

Town of Boscawen, NH
ZONING BOARD OF ADJUSTMENT
Boscawen Municipal Complex

MEETING MINUTES – Draft
Tuesday, October 17, 2017 at 7:00 PM

Members Present: Chair Gail Devoid, Edward J. Cherian Jr., Ann Dominguez and Tracy Jo Bartlett.

Others present: Kellee Jo Easler, Planning & Development Community Assistant, Alan Hardy Planning & Community Development Director.

Not present: Doug Supry, Roger Sanborn.

Meeting opened at 7:00 pm.
Roll Call by Kellee Jo Easler

Dr. Devoid explained that a notice went out for the last meeting with an incorrect time frame. There was confusion with the noticing so they tabled the case in order to clear that up and be sure all had opportunity to be at the meeting that wanted to be there. Anyone who wishes to speak this evening will get 15 minutes to do so and then the next person will be heard. The Board will take testimony in the order that people signed in last meeting. The Board will not go past 9 pm. By 8:45 pm they will close the public meeting and deliberate.

The non-public meeting Minutes from the last meeting will be made public. A **motion** to accept the non-public meeting Minutes that was held from 6:30 to 7:00 pm on 10.10.17 was made by Bartlett, seconded by Dominguez and passed by a unanimous vote. Ann Dominguez was appointed as a voting member by Chair Devoid. A **motion** to accept the draft Minutes from the public meeting of 10.10.17 was made by Cherian, seconded by Bartlett and passed by a unanimous vote.

Application for a an **Appeal from an Administrative Decision** submitted by **Elaine A. Clow, 357 Queen Street Boscawen & Andrew Newcomb, 171 King Street, Boscawen** concerning the **Planning Board decision of 08.29.17 voting to accept application for Site Plan Review (Dollar General), concerning Zoning Ordinance Article V, Minimum Dimensional Requirements, Article VIII, Off-Street Parking Requirements, Parking Calculation & Use of Parking Areas for Maneuvering Areas**, on property owned by **The Peach Pond Trust, 100 River Road, Boscawen, NH**, with a location of **169 King Street, Boscawen NH, Tax Map 81A, Lot 42**, in a **COM** zone.

The public meeting was open by Chair.

David LeFevre for the applicant's. In the absence of a full Board of 5 he is asking for a continuance. The statute of 674:33 says that it needs a vote of 3 members of the Board. Therefore, he wants to wait for a full Board of 5. He did indicate to the town attorney that he would be doing this.

Cherian felt it was a reasonable request. Mr. LeFevre said it was RSA 674:33iii. Devoid said that it provides the concurring vote of 3 persons is needed to decide on any matter that it is required to pass the appeal. Cherian asked if they continue it to next Tuesday, will they have 5 members. Kellee Jo said that there will not be 5 members next week as the other 2 members are unavailable next week. Chair Devoid called for a recess.

Chair Devoid noted that the town is working to get more people for the Zoning Board. The town will make every effort to have a full 5 person Board for the date that they continue this appeal. If at that time, after every effort has been made to have a 5 member Board, and they is not a 5 member Board, the Zoning Board of Adjustment will move forward to make a decision on this appeal.

A **motion** to continue this case to 10.24.17 at 7 pm was made by Cherian, seconded by Bartlett and passed by a unanimous vote.

A motion to adjourn was made by Cherian, seconded by Bartlett and passed by a unanimous vote.

Respectfully submitted,
Rose Fife