

**Zoning Board of Adjustment**

**January 7, 2013**

**Memorial Building**

**7:00 p.m.**

*The following are to be considered draft minutes only until approved by the Board at their next meeting.*

**Members Present:** Gene Hayes, Susan Chiarella (Chair), Bryan O' Day, Justin Hastings, and alternates, Cynthia Hayes, Karen Cook, and Peter Abair

**Others Present:** George McCusker and Leigh Callaway

**Review of November minutes:** Correction, Gene was not present at the November meeting\*

Bryan motioned to accept the minutes, second by Justin, all in favor.

**Discussion and Review of the 11/28/2013 meeting with the selectman regarding home business/home**

**occupation:** Leigh opens the discussion by stating he would like to see all members of the boards go before planning to see if in fact they would be qualified as having home business/home occupations. He stated by doing so, it would be easier to enforce the ordinance with the public. He handed out a possible questionnaire that could be proposed for residents to fill out. There was a little discussion around the questionnaire and how the public might not like that idea and find some of the questions an invasion of privacy. None of the board members had any issues with going before the planning board for consults. Karen Cook, Cynthia Hayes, Susan Chiarella, and Bryan O'day (for his wife) asked Susan Abair to have them put on the Agenda for the next Planning Board meeting.

**Rules of Procedure:** Susan Chiarella wanted the board to take a look at the Rules of Procedure and felt that a few areas could be corrected.

Section 2 letter C: after the word participate, the phrase, (and may also be asked to leave the table by the Chair). The new sentence would read as follows: Alternates shall not be allowed to make or second motions. Once the board moves into deliberations, alternates who are not activated shall not participate and may also be asked to leave the table by the Chair.

Under Rules of Procedure: Section 4 letter C- take out the word separate from (separate deliberations). The next sentence add the word continued to the word subsequent. Letter C would read as follows: Findings of fact and reasons for a decision maybe incorporated in the motion for decision, or the Board may choose to hold deliberations, either later in the same meeting or in a subsequent continued meeting, to adopt findings of facts or a statement of the reasons for the decision.

Section 2 Letter D—add the word continued to the word meeting in the last sentence. Letter D would

read as follows: The board may optionally choose to hold deliberations on the precise language of the notice of decision later in the same meeting or in a subsequent continued meeting.

Section 10: Reconsideration by the board: take out 74 Cox Street LLC v. City of Nashua, September 21, 2007 and replace with NH RSA 677. Section 10 would read as follows: The Board may reconsider a decision or grant or deny and application or grant or deny a motion of rehearing provided such reconsideration is within the appeal period of the original decision as per NH RSA 677.

Susan makes a motion to make changes to Rules of Procedure, Second by Gene all in favor.

**Misc. Business:** Susan Chiarella asks that the board review the applications and instructions to applicants to see if any of the board members feel that some changes could be made.

Meeting adjourned 8:50 p.m.

Minutes submitted by:

Susan Abair