

**NEW DURHAM ZONING BOARD OF ADJUSTMENT**

**April 22, 2020, 7:00p.m.**

*IN LIGHT OF THE COVID 19 (CORONA VIRUS) SOCIAL DISTANCING ADVICE MADE BY THE GOVERNOR AND CDC EMERGENCY ORDER #12 PURSUANT TO EXECUTIVE ORDER 2020-04, THE TOWN OF NEW DURHAM NH FOLLOWING A DECLARATION OF EMERGENCY BY THE ZONING BOARD CHAIRPERSON, IS PROVIDING MEETING PARTICIPATION VIA TELEPHONE CONFERENCE FOR YOUR SAFETY.*

**PRESENT**

Terry Jarvis, Chair – via Zoom  
Wendy Anderson, Vice Chair– via Zoom  
Stephanie Richard – via Zoom  
Linda Callaway– via Zoom  
Paul Raslavicus– via Zoom

**ALSO PRESENT**

Thomas Varney, Varney Engineering LLC– via Zoom  
Mike Wawrzkeiwitz, applicant, BJW Enterprises– via Zoom  
Kate Varney, Varney Engineering LLC – via Zoom  
Raymond Halpin, applicant– via Zoom  
Bridget Halpin, applicant– via Zoom

**CALL TO ORDER**

Chair Jarvis called the meeting to order at 7:00pm. The chair made statements regarding the current state of emergency due to COVID-19 and the use of Zoom. (*See attached*)

Roll Call was taken for individuals present in the Zoom meeting. Chair Jarvis confirmed with all individuals that they are alone or who is present in the room with them.

Chair Jarvis asked if any applicants, applicants' representatives or members of the public object to these cases being heard electronically. No objections were indicated.

**AGENDA REVIEW**

Chair Jarvis added to the Agenda: permission to provide the Planning Board and Building Inspector with a recent legal opinion.

**APPROVAL OF MINUTES**

Meeting of April 14, 2020 – Postponed.

**Continuation of Public Hearing for Case # 2020-001**

Submitted by Varney Engineers LLC on behalf of BJW Enterprises LLC/ Mike Wawrzkeiwitz.

The applicant is requesting Special Exceptions to:

**Article VII Section A1, Commercial Use** (including Minor Commercial Use) In areas designated “Unconstrained Developable” or “Constrained Developable” on Land Use Suitability Map also see Groundwater Favorability Map

**Article XII Section E, Aquifer Protection Overlay District** Uses Allowed with Special Exception.

The property is located at Map 250, Lot 138; 30 Depot Road.

Chair Jarvis stated the Public Hearing was previously opened at the April 14, 2020 meeting but there was not time to finish it. She stated none of the Board members felt they had a conflict of interest with the case; she asked if any Board members have changed their mind and have a real or perceived conflict with hearing this case. None was indicated. Chair Jarvis stated no member of the public felt any member of the Board had a real or perceived conflict and confirmed this has not changed.

Chair Jarvis stated the application was originally received and reviewed at the January 14, 2020 meeting and found to be incomplete; all missing information was received before the deadline for the February 13, 2020 meeting, which was postponed due to weather; it was going to be heard at the March 12, 2020 meeting, but that was canceled due to illness and lack of Board quorum; the application was reviewed and declared complete at the April 14, 2020 meeting. The Public Hearing was opened; due to the lateness of the hour, the Public Hearing was continued to tonight’s date; the Public Hearing remains open. Chair Jarvis stated at the last session of the Public Hearing, Mr. Varney explained how the business was going to be setup and there were questions by the Board regarding noise decibels. She asked Mr. Varney and the applicant to continue to present the case.

Tom Varney, Varney Engineering, LLC, stated the discussion last meeting was about changing the use of the property from a retail gun shop to retail and service shop of motorized equipment including snowmobiles, ATVs, and trailers. A map and plan of the was presented for review by the Board. Chair Jarvis asked if any member of the Board has questions regarding the change of use of the property. Mr. Raslavicus asked about the entry into the parking lot and noted one place indicates that will be closed but the map shows it open. Mr. Wawrzkeiwitz explained his understanding is the second entrance was supposed to have been closed by the previous owner and outlined where the driveway would be for his use. Mr. Varney stated they have a DOT driveway permit for this as Depot Road is a State road.

Mr. Varney presented the Environmental Impact Study he completed for the property for review by the Board. He stated the property is on an aquifer and outlined the area which the Alton Aquifer covers, noting this property is on an outer boundary; the water table is 1.5’ to 2’ below grade; the elevations show a slight slope of 3-4” from the front to the back; the plans include the addition of a building which will increase storm-water runoff and drip edges were added for infiltration; a bio-retention swale of 10’ by 100’ was added along Depot Road; the storage for trailers will be in grassy areas and healthy soil and

grass will be kept in place to help absorb water; sources of pollution are located in the garage, but that is regulated by the State with inspections and storage requirements; the floor will be concrete with no drain; the plans are such that the impact will be minimized to allow the applicant to use the property in a safe manner without impacting the aquifer. Mr. Raslavicus stated the water level was noted to be 1-2' under the surface and asked if it then continues down 100'. Mr. Varney confirmed that is correct. Mr. Raslavicus asked about ground water contamination by accidental spills and is concerned about immediate remediation plans in the event chemicals are spilled. Mr. Wawrzkeiwitz stated they will utilize oil/liquid absorbent pads and it is something they would keep in stock in the event there is a spill. He stated 99% of the machines will be new and explained that new machines have been changed in how they are constructed. Mr. Wawrzkeiwitz explained the manufacturers' selling concepts, which base manufacturing on orders; machines ship and arrive without oil or gasoline in them and he would do minor assembly. The liquids are not added until purchased by customers. He explained machines would be stored inside; he stated his companies don't overload the dealers with inventory. Chair Jarvis asked if he would be selling used machines. Mr. Wawrzkeiwitz replied that most people sell used machines on their own. Chair Jarvis asked who is notified if there is a spill of any kind. Mr. Wawrzkeiwitz stated if there was a large amount but they won't have more than 20 gallons of gasoline in a few different gas cans and doesn't see much potential for spills and leaks; he won't have more fuel on the property than most homeowners.

Mr. Raslavicus asked if the groundwater in the area is being used for drinking purposes in the area; Mr. Varney confirmed the homes, school and church have wells in the area. Mr. Raslavicus stated the ordinance allows the impact of a single-family home and with this business the amount of activity of similar nature will be doubled. He is concerned with putting two businesses within close proximity and on the same aquifer, and questions whether they are exceeding by the combination, what would be a reasonable amount of impact. Mr. Wawrzkeiwitz stated the size of his property is 19 acres and explained even if he fills a snowmobile, it's only 11 gallons but a dealership never fills a tank; he stated his business would be a tenth of what the car dealership is doing, on a smaller lot. Chair Jarvis stated she isn't concerned about the close proximity of the two businesses. Ms. Richard stated she doesn't see an issue and doesn't think the applicant should be penalized because there is another business next door; Ms. Callaway stated she doesn't see an issue and the property has an existing business. Vice Chair Anderson concurred and stated this is less of an impact than the number of houses that could be on this property. She stated she is concerned about the wording on the plans referring to "topsoil" being used for topdressing disturbed areas in preparation for planting versus the word "loam"; topsoil is not a scientifically defined term and could be any soil from the top of the ground where it is collected; whereas "loam" is scientifically defined and would be a more reliable soil description for healthy stand of plantings. It was requested any repairs or changes to the surface be with loam.

Mr. Raslavicus confirmed 96 decibels refers to one machine; Mr. Wawrzkeiwitz stated that is high for a machine and explained it is federally mandated at 73 decibels at idling and cannot exceed 78 under acceleration. Chair Jarvis suggested the condition be the total

decibel level at any time, which can be more than one machine, cannot exceed 96 decibels. Mr. Varney noted they would have to go to the Planning Board with this as well. Chair Jarvis asked if any members of the public had any comments. None was indicated.

Chair Jarvis closed the Public Hearing at 7:58pm. She stated the members of the board deliberating the case would be Vice Chair Anderson, Ms. Richard, Ms. Callaway, Chair Jarvis and Mr. Raslavicus.

***Findings of Fact:***

Applicant proposes to operate a business for the sale and service of snowmobiles, all-terrain vehicles, trailers and accessories.

- Submit a corrected pg. 5 of the application to the Land Use Assistant.  
(Attestation regarding the application being complete, the property is in Town Center Mixed Use District and Aquifer Protection Overlay)
- The property is 19.26 acres.
- Currently there is one building on the property that had a special exception for a sporting goods store.
- The applicant proposes to build a 2<sup>nd</sup> building that is 40 X 50 ft (2000 sq ft) on a slab. The new building will be used for the storage, assembly and service of motorized equipment.
- According to the Land Use Suitability Maps in effect when the application was received the area is designated “Most Suitable”.
- The current building has a state approved septic system. The new building WILL NOT have any bathrooms or living areas.
- There is a pond on the property.
- The current entrance into the property is to be removed. Access will be obtained via the driveway to Lakes Region Auto.
- There will be multiple display areas all on grass or lawn. 85% of the display area will be maintained as grassy areas in accordance with the information listed on page 2 of the 1 inch = 20 feet plans dated 12/16/19.
- Total decibel levels at any one time shall not exceed 96 decibels.
- The dumpster shall be enclosed with fencing.
- The application material states:
  - An “Operations & Maintenance Manual and Log” will be maintained
  - “Best Management Practices for Groundwater Protection for Vehicle Service and Repair Shops” shall be adhered to at all times.
  - All vehicle washing shall be done in accordance with NH Departmental of Environmental Service “Groundwater Discharge Permitting and Registration Program and the Underground Inspection Control Program”.
- There will be no overnight storage of vehicles in the parking lot.
- The impact of this proposal is equal to or less than that of a single-family dwelling.
- The current septic system is equal to that of a 2-bedroom home.

- The Applicant and Applicant's representative agree all disturbed areas are to have at least 6 inches of loam. Topsoil is not to be used.

Mr. Varney noted he did submit the page 5 to the Land Use office. Chair Jarvis stated she would verify receipt with the Land Use assistant.

The Board reviewed the discussion questions for a Special Exception in accordance with Article VII, Section E, Article VII, section A.1, and Article XII, Section E.

**Discussion and Facts Supporting This Case**

*Do you feel that according to the "Land Use Suitability Map", the designation of "most suitable" is appropriate:* Chair Jarvis noted the terms "constrained" and "un-constrained" were terms adopted by the legislative body in March however this application came in January 2020 so terminology in effect at that time must be used which would be "most suitable". Ms. Richard and Vice Chair Anderson agreed. Mr. Raslavicus stated if the aquifer were further down, he would feel it would be suitable but not most suitable.

*This Special Exception shall not cause undue hazard to (a) the health of other individuals:* The Board concurred it would not.

*(b) Will this Special Exception cause undue hazard to the safety of other individuals:* The Board concurred it would not.

*Will this Special Exception shall diminish the property value of other land owners:* Ms. Callaway stated it would not, if used as specified. Vice Chair Anderson and Ms. Richard concurred. Mr. Raslavicus stated he believes it will have an adverse financial effect on some of the houses on Depot Road. Chair Jarvis noted this is located in the mixed-use area of Town, and this has been allowed by the legislative body so does not believe it will affect the values of other properties in the area.

*This special exception is not offensive to the public due to:*

*(A) Noise as evidenced by:* Chair Jarvis stated she does not think it will, if the total decibels are limited. The Board concurred.

*(B) Vibration as evidenced by:* Chair Jarvis stated she does not know where there would be any vibration. The Board concurred.

*(C) Excessive traffic as evidenced:* Chair Jarvis stated the traffic is anticipated to be a maximum of 3 employees per day; 4 to 5 customers per day. The Board concurred it would not be offensive in that range.

*(D) Unsanitary conditions as evidenced:* Chair Jarvis stated there is a state approved septic system and the new building will not have a bathroom; the dumpster is going to be enclosed with fencing. The Board concurred it would not be offensive.

*(E) Noxious odor as evidenced:* The Board concurred it would not be offensive.

*(F) Smoke as evidenced by:* The Board concurred it would not be offensive.

*(G) Other similar reason as evidenced:* The Board concurred there are no other issues.

**Chair Jarvis made a motion to approve the request for a Special Exception to Article VII Section A.1. and Article XII Section E, for the operation of a business for the sale and service of snowmobiles, all-terrain vehicles, trailers and accessories**

**With the following conditions:**

1. Verification that a corrected pg. 5 of the application has been submitted to the Land Use Assistant.
2. Applicant shall obtain Site Plan approval and a Conditional Use permit from the New Durham Planning Board.
3. All service activities shall occur inside the new building.
4. Any disturbed areas of ground are to have at least 6 inches of loam. Topsoil is not to be used.
5. 85% of the display area will be maintained as grassy areas in accordance with the information listed on page 2 of the 1 inch = 20 feet plans dated 12/16/19.
6. All outside signs shall comply with the New Durham Zoning Ordinance.
7. Total decibel levels at any one time shall be less than 96 decibels.
8. The dumpster shall be enclosed with fencing.
9. The "Operations & Maintenance Manual and Log" shall be submitted to the Code Enforcement Officer on an annual basis for their review.
10. Annually submit the "Operations and Maintenance Plan Certificate" to the Code Enforcement Officer.
11. Copies of all federal, state or county inspections and permits shall be provided to the Code Enforcement Officer on an annual basis.

12. The most current version of “Best Management Practices for Groundwater Protection for Vehicle Service and Repair Shops” shall be adhered to at all times.
13. All vehicle washing shall be done in accordance with NH Department of Environmental Service Groundwater Discharge Permitting and Registration Program and the Underground Inspection Control Program.

**Vice Chair Anderson seconded the motion. Roll Call Vote:** Vice Chair Anderson – aye; Ms. Richard – aye; Ms. Callaway – aye; Mr. Raslavicus – aye; Chair Jarvis – aye.  
**Motion passed, 5-0-0.**

**Public Hearing for Case # 2020-005**

Application submitted by Varney Engineering LLC on behalf of Raymond and Bridget Halpin

The applicant is requesting a variance from:

**Article VI Section C.3 (a): General Provisions Use Regulations for Town of New Durham General Requirements Sewage Disposal and Leach Field Setbacks.**

- a. No privy, cesspool, septic tank, or sewage disposal area shall be constructed or reconstructed:
  - i. less than one hundred twenty-five (125) feet from the edge of a public water body; or,
  - ii. less than seventy-five (75) feet from any well, or from a dwelling other than to which it is appurtenant.

The property is located at Map 103, Lot 016, 170 Pine Point Road.

Chair Jarvis stated at the April 14, 2020 meeting no Board member indicated a real or perceived conflict of interest with hearing this case and asked if this has changed. No change was indicated. Chair Jarvis asked if anyone in the public has a real or perceived conflict with any members of the board hearing the case. None was indicated.

Chair Jarvis stated on April 14, 2020, the application was determined by the Board to be complete. She confirmed the public notice was posted on March 26, 2020 and all abutters were notified.

Chair Jarvis opened the Public Hearing at 8:37pm.

Tom Varney, Varney Engineering, LLC, stated the Halpins recently purchased the property and plan to upgrade the well and the septic system. The cottage was built in 1960; the well point for the water supply is not reliable. A NH DES approved septic is to be installed on the roadside; the well to be installed near the steep banking to be 53’ from the septic tank and 76’ from the leach bed; the design has been approved by the State.

The cottage has been demolished to the foundation. Mr. Varney stated they are asking for a variance to locate the well too close to the septic tank; he explained the lot is mostly flat until it gets steep near the shoreline and the proposed location is the farthest away on the property that is still accessible by a well truck. A conditional use plan has been submitted to the Planning Board to update the retaining walls as they are old rotting railroad timbers and heavily leaning. It was confirmed the leach field is 150' back from the lake.

Chair Jarvis asked the depth of the property and what percentage is steep slopes. Mr. Varney stated its about 176'; steep slopes are about 40%. The current system is 130' from the water. Chair Jarvis asked if a well point is something they would see being installed on property now or is it an older method of getting water. Mr. Varney stated he doesn't see a problem with it now but it is old and needs to be where there is sand and gravel. Chair Jarvis asked for how many bedrooms the new system is approved. Mr. Varney replied it is two (2); the lot is limited to that due to size. Mr. Varney presented pictures of the property and existing well point, which has been having problems and is not reliable. Mr. Raslavicus asked if the current well is getting ground water or drawing from the lake. Mr. Varney replied it's all the same, as the water table is the same level as the lake; the well is from the 1960s. Chair Jarvis asked about the specifics of the well not working. Mr. Halpin stated they stopped using it before Labor Day as it didn't run reliably; they don't know if it freezes during winter, but they don't want to deal with potentially freezing pipes. He stated the neighbors who knew the former owners indicated the well house had a flood light, which was typically used to keep a well point from freezing and he doesn't want to rely on that to keep it unfrozen. Chair Jarvis summarized that the plans are to replace a septic system which is 50+ years old and replace it with a State approved 2-bedroom septic system. Mr. Varney reiterated that he believes the proposed upgrade is reasonable, as the current well point is down over a hill and outdated. Mr. Raslavicus noted the section only refers to the location of the leach fields and not the septic tanks.

Chair Jarvis closed the Public Hearing at 8:57pm.

The Board reviewed the maps and plans.

Chair Jarvis stated the members of the board deliberating the case would be Vice Chair Anderson, Ms. Richard, Mr. Raslavicus, Ms. Callaway, and Chair Jarvis.

### **Discussion- Article VI Section C.3 (a)**

#### *Findings of Fact:*

- There is a Right of Way deed on file with the Strafford County Registry of Deeds that gives the property owners access to their property over a private road known as Pine Point Road.
- The property is 176'+ feet deep.
- The property has approximately 40% steep slopes.
- The current septic system is pre-1967.
- The current well is circa 1960.



- The current well needs replacing because it is not reliable. and has the possibility of freezing in the winter.
- The proposal is to relocate the current well and septic system, which will be upgraded.
- The current well is located 100 feet from the septic tank.
- The new well will be located 53 feet from the septic system and 76 feet from the leach field.
- The proposed septic system has DES approval for 2 bedrooms
- While the proposed septic system location relative to the well complies with state DES rules they do not comply with the Town of New Durham's Zoning Ordinance.
- Due to the slopes of the property, they are restricted to a drilling rig being able to access further from the septic system.

*Granting the variance would/would not be contrary to the public interest:* Mr. Raslavicus stated it would not be contrary to the public interest to grant the variance for an upgraded septic. The Board concurred.

*The spirit of the ordinance would/would not be observed because:* Chair Jarvis stated it is in the spirit of the ordinance as the septic system is being upgraded and it will give the property owners a reliable source of water. The Board concurred.

*Granting the variance would/would not do substantial justice because:* Chair Jarvis stated for all the above reasons, substantial justice would be done. Ms. Richard stated it would be unfair to not grant the variance. The Board concurred.

*For the following reasons the values of surrounding properties would/would not be diminished:* Chair Jarvis stated an upgraded well and septic system would only increase the value of the property and doesn't see how it would reduce the values of surrounding properties. The Board concurred.

*Unnecessary Hardship:* Chair Jarvis stated the proposed use is reasonable; it is an improvement of the property; the fact the property is 40% steep slopes is a unique characteristic of the property that makes 100% compliance impossible. Vice Chair Anderson stated it an unnecessary hardship to not have an upgraded well; they are doing the best they can with the slopes of the site restricting well drilling rig access. The Board concurred.

**Chair Jarvis made a motion to grant the request for a variance to Article VI Section C.3 (a) with the following conditions: the Building Inspector will be given a copy of the NH DES approval of the new septic system and a Conditional Use Permit for storm-water management shall be received from the New Durham Planning Board. Vice Chair Anderson seconded the motion. Roll Call: Vice Chair Anderson – aye; Ms. Richard –aye; Ms. Callaway –aye; Mr. Raslavicus – aye; Chair Jarvis – aye. Motion passed, 5-0-0.**

**Planning Board Request**

Chair Jarvis stated a discussion came up last night at the Planning Board meeting and suggested that the opinions in response to questions which had been sent to legal counsel and New Hampshire Municipal Association by the Zoning Board of Adjustment be shared with the Planning Board.

**Chair Jarvis made a motion to authorize the legal opinions received from NHMA and Town Counsel of the Mitchell Group to be shared with the New Durham Planning Board and the New Durham Building Inspector. Ms. Richard seconded the motion. Discussion:**

Ms. Callaway stated she would like to get some “plain English” wording regarding the opinions, as there seems to be some contradictions within it. She suggested working through some case studies for clarification through different scenarios. Chair Jarvis stated she would not have a problem putting together some scenarios to ask for further legal guidance. She stated she doesn’t want to see the Planning Board submit the same questions to legal counsel; if there are further questions, they can then go to legal counsel. Chair Jarvis suggested reviewing the opinions and discussing at the next meeting. She asked if Town Administrator Kinmond could gather questions and compile them to forward to legal counsel. Town Administrator Kinmond replied the Land Use Assistant could compile them and he would submit to Town Counsel. He suggested a Q & A between Town Counsel and both boards may be a viable option. **Roll Call: Vice Chair Anderson – aye; Ms. Richard –aye; Ms. Callaway –aye; Mr. Raslavicus – aye; Chair Jarvis – aye. Motion passed, 5-0-0.**

Chair Jarvis stated she will work with the Planning Board Chair and Town Administrator Kinmond to make plans for moving forward with the collaboration. She stated she needs permission of the Board to do so. It was the consensus of the Board to send the exchange letter and then Chair Jarvis will discuss it with Town Administrator Kinmond and the Planning Board. Town Administrator Kinmond explained no decisions are being made in this situation but they just want to avoid communication between more than one member of the Board outside of a meeting.

**Future Meetings**

May 12, 2020, 7:00pm – Materials to be submitted by April 20, 2020.

TBD - Joint meeting of ZBA and Planning Board

**ADJOURN**

**Vice Chair Anderson made a motion to adjourn. Mr. Raslavicus seconded the motion. Roll Call: Vice Chair Anderson – aye; Ms. Richard –aye; Ms. Callaway – aye; Mr. Raslavicus – aye; Chair Jarvis – aye. Motion passed, 5-0-0.**

The meeting was adjourned at 9:37pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary

*New Durham Zoning Board of Adjustment  
April 22, 2020  
Approved 8-11-2020*

**Attachment 1**

**A Checklist to Ensure Meetings Are Compliant with The Right-to-Know Law During the State of Emergency**

As Chair of the New Durham ZONING BOARD of ADJUSTMENT, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

***a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:***

We are utilizing **Zoom** for this electronic meeting. All members of the ZBA and Town Administrator have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # **1-301-715-8592**, meeting ID **947 2546 7685** and password **594176** or by clicking on the following website address: Join Zoom Meeting <https://zoom.us/j/769973993?pwd=ek1NSkI3SGZRVytaWkdzVXZldElpQT09>

**Please note the Zoom electronic meeting will also be on Town Hall Stream via the video link on the website.**

***b) Providing public notice of the necessary information for accessing the meeting:***

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Select Board at: [www.newdurhamnh.us](http://www.newdurhamnh.us).

***c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:***

If anybody has a problem, please call **603-556-1516** or email at: [skinmondnewdurhamnh.us](mailto:skinmondnewdurhamnh.us).

***d) Adjourning the meeting if the public is unable to access the meeting:***

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**.

***e. Public Input and Muting***

Only members of the ZBA will remain UNMUTED during the meeting. When the Board calls upon an individual they will be unmuted. If you have a question or comment, and are muted, you can click on **participants** (bottom of screen). This will ring a list up on the right side of your screen. At the bottom of the participant list you can click on "raise your hand". During Public input **or** when the Board is accepting public input- public attendees will be unmuted. Please start by restating your name.

**Roll Call:**

*New Durham Zoning Board of Adjustment*

*April 22, 2020*

*Approved 8-11-2020*

We will start the meeting by identifying who is present starting with the ZBA Members. When called please confirm your presence. Please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.