

July 30, 2020

Franconia Zoning Board of Adjustment
Meeting Minutes

4:30pm

ZBA Members Present: Peter Grote (Chair), Phil Krill (Vice-chair), Susan Retz, Alicia Shambo, Keith Batchelder (Planning Board Representative), Alex Peoples, Jenny Monahan.

Members Not Present: Brian Williams

A meeting of the Franconia Zoning Board of Adjustment (ZBA) was held on Thursday, July 30, 2020, at the Dow Park Pavilion at 4:30pm.

The meeting was called to order at 4:47pm by the Chair.

The minutes of the June 30, 2020 public hearing and meeting were reviewed by ZBA members. Peter had a number of amendments and additions that he provided on Jenny's draft minutes with changes in red.

Susan commented that in her opinion the names of members throughout the minutes should be consistent (ex. the Chair instead of Peter or Peter Grote).

Susan also said that she disagreed with a portion of the minutes amended by the Chair to include the names of previous applicants who were not present but were discussed. Susan agreed that the way Jenny referred to them as "a previous case" was correct instead.

Vice-chair Krill suggested the address could be used instead of the names. Keith Batchelder said the Planning Board is often vague when referencing cases or individuals that were mentioned but not part of the case at hand.

Susan said she also disagreed with the Chair's addition to the minutes of mentioning that she declined the chairmanship at a previous meeting. The Chair agreed that portion can be removed.

After the discussion, Vice-chair Krill made a motion to accept the minutes as amended. Susan seconded the motion. Vice-chair Krill, Susan Retz and Alicia Shambo voted in favor of the motion. The Chair opposed the motion. **Motion passes.**

Following amending the minutes, the Chair presented a diagram illustrating different structure shapes for a discussion about the different ADU's that may be added to an existing structure. He said most of the types represented on the diagram have been before the board before. He said when he had discussed a previous case with two different attorneys, they had opposing views of the case.

Referencing the most recent hearing where the Chair did not agree with the other ZBA members that the Variance needed to be heard after the Special Exception was granted, he suggested the board establish a consistent policy on variances and special exceptions when it comes to ADU's.

The board discussed this briefly before deciding that each case is unique and needs to be approached individually. Susan commented that while each case is unique, each case creates a precedent to be considered in future cases.

The board moved on to discussing the ZBA By-laws and the procedure for receiving and processing an application. The Chair said that it is appropriate that the by-laws state that the application must be received two weeks before the case is heard to give time for review of the case documents. While discussing the procedure for processing an application, Keith Batchelder said he thought there are some denied building applications that should go before the Planning Board before going before the ZBA. There was a brief discussion about how to make sure no steps were being missed and cases that should see the Planning Board were directed to do so. Jenny Monahan said she could send denied building applications to the Planning Board Chair Thad Presby for his input. The board agreed that Jenny should begin doing that.

There was a brief discussion about egress in apartments with only one door.

The Chair introduced Alex Peoples to the other members and said that he recommends him for appointment by the Select Board. Alex told the members a little bit about himself and his interest in joining the ZBA.

The Chair made a motion to nominate Alex Peoples to the Zoning Board of Adjustment. Susan Retz seconded the motion with all voting in favor. **Motion passes.**

Susan Retz initiated a brief discussion about trying to hear cases earlier than waiting for the next scheduled hearing to avoid long waiting times. Jenny said as long as she had time to properly notice the meeting to the public and notify abutters, the hearings could be scheduled sooner than the third Thursday of the month.

As requested by Alicia, Jenny let the board know about two applications for variances received that will be heard at the August 20th meeting.

With no further discussion, the meeting was adjourned at 5:40pm on a motion by the Chair and a second by the Vice-chair. All voted in favor.

Respectfully submitted,
Jenny Monahan
Secretary Clerk, Zoning Board Adjustment