

**TOWN OF CENTER HARBOR
ZONING BOARD OF ADJUSTMENT
Meeting Minutes**

Monday March 11, 2024

7 p.m.

In attendance: Chair Bernard Volz; Vice Chair Jean Meloney, Members, George Lamprey, Karen Ponton, Stephany Marchut Lavallee, Alternate. Alison Toates Members Gregory Hime, Timothy Nefores, Thomas Reddy and Clerk Helen Altavesta.

Public attendance: Gary and Amy Mellinger

The meeting was called to order at 7:00 p.m.

Chair Bernie Volz asked board members to introduce themselves.

Chair Volz elects to wait on the approval of the January 8, 2024 minutes until after the hearings:

Helen Altavesta clerk announced how the application was hand delivered on 2-20-2024. Public notice was issued 2-20-24 postings at the Municipal Building, Post office and ZBA page of the town website. Notice was also published in the Laconia Sun on 2-27-2024. All Abutters were notified on 2-20-24 and 7 Certified cards were sent. 5 Certified cards were received back.

PUBLIC HEARINGS

- **2024-0220 Special Exception Tax Map: 222 Lot: 012 Owners: Gary and Ann Mellinger – 199 McCrillis Hill Road**

The voting members will be Bernie Volz, Jean Meloney, George Lamprey, Karen Ponton, and Stephany Marchut Lavallee.

2024-0220 Variance-Tax Map: 222 Lot: 012 Owners Gary and Amy Mellinger – 199 McCrillis Hill Road

A Special Exception is requested from Zoning Ordinance, Section 10 Article 7 and article 4:2. to permit the building of a structure within the 50' buffer of a non-designated wetland.

Chair Volz- The board is still waiting on the recommendation from the conservation commission that is required regarding this special exception per the zoning ordinance. We can still discuss but

I think we will wait to make a decision on this hearing until we receive a recommendation letter or the time lapses.

The Chair handed it over to the applicant Gary Mellinger to present his plans and discuss the application. Gary discussed when they bought the house the property had a plan that had a breezeway and a two-car garage. They were trying to get work done before the frost and worked with a contractor. They started working with a builder and getting things in place and starting building the trenches. Bill Doucette, the code inspector came by and looked at it and was concerned how close it was to some vegetation that was running along the side. At that point they got a wetland scientist to look at it as well as their border surveyed. The wetland scientist came back and the structure is in the buffer of a non-designated wetland. That is why they are here today to ask for permission to build within the 50' buffer of a non-designated wetland.

Discussions on placement of the structure and how there is no driveway on the map. Would there be changes in the existing driveway and what material would be used. The driveway already exists and is made out of gravel but would need some changes. Discussion on snow removal and if it would impact the non-designated wetland area. The Structure would have a steeper pitch front to back.

Chair Bernie Voltz asked if a site visit would be acceptable to the applicant as it would be helpful to the board to see the property. The Mellinger accepted the request.

Motion for a Site Visit on Monday March 25th at 3:00.

Motion by Bernie Volz. Seconded by Stephany Marchut Lavallee. All in favor.

Motion to continue Hearing until April 1 at 7:00 pm.

Motion by Karen Ponton. Seconded by Jean Meloney. All in favor.;

Approval of the January 8th meeting minutes

Motion by Karen Ponton. Motion to approve the minutes as corrected Seconded by George Lamprey. All were in favor.

Other Business:

Karen Ponton raised that the current text on the Special Exception application and the Variance Application were different from what the Bylaws read.

Current bylaws text:

6. **Public Hearings.** The conduct of public hearings on applications shall be governed by the following rules:
 - a. The Chairperson shall call the hearing to order;
 - b. The clerk shall read the notice for the application;
 - c. The clerk shall describe the manner in which public notice and personal notice was given;
 - d. Those appearing in favor of the appeal shall be allowed to speak;

Proposed revised text:

6. **Public Hearings.** The conduct of public hearings on applications shall be governed by the following rules:
 - a. The Chairperson shall call the hearing to order;
 - b. The clerk shall read the notice for the application and describe the manner in which public notice and personal notice was given;
 - c. The application shall be presented by the applicant, applicant's designee, or the clerk.

And, then cleanup Application forms:

- Current text on Special Exception and Variance application forms reads:

****Note: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate. According to the Center Harbor Zoning Board of Adjustment By-Laws, Section 6 (b), the application shall be read into the record by the applicant, applicant's designee or clerk ****

- So, change Section 6 (b) to Section 6 (c) on these forms.

Motion to correct the Special Exception application, Variance application and By-Laws as Stated. Motion by Karen Ponton. Greg Hime seconded the motion. All in favor.

Karen Ponton motioned to Adjourn at 7.52. Greg Hime seconded the motion. All in favor.

Next Public site meeting scheduled for March 25 ,2024 at 3 p.m. and next public meeting for April 1st at 7:00 pm at the Carey Mead Room

Submitted by Helen Altavesta.