Town of Stoddard Preliminary

Zoning Board of Adjustment Meeting

August 17, 2023

Town Hall

The Chairperson called the meeting to order at 7:30 pm

Pledge of Allegiance was led by

Roll Call: Herb Healy, Franz Haase, Jason Kovarik, Doug Summerton,

Alternate Members: Milosh Bukovcan, Lauren Patton

Members Absent: Bud Record

Others present: Harry Power, Compliance Officer

Public Hearing: None

Correspondence/Reports

 Secretary – two possible cases for next month

 Compliance Officer – no new cases

 Board Members – Budget Report reviewed and discussed

Meeting Minutes review

* Herb made a motion to accept the July 20, 2023 preliminary minutes as written, Doug seconded the motion, it was unanimously approved.

Old Business

* ZBA Fee Structure discussion. Members were given copies of RSA 676:5, Appeals to Board of Adjustment and RSA 676:7, Public Hearing Notice to reference, with attention and discussion on parts 676:5, IV and 676:7, I and IV.
* Members also had a copy of an email from ZBA Legal Counsel Matthew Serge to clarify and confirm the correct scope of 676:5.
* The current fees for application and notification do not equal the cost of the process. Thus, the costs are coming from the tax payers. Currently the $50 application fee barely covers administrative costs and the newspaper fees for posting the notice (average $75/each) are not paid by the applicant. Also, applicants pay $8 for each abutter letter but the postal fee is $8.10 each. The ZBA wants to tie, as close as possible, the actual cost of the application and notification to the applicant.
* Discussions on updating the Application Check List containing fees the applicant is responsible for. A motion was made by Jason to keep the $50 fee for administrative costs for cost recovery to address the applicants request. Doug seconded the motion, opened for discussion: There currently is no line item showing the amount of fees that come in to the town paid by the applicants. Processing each application notice with research, takes about three hours’ time. The current $50 fee has been in effect since 2015. Doug amended the motion to raise the administrative fee to $75 to offset the operating costs. The motion was seconded by Loren. All were in favor, the motion passed.
* Herb made a motion to add a $75 single notification fee to cover the cost of a single notification posted in the Keene Sentinel. If a subsequent public notice in the Keene Sentinel is needed the applicant will be billed. Doug seconded the motion. Discussion was held regarding average cost, notifications with site visits and additional notifications. During a public hearing the board can decide to have a site visit and the visit would be mentioned (date & time & location) in the minutes so there would be no cost for additional notices. The motion passed unanimously.
* Our ZBA rules & procedures will be addressed in the future as they vary from the current state statute and may need adjustment.
* Doug made a motion that the abutter and self Notice letters remain at $8/each. Loren seconded the motion. The motion passed unanimously.
* Discussion on Hearing Notices to Town Boards. Certified letters cost $4.38 each while certified/return receipt notices are $8.10. Discussion on hearing notification of town Boards ensued. Notices should be sent certified. The exact process will be continued at a later date with the recommendation that Special Exceptions involving Wetlands go to Conservation Commission & Selectmen, Variances to Selectmen, Special Exceptions for changes in land use go to Planning Board & Selectmen. Decision Notices go to Town Clerk, Tax Assessor, Selectmen, Planning Board and Conservation Commission as specified.
* Loren made a Motion to remove the line item of $6 for Selectmen and Conservation Commission notices from the checklist. Any fees for letters will come out of the administrative fee. Doug seconded the motion. The motion was unanimously approved. Fee structure is now revised and will take effect in 60 days.

New Business

* Discussion on current Variance forms**.** Herb discussed the lack of information available on the 5 criteria necessary that applicants must respond to. He presented a Variance criteria guideline form that may be helpful to applicants. Herb is making this an Action item to meld appendix B into the checklist and a Variance criteria guideline onto our variance form.
* Members decided no new Land Use Books are needed as they can be accessed on line.

Public comment - none

Adjournment: Motion made by Jason to adjourn, Franz seconded the motion. All were in favor. Meeting adjourned 9:20 pm. The next meeting is September 21, 2023, at the Stoddard Town Hall at 7:30 pm.

Respectfully Submitted,

 Kathleen Ellis, Secretary