

Approved: _____

Approved with changes: _____

Effingham Zoning Board of Adjustment Meeting Minutes March 15, 2022

Members Present: Jim Pittman (chair), Tim White (vice chair), Theresa Swanick, Lawrence Edwards, and Mike Cahalane seated as alternate.

Others Present: Nate Fogg, Rebecca Boyden, Applicant Robert Waddington of Wakefield Disposal Services, Leo Racine, abutter to Mr. Waddington, Chuck Fuller, Selectman, Grace Fuller, Erik Jones

Call to order at 7pm

New members welcomed: Lawrence Edwards, Alan Taylor. It was noted that Mr. Taylor had not yet been sworn into office, and so was not seated for this meeting. Mr. Cahalane agreed to act as alternate to achieve a full five-member Board.

Review of minutes of October 14, 2021. Eight, mostly grammatical, changes were noted. Acceptance moved by Tim, seconded by Theresa. Unanimously approved except for Mr. Edwards, who was not present at the 10/14 meeting.

Election of Chair and Vice-Chair. Theresa nominated Jim Pittman as Chair, seconded by Tim. Unanimously elected. Theresa nominated Tim White as Vice-Chair, seconded by Lawrence. Unanimously elected.

Distribution of new State of NH Planning and Land Use Regulation 2021-2022 Edition to Members. Thanks to Theresa for arranging for their procurement.

Recently approved changes to the Zoning Ordinance from the March 8th election. The revised Ordinance was expected to be published sometime in early April. It was noted that there are changes that would be relevant to the case before us at this meeting, specifically related to Contractor's Storage Yards and the revised setback requirements. It was stated that the changes would be in effect as they had not been voted down, and so, would be effective for this meeting.

Public Hearing of Special Exception: Nate confirmed that the application is complete and properly noticed. The Chair recognized Mr. Waddington. The Chair asked Mr. Waddington if he had a revised plot plan, as previously requested, showing setback distances. Mr. Waddington stated that he was withdrawing his application as he thought there was a lot more to the hearing than he expected. He also noted that the Public Notice included "waste disposal equipment", which was not part of his application. He stated that he had applied for the Special Exception based on Rebecca's recommendation but that it had "opened a major can of worms". The Chair cautioned that the withdrawal could lead to repercussions from the Zoning Enforcement Officer, to which he responded he understood, and he would be in communication with her on the following Monday. The hearing on the matter was ended.

The Board agreed that the filing fees would be forfeited, and no refund was due the applicant.

A brief discussion with the Enforcement Officer ensued relative to the Contractor's Storage Yard Special Exception. It was noted that the discussion could be inappropriate if it centered on the applicant's situation. It was agreed to end discussion and note that the intention was purely information for the Board and not referenced to the withdrawn application.

Other Business: Theresa discussed the binders she had previously assembled for the Board and how to update them for the current members. As the Ordinance had not yet been published it was agreed that Jim and Theresa would work together to get the binder content updated.

Jim mentioned that he had emailed the NH Zoning Handbook to each of the members except for Alan. Nate and Theresa noted that State training sessions were being conducted on Zoom.

A discussion ensued regarding holding regular monthly meetings again. It was noted that past practice had provided opportunities for continued education regarding the Ordinance and ZBA practices. Rebecca offered that she expected increased activities which would lead to more frequent meetings anyway. Mike Mentioned that it also allowed the Board to stay current with approval of minutes and communications to the Board.

Rebecca shared that she had been contacted by someone regarding the establishment of a dog kennel. Asked how it might be classified, she offered that it would probably be classified as a service business. If it materialized, she suggested it might be a situation where a joint meeting with the Planning Board would be productive.

Schedule Discussion: The Board discussed the best days for a regular meeting. It was agreed on first Wednesdays at 7:00 PM.

The next meeting was set for April 6th at 7:00.

Meeting adjourned at 7:50 PM.

*These minutes are considered draft until approved at the next regularly scheduled meeting.
Corrections will be noted in the following month's meeting minutes.*