**TOWN OF BETHLEHEM**

**ZONING BOARD HEARING**

**August 30, 2022**

**In person and ZOOM VIRTUAL HEARING MINUTES**

6:00 PM

Present: Chair Andrea Bryant, David Van Houten, Chris McGrath, and Nancy Strand

Excused absence alternate Shane MacElhiney and Ruth Heintz.

Chair Bryant opened the Hearing at 6pm

All stood for the Pledge of Allegiance

Andrea read the agenda.

Public Hearing for Dalbec Special Exception request - 95 Wing Road map and lot 415-37 D2

Mrs. Dalbec explained to the Board their plan to build a 24x28 garage. The garage will be closer to the neighbor than the required 30 feet. She would like to be able to be within 15 feet. This is allowed with a special exception. All 4 Criterion must be met to have an approval. The lot is undersized at .69 acreage.

Mr. Van Houten asked if the garage could be moved to a more conforming area. Mrs. Dalbec explained that there is a generator in the area, and you must be x amount of space from it. Mr. McGrath said that is the best spot for the garage. He is familiar with the property.

The board went over the Special Exception checklist.

They asked about a camper and a shed that is currently on the property map. Mrs. Dalbec explained that both would be going away before construction.

Mr. McGrath made a motion to accept the checklist for Dalbec Special Exception as complete. Chair Bryant seconded. All in favor 4-0

***Special Exception Criteria*** *-* All 4 criterion must be met for an approval.

**The proposed used, structure or change to a structure or use:**

#1…shall meet the requirements of the Bethlehem zoning ordinances and is consistent with the spirit and intent of the Bethlehem Master Plan.

***The garage will be used for parking vehicles and storage. We pay for storage now.***

Mr. McGrath motioned to accept C1. Chair Bryant seconded. All in favor 4-0

#2. shall not negatively impact the health, safety, or general welfare of the neighborhood and/or the town, including but not limited to noise, odor, vibration, glare, hours of operation, traffic, lighting, runoff, and/or pollutants.

***It will not have a negative impact.***

The Dalbecs were asked about the lighting. Mrs. Dalbec - there will be motion lights downward facing.

Mr. Van Houten motioned to accept C2. Nancy Strand seconded. All in favor 4-0

#3 shall be compatible with the character of the neighborhood and the town and will not diminish or have a negative effect on property values.

***It will not have a negative effect. It will improve the property value.***

Mr. McGrath motioned to accept C3. Nancy Strand second. All in favor 4-0

**The proposed used, structure or change to a structure or use:**

#4 …shall not overload or result in an excessive demand on municipal services and/or facilities, including but not limited to schools, emergency services, water, and sewage, waste disposal and road maintenance.

***It will not have an excessive demand on municipal services. Schools, emergency services, etc. will not be impacted.***

Mr. Van Houten motioned to accept C4. Nancy Strand seconded. All in favor 4-0

***Chair Bryant motion to approve the Special Exception Criteria with the condition that the Dalbecs apply for a Variance to become exempt from the 60-foot frontage requirement from the center line due to the undersized lot. Mr. McGrath seconded. All in favor 4-0***

***Closed public hearing for Dalbec Special Exception.***

**Other business**

Mr. McGrath would like to have the zoning ordinance for special exceptions and Variance approvals come from the abutting properties.

Other board members do not agree.

Mr. McGrath mentioned the zoning ordinance change he brought to the planning board. The planning board asked for a warrant article to go before the vote. The vote passed in March of 2018\*.

*\*Front setback in district 2 for accessory structures only. The accessory structure setback will at minimum conform to the setback of the existing structure provided the existing primary structure was built prior to the enactment of the 60-foot minimum front setback requirement. (Adopted March 2021)*

The board would like to have Tara Bamford town planner look at setback relief for Special Exceptions and Variance applications.

**Minutes 6-14-22**

Mr. Van Houten motioned to approve minutes from 6-14-22. Chair Bryant seconded. All in favor 4-0.

Other board business

Nancy Strand attended the planning board meeting on August 24th. She expressed her interest in a grant opportunity for the town to benefit on the updated local plans – affordable housing. Select Board member Mr. Jensen volunteered to write a letter of intent.

Nancy Strand asked the board to consider stopping ZOOM meetings. The conservation board has stopped.

Chair Bryant - does not want to get rid of ZOOM.

Mr. Van Houten – wants to keep ZOOM meetings - It is very convenient for people to just tune into a board meeting from home. You don’t have to sit in a meeting with a large AGENDA and have to be at town hall for the duration.

Chair Bryant expressed that if she was not feeling she could just zoom and not miss the meeting.

Mr. Van Houten said it is of value to have a lot more people able to attend.

Mr. McGrath - he will do whatever the people want.

Next meeting September 13th at the library.

All in favor of adjournment. 4-0

Respectfully submitted

Deb Bayley

Planning/Zoning Clerk