

Town of Bethlehem

2155 Main Street

Zoning Board of Adjustment

Public Hearing

Tuesday September 13, 2016

6:00 pm

Minutes

Present: Chairman Lon Weston, Patrick Doughty, Amy Delventhal, Alan Jackson and Christina Ferraro.

Absent: Mike Culver

Lon Weston calls the meeting to order at 6:00

Patrick Doughty reads the public notice for AHEAD EQUITABLE WAIVER

The board looks over the minutes from July 26, 2016.

Amy Delventhal motioned to approve Patrick Doughty seconds (with amendments)

Minutes approved.

Lon Weston explains that before the board starts to proceed with the Ahead Equitable Waiver, due to an abutter not being notified Ahead wished to start all over with the Special Exception for multifamily housing. Lon asks Mike Claffin from AHEAD if indeed this is their intention. Mike Claffin tells the board that yes in fact they do and their application is already in and scheduled for September 27, 2016.

Applicant presents the case for it request for an Equitable Waiver for AHEAD.

Lon Weston opens the floor to public input. Rita Farrell needs more explanation; she is satisfied with the explanation Amy Delventhal gives her.

Mary Epstein Abutter gives a brief interpretation of an RSA for road frontage. Amy and Pat both explain that her interpretation does not have anything to do with requirements of footage for an access road.

Sylvain Epstein Abutter asks if there has been legal counsel involved, before the Zoning Board makes any decisions. Rita Farrell speaks up and asks the same question. Lon Weston explains attorneys cost money and explained LGC is a legal service that the town pays into. Sylvain Epstein says that is what we pay taxes for. Rita Farrell requests the board to read anything they have from NHMA, for public record.

Patrick Doughty makes a motion to waive attorney client privilege to read this email from NHMA concerning the EQUATIBLE WAIVER. Amy Seconds All in favor 5-0

Patrick Doughty read the advisement from NHMA. He explains the questions that he asked were by phone. The response is what he is going to read.

The former owner of the lot had sought and received subdivision approval from the Bethlehem Planning Board in 1984 to create the lot on Main Street with 100 feet of frontage. It turns out that the subdivided parcel was in an area of Main Street that had been rezoned in 1974 to provide that it must have 150 feet of frontage. Neither the Planning Board nor the property owner realized this mistake. Presumably the Town of Bethlehem has taxed the parcel as a separate and distinct parcel with less than require frontage since 1984, a period of 34 years.

There is a lot of back and forth talk about the frontage.

Dann states that the burden is put on the Abutters. Amy Delventhal says "Ordinances need to be clarified"

Lon Weston restricts public input at 7:25.

Christina Ferraro reads the application for the equitable waiver. Patrick Doughty motions to approve the Equitable Waiver on the basis of RSA 674:33-a,2 for lot frontage. Amy Delventhal seconds. All in favor unanimous 5-0

EQUITBLE WAIVER OF DEMENTIONAL REQUIREMENT PASSES FOR AHEAD

Patrick Doughty motions to adjourn Alan Jackson Seconds 5-0 unanimous

Adjourned 7:35

Respectfully submitted

Debra Bayley
Zoning/Planning Clerk