



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Zoning Board of Adjustment

Approved Minutes

May 10, 2016

7:30pm @ Community Development Department

Mark Samsel, Chairman - present

Heath Partington, Vice Chair - present

Pam Skinner, Secretary - excused

Mike Scholz, Member - present

Bruce Breton, Member - excused

Mike Mazalewski, Alternate - present

Kevin Hughes, Alternate - excused

Jim Tierney, Alternate - present

Jay Yanneco, Alternate - excused

Staff:

Dick Gregory, ZBA Code Enforcement Administrator

Andrea Cairns, Minute Taker

Meeting called to order at 7:33p.m. by Chairman Samsel.

Mr. Scholz was appointed as Secretary in place of Ms. Skinner.

Mr. Mazalewski was seated for Mr. Breton.

Minutes were moved up in sequence by the Chair knowing a member would be late for the case, allowing the full board to be seated.

Review of 1/12/16 Minutes

Pg. 3 – should read, “Mr. Thoele indicated he is here to specifically address...”

Pg. 6, 2nd paragraph – should read “Chairman commented that the community can decide to petition for a change to the ordinance.”

Pg. 9 – last paragraph – should read “A motion was made by Mr. Breton to deny the request for rehearing for Case #41-2015 as the ZBA determined there were no technical errors made and no new information...”

Mr. Tierney joined the meeting and was seated for Ms. Skinner.

MOTION: Mr. Scholz made a motion to approve the 1/12/16 minutes as amended.

Mr. Partington seconded the motion.

No further discussion.

Vote 4-0-1, Mr. Tierney abstained.

Motion carries.

Lot 21-G-600, Case #4-2013

Request for re-hearing of the decision made on 3-22-2016.

Chairman Samsel stated it was a public meeting but for this rehearing request they do not entertain input from the public. For rehearing requests they only determine if technical errors were made or if there was new information presented that was not otherwise known at the time of the previous hearing.

The board reviewed items 1-12 contained in the original rehearing request submitted by Jon Carpenter and Brad Balise.

1a - No technical errors, no new information

Chairman Samsel noted a challenge to the decision would have happened within 30 days of the hearing. They are outside that timeframe and no new information has been presented. Mr. Partington commented that they discussed, in-depth, the reasoning why they granted the rehearing.

1b - No technical errors, no new information

Mr. Scholz commented that it is beyond the purview of the board to discuss the merits of the civil matter. Mr. Partington commented that Attorney Clark, on behalf of the abutters discussed the time limits during the hearing.

2a, b, c, d - No technical errors, no new information

It talks to the original variance, which the board does not have purview to use as evidence to request a rehearing.

3 - No technical errors, no new information

4 - No technical errors, no new information
It goes beyond the purview of the board.

5 - No technical errors, no new information

6 - No technical errors, no new information

7 - No technical errors, no new information

8 - No technical errors, no new information

9 - No technical errors, no new information

10 - No technical errors, no new information

11 - No technical errors, no new information

12 - No technical errors, no new information

Mr. Scholz commented that nothing he does on the board is personal. It is never his intent to upset someone or do anything that is not according to the law. Mr. Partington added that state RSAs do matter and they still need to adhere to state law despite what the ordinance might say. Mr. Samsel

stated that the board is not here to support or not to support activity; they are here to make fair and lawful decisions.

MOTION:

Mr. Partington made a motion to deny the request for a rehearing for case #4-2013 as the board made no technical errors and no new information was presented.

Mr. Scholz seconded the motion.

Vote 5-0-0.

Motion carries.

Review of 3/22/16 Minutes

Pg. 1, Election of Officers – remove the extra “Mr.”

Pg. 2, 7th paragraph, line 3 – “Ms. Breton” should read “Mr. Breton”

Pg. 7 – 5th paragraph – remove apostrophe after “not”

MOTION:

Mr. Scholz approved the 3/22/16 Minutes as amended.

Mr. Mazalewski seconded the motion.

Vote 4-0-1, Mr. Tierney abstained.

Motion carries.

Review of 4/12/16 Minutes

Match the format to the 3/22/16 Minutes

Pg. 1, public hearings, second paragraph, last line – should read “...even in the event of a request for withdrawal”

Pg. 2, 3rd paragraph from bottom, last line – should read “1, 2, 3, or 5.”

Page 3 – strike the first sentence; paragraph should start with “Mr. Sampson spoke...”

Add reasons 1, 2, 3, 5 to motion.

Pg. 3, paragraph 9 – change “neighbourhood” to “neighborhood”

Pg. 4, 2nd paragraph – add line “Mr. Watkins did not respond.”

8th paragraph, last line – should read “...understood the request for additional time.”

13th paragraph, last line – should read “...rear of the property is unique”

Pg. 5, 4th paragraph – “5” should read “five”

Last paragraph – should read “...drainage design. Chairman Samsel...”

Pg. 6, 6th paragraph – strike last sentence

The board requested to review another draft of the 4/12/16 Minutes.

Meeting Minutes—Review and Approval

The board felt the current level of detail was appropriate. They would like to include line numbers on the draft version moving forward.

MOTION: Mr. Scholz made a motion to adjourn at 8:26 p.m. Mr. Tierney seconded the motion.

Vote 5-0-0.

Motion passes.

Submitted by Andrea Cairns