn commented that it is not that he is requesting a garage, it is the size of the garage. Marc asked how it would work if he made a garage 28 x 30 and didn’t remove the outbuilding because that would stay his work shop. Michael explained the criteria for a Special Exception. Kerry Osgood asked if there would be a second floor on the proposed garage. Marc responded that it would depend on how the roof lines would come together. Perhaps a small space but not a full second floor. The board would like to move the garage forward four (4) feet. The board feels moving the garage closer to the road ROW is preferable because it gets it further from the brook.

Michael closed the public portion of the hearing and read the Findings of Facts: (see file)

Kate commented that she was told by the Municipal Association that where the ordinance is vague, the Board makes the decision. Kate wants to be certain that we are only talking about the square footage of the foot print and that any second floor area was not part of the calculation. Karim Chichakly responded, “That is correct. That is how it has always been done”.

Michael polled the board regarding the criteria for a Variance:

1. The Variance is not contrary to public interest: Karim asked about moving the garage forward and closer to the road ROW. Michael responded that it’s a balancing act. Merilynn feels the move forward gets it further away from the brook which is a higher priority. The Chair then asked each member of the board to identify if they agree or do not agree that the Variance is not contrary to the public interest. Karim, Merilynn, Kate, Kerry and Michael all stated they agree that it is not contrary to the public interest.

2. The spirit of the ordinance is observed: Karim stated he felt it was in the spirit of the ordinance. Merilynn stated she would agree if we knew for certain what size addition we

were talking about. For example she felt that 45' x 28' was too much. She would support an addition that was 30' x 28'. Michael said we should have that discussion.

The board discussed the following conditions: a garage attachment that was 30' x 28' and moved forward toward the road four (4) feet with a pitched/shed roof that slopes away from the tower, no more than two (2) stories.

Michael then asked Merilynn if she was in agreement that the spirit of the ordinance was observed given the conditions set by the board and she responded, "yes". Kate, Kerry and Michael also voted "yes".

3. Substantial justice is done: Karim stated substantial justice would be done, Merilynn agreed, Kate agreed, Kerry agreed and Michael agreed.

4. The value of surrounding properties are not diminished: The board was unanimous that surrounding property values would not be diminished.

5. Literal enforcement of the ordinance would result in an unnecessary hardship and the proposed use is a reasonable one: The board felt that having a garage was a reasonable use of the property even with a substandard lot and it would create an unnecessary hardship to deny. Kate commented that the public purpose of the ordinance is to protect the water and ensure that the road can be maintained and the conditions we have set for this garage protect both. All agreed. Michael asked for each member to vote. Karim voted that it would be an unnecessary hardship to deny the Variance request. Merilynn agreed. Michael agreed. Kate agreed. Kerry agreed.

Michael then decreed that the Variance is granted for a 30' x 28' addition with the conditions stated. The board will get the written decision to Marc and he can move forward with the plan as amended by the board.

Merilynn then asked for approval of the August 13, 2026 minutes. Karim moved to approve as presented, seconded by Kerry. The vote was in the affirmative and unanimous.

Michael moved to adjourn at 7:46pm. So voted.

Respectfully submitted,

Merilynn Bourne, Clerk