

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

Monday, November 14, 2022
7 p.m.

In attendance: Jean Meloney (Vice Chair), Members George Lamprey, Karen Ponton and Stephany Marchut-Lavallee. Alternate Members Gregory Hime and Timothy Nefores and Alison Toates. Chair Bernie Volz was absent with notice.

Public attendance: Robert and Sharon Proulx, Don and Beatrice Thibeault, Paula Tracy, Margot Ellard, Brett Allard, Esq. of Shaughnessy Raiche, PLLC., Bill Doucette, Code Enforcement Officer.

The meeting was called to order at 7:02 p.m.

- **Vice Chair Meloney** elects to move past item I, the approval of the September 26, 2022 minutes until after the scheduled hearing.

Rehearing of Case 2022-0613.A, David and Lauren Anderson of 28 Brookside Lane.

- **Chair Meloney** assigned the same voting members who originally took part in the original hearing, presented by Attorney Ethan Wood, Esq. They are members, George Lamprey, Karen Ponton. Gregory Hime, Tim Nefores, with the addition of Alison Toates, alternate members

George Lamprey asked if anyone informed us they would be present for the case. Clerk replied only the packet was sent in, no other communication.

Chair Meloney asked voting members if they had any added discussion regarding this case.

- **George Lamprey** stated board gave this case strong consideration at the end of the last meeting and it was denied within the correct interpretation of our zoning ordinances.
- All discussion was in support of the original decision to deny.
- **Chair Meloney** stated they have 30 days to respond to our decision.

George Lamprey made a motion to deny the request for a rehearing. Greg Hime seconded. All were in favor of denying the request, no one was opposed.

Public Hearing for Variance Case 2022-1114.A 786 Winona Road, Owen and Margot Ellard

Chair Meloney goes through the protocol for those in attendance. Clerk provides board members with copies of the case file for this hearing. **Member George Lamprey** recuses himself from this case. Chair turns the meeting over to the applicant's attorney, **Brett Allard, Esq. of Shaughnessy Raiche, PLLC** presents the case criteria. (Application is contained in the case file for this property.)

Chair Meloney asks if there is anyone from the public that would like to speak in favor?

- It was agreed by all abutters present they were happy with the way the Ellard's were updating the property.

Chair Meloney asks if anyone would like to speak in opposition?

- Paula Tracy who lives across the street from the Ellard home stating that it would impact her views of the lake with the houses roof height being doubled. She also stated when the garage was being built that also partially blocked her view of the lake.

Greg Hime, stated the height of the roof on the home was within the guidelines of the ordinance.

- There was no further discussion on this matter.

Chair Meloney asked if by building a freeze wall, would that impact the plans which have the house built on cement blocks. **Bill Doucette, Code Enforcement Officer** responded, it would not, the house would be more stable than just using cement posts.

Chair Meloney asked, how many trees are being cut down?

- **Margot Ellard** stated only trees that are sick or dying. We are working with landscaping the and replacing trees with acceptable ones for the area.

Chair Meloney mentioned the Lake Smart Source Program as they would be helpful with the plants and best materials to us for the walkway.

- **Margot** said she follows them on Facebook and will look into contacting them for ideas.

Chair Meloney closed the public discussion and the board went over the proposal.

- Consensus after going through the five criteria all were in agreement the Variance was staying within the Zoning Ordinances.

Greg Hime, motioned to accept the proposal as presented. **Stephany Marchut-Lavallee** seconded. All were in favor of the motion. None were opposed.

- Regarding finding of facts **George Lamprey**, we will send a decision to approve the Variance as stated. By denying this variance the public will lose more rights than the public gains by the literal enforcement of the zoning ordinances.

2023 budget was discussed briefly and all agreed to keep the amounts the same from last year. Clerk will get expenditures from Selectman's assistant as to where the monies were spent.

Minutes – September 26, 2022 the approval of Septembers minutes was postponed to our next meeting December 12, 2022.

ADJOURNMENT Motion to adjourn by Chair Jean Meloney. Seconded by Karen Ponton. All were in favor. Meeting adjourned at 8:45 p.m.

- Next meeting tentatively scheduled for December 12th at 7 p.m

Respectively submitted:
Linda D'Auria, clerk