

August 10, 1976

A meeting of the Board of Adjustment was called to order at 7:35 P.M. on Tuesday, August 10, 1976. The roll call was as follows:

Emery S. Doane	Present
Carole Webber	Absent
Eugene Bried	Absent
Benjamin Pratt	Present
Ralph Proctor	Present
Robert B. Flanders, Alternate	Present
Patricia Novak, Alternate	Absent
Catherine C. T. Dik, Alternate & Clerk	Present

The Chairman read a letter from Lloyd Henderson, Town Counsel, which presented a copy of the "Right-to-Know Law" and said it would be placed on file and available to any member who wishes to review it. Mr. Flanders feels that we have been handling matters properly and that we should not worry about it until someone complains. The rest of the Board concurred.

The question of a change in the filing fee for a hearing was again raised. It was reported that Hillsboro's is \$12.00. They are just beginning and have no idea whether that is covering costs or not. Our Planning Board charges \$20-\$25. Peterboro's fee is \$30.00. Henniker charges actual costs. Mr. Pratt asked if Town Counsel had anything to say. The Chairman reported that Mr. Henderson thought we are the lowest anywhere around. Mr. Flanders thinks we should continue charging approximately half the cost as we do now, and let the Town carry the rest as a service to the Town. Mr. Pratt also would like to leave the fee at \$15.00. for another year. The Chairman asked how he can support an act in violation of the State law, and he replied he did not see why the State should tell a town how much it should charge to conduct its Board of Adjustment hearings. That does bother me, but not as much as that I see a lot of resentment around town (I do not know how widespread) of the Zoning Ordinance. If someone wanted to do a very minor thing like add on to the porch and had to pay a disproportionate amount to do it that would infuriate them. Basically what we are doing now is equitable to the people who come before the Board and equitable to the Town. That State law does not bother me as much as other things. I do not

defend doing this but I think we would wrong more people than the State by doing it. The law says the person shall pay it, but it does not say that the Town shall not pay some portion of it.

Mr. Proctor said that basically he agrees with what has been said. The purpose of the fee is not to make money but to make sure the applicant is a sincere and serious person. He is very much distressed because there is no Industrial District, and feels we should stay with the fee as is until the Zoning Ordinance is changed to make an Industrial District.

Mr. Flanders thinks the only person we are hurting by not conforming is the Town, and feels the Town has an obligation to assume part of the expense. He thinks this law is there to use if we want to; if the Selectmen do not want to enforce it then we do not have to. Mr. Proctor thinks we should inform the Selectmen of our decision. Mr. Flanders then

MOVED: That the Board leave the \$15.00 fee as now and notify the Selectmen that we are so doing.

SECONDED: By Mr. Pratt

VOTED: In favor - Benjamin Pratt
Ralph Proctor
Robert B. Flanders

Abstained - Emery S. Doane
Catherine C. T. Dik

This vote negates the action taken at the Board Meeting on June 22, 1976

The Chairman then brought up two matters of violations - Richard H. Davis' advertisement in the Messenger (see Case No. 5 folder) of a Variety Shop at his place on Gregg Lake Road. He was granted permission for a woodworking shop only. And the Sporting Goods Shop in a residence on Route 202 at the Antrim Malls site. There have been no petitions for either. Mr. Flanders remarked that we see violations around town which should be brought to the attention of the Selectmen. It is not our business to enforce. We now have two Selectmen who were elected since the Zoning Ordinance went into effect who should know what is a violation.

The meeting was adjourned at 8:05 P.M.

Respectfully submitted,

Catherine C. T. Dik

Catherine C. T. Dik, Clerk