

## **ZONING BOARD OF ADJUSTMENT**

**JULY 2, 2019**

## **MEMORIAL BUILDING**

**7:00 P.M.**

*The following are to be considered draft minutes until approved by the Board.*

Zoning members present: Susan Chiarella, Chair; Bryan O'Day, Justin Hastings, Cody Patten and Alternate Tanner Jacques. Absent: Peter Abair.

Others present: Susan and Keith Cutting, Claudia and Mitchell Swenson, Sheila Swenson, Cory Swenson, Becky Newcomb, Zoning Coordinator Whit Smith, and Selectman George McCusker.

Susan called the meeting to order at 7:00 p.m.

Minutes of June 4, 2019: Motion by Justin to approve as written, seconded by Susan and unanimously approved. Minutes of June 21, 2019: Motion by Bryan to approve as written, seconded by Justin and unanimously approved.

At 7:10 p.m. Susan opened the continuation of the Special Exception Hearing of Claudia Swenson, Trustee of the Robert H. Lane Trust. Susan asked Tanner to stand in in Peter's absence.

Susan asked Claudia if she has amended and signed the application. Claudia stated she had not. At the request of the beneficiaries, the application needs to be amended that there will be no skidder on the property because of past issues. She has received no contact from Cory or his attorney. The beneficiaries also request an Indemnification Agreement from Cory to protect the trust property.

Susan reported she consulted with legal counsel at the NH Municipal Association and was advised the Board cannot proceed with the hearing if the Trustee does not consent and if the application is not signed by the Trustee. The Board cannot continue unless that is taken care of. Claudia stated she is willing to sign the application if the language is changed to the satisfaction of all the beneficiaries. Susan stated the Trust needs to deal with the liability issues of the business and submit a signed and complete application. Unless the owner consents, the application is incomplete. Motion by Justin to dismiss the application, seconded by Cody and unanimously approved.

Whit and the Board reviewed the application process. The Zoning Board is not required to vote to accept an application as part of the hearing process. Whit will share information regarding the application process, and the voting process with Susan and the Board. The Board will need to decide on which process they wish to follow.

The meeting adjourned at 7:15 p.m.  
Minutes submitted by Janet Roberts, Administrative Assistant