**TOWN OF BETHLEHEM**

**ZONING BOARD HEARING**

**June 14, 2022**

**In person and ZOOM VIRTUAL HEARING MINUTES**

6:00 PM

Present: Chair Andrea Bryant, David Van Houten, Chris McGrath, Nancy Strand, and Vice Chair Ruth Heintz.

Excused absence alternate Shane MacElhiney

Andrea Bryant opened the Hearing

All stood for the Pledge of Allegiance

Andrea read the agenda.

Public Hearing for Desisto Variance request 900 Agassiz Street

Mr. Desisto explained to the Board his plan for his undersized lot.  He is in District 2.  Due to having an odd, shaped lot he is requesting relief from the 30-foot setback on the northside. He will need to go down to three feet. His tried to purchase some land from his neighbors 35 acres to plan was to purchase some of their acreage to be able to meet the setback. The landowners don’t want to sell.  There was a letter from his neighbor Mr. Nevell that he would be agreeable to the 3-foot buffer.

There was back and forth talk about a tree not being taken down. Also, a French drain no runs alongside the two properties. Being feed from Mr. Nevell’s property.

The board explained that this is between neighbors not the board.

Ruth Heintz read the checklist.

Nancy Strand motion to accept the checklist for Desisto Variance request. David Van Houten second. 5-0 passed

**Variance criteria**

Facts in support of granting the variance:

1. **Granting the variance would not be contrary to the public interest because:**

*The addition of an attached garage and breezeway it will enhance the neighborhood and increase property values to abutters.*

**Mr. McGrath motion to approve Criteria 1. Nancy Strand second. 5-0 passed.**

1. **If the variance were granted, the spirit of the ordinance would be observed because:**

*The reduced setback to 3 feet abuts a large parcel of land (35) acres and has been agree to by an abutter. Attached letter*

**Motion David Van Houten to approve criteria 2. Ruth Heintz 2nd.  5-0 passed.**

1. **Granting the variance would do substantial justice because:**

*Attached letter*

**Motion Ruth Heintz to approve Criteria 3. Andrea Bryant second 5-0 Passed.**

1. **If the variance were granted, the values of the surrounding properties would not be diminished because:**

*The proposed garage and breezeway addition would increase value of property*

 **Motion David Van Houten to approve criteria 4.  Chris McGrath 2nd.   4-1 Passed.**

1. **Unnecessary Hardship**

*The denial of a variance would not allow us to use the garage for vehicles in winter and the use of a workshop and badly needed storage. Because of narrow boundaries there is no other place for a garage.*

**David Van Houten motion to approve criteria 5. Ruth Heintz second 5-0 passed.**

***Chris McGrath motion to approve Desisto Variance request for 3’setback on the north side of 900 Agassiz Street. For a 2-car garage and breezeway. Nancy Strand second. 5-0 passed.***

**Closed Desisto Variance hearing.**

Board Business

Special Exception checklist changes.

Motion Chris McGrath to approve changes to the special exception checklist. Nancy Strand seconded. 4-1 passed David Van Houten abstained.

Andrea Bryant let the board know that there will be a joint meeting on July 27, 2022, with the planning board. Tara Bamford will be going over changes and addition to the towns zoning ordinance. If time allows. The PB meeting will be concentrated on changes to the Site Plan Review application. Then discussion about going forward with Zoning ordinances.

Next quarterly meeting set for September 13, 2022.

David Van Houten would like to step down from the board. Alternate Shane MacElhiney could take his place until next election in March. Mr. Van Houten will speak with Shane. The board will be accepting letters of interest. The board can elect a new member when a board member steps down until the next general election.

Motion to adjourn Chair Bryant. Nancy Strand second.  4-1 all in favor

Chris McGrath is never in favor of adjourning. passed

Respectfully submitted

Deb Bayley

Planning/zoning clerk