

**TOWN OF CENTER HARBOR
ZONING BOARD OF ADJUSTMENT
Municipal Building**

**Monday, February 14, 2022
7 p.m.**

In attendance: Chair Bernie Volz, Vice Chair Jean Meloney, Members Karen Ponton and Stephany Marchut Lavallee. Alternate Members Gregory Hime. Public Attendance: NONE

Voting Members Chair Bernie Volz, Vice Chair Jean Meloney, Karen Ponton and Stephany Marchut Lavallee.

I. MINUTES:

Karen Ponton motions to accept the January 10, 2022 as presented. Seconded by Stephany Marchut Lavallee. All were in favor.

Karen mentions per the minutes, there is a reference to adding Septic Systems to the definition of Structures in order to provide some clarification. Clerk mentions the Planning Board at the request of CEO Bill Doucette do have that as an item that needs to be addressed in preparation for 2023 Town Meeting.

II. PUBLIC HEARING – VARIANCE 469 WAUKEWAN ROAD 105-004 JEFF WALSH

Applicant was not able to have the plans prepared in time for this hearing so the Board will continue the hearing to March 21, 2022 at 7 p.m.

III. PUBLIC HEARING – VARIANCE 471 WAUKEWAN ROAD 105-004-001 JEFF WALSH

Applicant was not able to have the plans prepared in time for this hearing so the Board will continue the hearing to March 21, 2022 at 7 p.m.

MOTION: Karen Ponton motions to continue the hearings for variances on 469 and 471 Waukewan Road to March 21, 2022 at 7 p.m. Seconded by Bernie Volz. All were in favor.

IV. OTHER:

Attorney Spector Morgan Legal Counsel ZBA - Chair updates the Board that she sent an email to the Board of Selectmen requesting that Attorney Spector-Morgan be assigned as legal counsel to the ZBA. Selectmen approved the request and asked that the ZBA Chair confirm with the rest of the Board they are in agreement with this change in counsel. Chair also stated that if the need arises that Attorney Spector Morgan involvement is required for a particular case, that we provide a quick update to the Selectmen of this request. ZBA Board Members were in agreement. Clerk will let the Selectmen know the change in counsel has been confirmed.

ZBA By-Laws Update – Clerk requests a modification to the ZBA By-laws under Section III, 7. General Rules item h. The Clerk asked whether or not plans would be considered a “written” submission. After much discussion the Board felt that the current item was sufficient but decided to add more clarification as to why there is a deadline on submitting documents to an already scheduled hearing. The current section reads **Any written submissions related to a ZBA case must be received by the ZBA Clerk by the Thursday at noon preceding the scheduled**

hearing the Board added “to allow sufficient time for the materials to be distributed and reviewed by the Board before the meeting.”

MOTION: Karen Ponton motions to amend Section III, Item 7. General Rules – “h” of the ZBA By-Laws to add “to allow sufficient time for the materials to be distributed and reviewed by the Board before the meeting”. Seconded by Stephany Marchut Lavallee. All were in favor.

ZBA Members/Alternates – The Board is down 2 Alternate Members. Chair states if any of the members know of anyone interested, please have them contact the Clerk. Greg Hime asks if this could be announced at Town Meeting. Clerk will request the Moderator mention the vacancies at Town Meeting Business Session on March 9th.

ZBA Application Fees – The fees for applications have not been increased since the 90’s. The Clerk, during the review of a PB application in another town, noticed there is a large discrepancy in what the Town of Center Harbor charges for application fees versus surrounding towns. The Clerk mentioned the PB will be reviewing their fee structure and asked if the ZBA would like to do the same. The Board was able to access fee scheduled from other towns online during their meeting and agreed there does appear to be some increases warranted. The Board asked the Clerk to gather some information from surrounding towns based on application type and fee amount in order to circulate to the Board for discussion at their next meeting.

Meeting adjourned at 7:57 p.m. next meeting scheduled for March 21, 2022 @ 7 p.m.

