

Town of Enfield Zoning Board of Adjustment (ZBA) Meeting Minutes – May 12, 2020

Board Members & Staff Present: Tim Lenihan (Chair), Mike Diehn (Vice Chair), Ed McLaughlin, Susan Brown, Madeleine Johnson, Tom Blodgett, Rob Taylor (Land Use and Community Development Administrator)

Board Members Absent: None

Public Present: None

Meeting was called to order at 7:08 pm by Tim Lenihan, board chair. Chairman Lenihan stated that there are no public hearings. He started with asking for a review of the minutes for the January 14th and April 14th respectively. Susan Brown went through some minor typos that she had found in both sets of minutes. Tim Lenihan asked for a motion to approve the April 14th. Susan Brown offered the motion and Madeleine Johnson offered a second. A roll call vote was taken and the minutes were approved unanimously (4-0).

Susan Brown offered some minor corrections and then a motion to approve the January 14th meeting minutes. Madeleine Johnson offered a second. A roll call vote was taken and the minutes were approved unanimously (4-0).

Tim Lenihan then discussed the real impetus for the meeting. This had to do with local restaurants and outdoor dining as it relates to the COVID19 pandemic plus the use of campers in residential zoning districts due to COVID19. At this time Mike Diehn joined the meeting. Tim Lenihan went on to describe the limitations of the ZBA's powers to issue orders without formal appeals being sought. The idea is to essentially say to the Planning Board something to the effect of "please limit strict enforcement during these unique COVID19 times." After some discussion the following advisory statement was offered:

The Enfield Zoning Board of Adjustment hereby advises the Planning Board that in light of the unique circumstances created by the COVID 19 pandemic, this board is in favor of temporarily easing strict enforcement of certain restrictions of the Enfield Zoning Ordinance: specifically, restrictions on parking; campers or recreational vehicles; and area setbacks for restaurants wanting to provide outside dining. These measures should only apply to businesses and residential uses already in existence and should last only so long as the Governor's emergency orders are in effect.

Mike Diehn made a motion to approve the language proposed by Tim Lenihan and Rob Taylor (above) and Ed McLaughlin offered a second to the motion. A roll call vote was taken and the motion was approved unanimously by a vote of 5-0. Tim Lenihan asked that the Land Use Administrator forward the approved language to the Planning Board chair.

The board then made a unanimous decision to ask Tom Blodgett to become an alternate member of the ZBA. Tom Blodgett was in attendance and gladly accepted his new role. The board was thankful for his willingness to serve in this capacity.

Tim Lenihan brought up the idea that all projects be forwarded to the conservation commission (CC) for consideration as a matter of course and practice. He asked the Land Use Administrator to ensure that projects be noticed to the CC. Rob Taylor will forward all “packets” that the ZBA gets to the CC. Ed McLaughlin expressed concerns that any CC members that attend a ZBA meeting communicate that they are expressing the opinions of the full board or their opinions as individuals. Susan Brown made the point that the CC should be asked for their opinion through the CC Chairman by the ZBA through this process. Tim Lenihan made the point that the notification of the CC is required by Town ordinances/ regulations. He went on to say that there should be no interpretation as to whether the CC be notified, moreover they should always be notified.

Chairman Lenihan called for a motion to adjourn the meeting at 7:47 pm. A motion was offered, seconded and supported unanimously, 5-0.

Submitted by,
Rob Taylor, Land Use and Community Development Administrator