

Town of Temple
Zoning Board of Adjustments
September 10, 2018 Public Hearing
Minutes

Call to order by Chair Mary Beth Ayvazian at 7:15PM

Attendees:

ZBA Members: Mary Beth Ayvazian, Honey Hastings, Sydney Thomas, Greg Robidoux and Deborah Deleso, John Kieley and Bill Ezell.

Vince Mamone (note taker)

Gail Cromwell (Select Board)

From the Public: Connie Kieley, John Jackson-Marsh, Walter Sherburne.

John Kieley and Bill Ezell recused themselves during this part of the meeting.

First order of business was to review outstanding draft minutes from June 11, June 19, July 9, July 16 and August 6. Vince Mamone agreed to make the edits to the minutes that were written prior to his involvement but would need the Word files to make the edits.

Draft minutes for June 11. Honey Hastings kept a record of the changes. There were several spelling, grammar, punctuation and name spelling corrections. John Jackson-Marsh was added as an attendee from the public. On page 3 second paragraph where Drescher sited that the Town of Temple is in the Residential and Agricultural Zone was corrected to "The Marsh Property is in" the Residential and Agricultural Zone. In the third paragraph, line 3 "At then" changed to "At that." Page 4, 4th paragraph "Is" changed to "if" in the first sentence and "Exceptions are made for antique "dealers" changed to antique "vehicles." Page 5 second paragraph from the bottom. The word "discussion" added to the first sentence after the word "2015." Page 6 paragraph 4, Line 1 "they could" removed and replaced with "was." Paragraph 5 added the word "trailers" to the sentence "He believes they can move 5 'trailers' in the next month. Second paragraph from the bottom added "if they asked" just before the words "they would have been told."

Honey Hastings moved to approve the June 11 minutes as edited. Greg Robidoux seconded and all voted in favor of approving the minutes as edited.

Draft minutes for June 19. Mary Beth Ayvazian kept a record of the edits as they were made. Chairperson was changed to "Chair" in all instances. There were several name spelling changes made throughout the document. No substantive changes made. Honey Hastings moved to approve the minutes as edited. Greg Robidoux seconded. All voted in favor of approving the minutes as edited.

Draft minutes for July 9. Mary Beth Ayvasian offered to rewrite the draft minutes and then to send them out for review so that they can be reviewed and approved at the next ZBA meeting. Honey Hastings moved to defer the review and approval of these draft minutes to the Sept meeting. Deborah Deleso seconded. All voted to defer.

Draft minutes for July 16. Vince Mamone had attempted to rewrite the minutes at the request of Mary Beth Ayvasian. This was just prior to the start of the meeting. Vince read the minutes but it was felt that the detail in the original draft minutes were important to keep. Honey Hastings moved to keep the original draft minutes, make minor changes and then to review the minutes for approval at the next meeting. Deborah seconded and all voted in favor.

Draft Minutes August 6. Chairperson changed to "Chair." Listed John Kieley as attending from the public since he had recused himself from participation in the meeting. Removed mention of Bill Ezell from the list of attendees as he did not attend. Corrected spelling of Atty Bedard's first name to "Biron." Each instance of the use of "Exception" was changed to "Special Exception." In the paragraph beginning with "Mary Beth entertained a motion..." Deleted the third sentence "Discussion continued so Honey Hastings called the question." Honey Hastings moved to approve the minutes as edited. Sydney Thomas seconded. All voted in favor.

Next order of business was to review the request for an appeal of the ZBA decision to deny the Special Exception for the Jackson-Marsh property. Everyone stated that they had seen the request. Ayvasian read the request out loud. Hastings said that technically this is a motion for a rehearing not an appeal. She also said that there is nothing in the Jackson-Marsh appeal that was new and that there was nothing that was missed in the original review of the Special Exception request.

The applicants had met the deadline and have a right to apply for a rehearing. And per RSA 677-3 the ZBA can consider it or deny. The following text was presented from a PowerPoint slide taken from a ZBA Conference:

Motion for Rehearing

- Avoid new findings of fact or new reasoning when denying a motion for rehearing (just say "denied")
- If new grounds for initial decision have been identified, better to grant the motion to rehear and hold a new hearing to create a more complete record.

Everyone felt that the new request did not include any new information or anything that was not already considered. Hastings made a motion to deny the request for a rehearing. Deleso seconded the motion. The ZBA members (except recused members) were polled with five responding in the affirmative to deny the request. No one voted to not deny. So the motion to deny the request was approved.

Last order of business was to review changes to the Application Form. John Kieley and Bill Ezell participated in this part of the agenda. John Kieley has been working to revise the Application Form. The Chair invited the board to discuss the form and propose possible other changes. The Board had recently encountered difficulty with identifying and notifying abutters when necessary. There were problems with getting the correct name, the abutters real address and with ensuring that the abutter got the notification. There were many suggestions made to add software to the town website and to use the same procedure that the Planning Board uses. This would involve having someone working for the ZBA who would be tasked to do this work.

On Page 2 Special Exceptions there was general agreement that the form should make it easy for the applicant and should also guide the applicant to supply the information that the ZBA needs for its review of the request. Hastings suggested removing "ie" and using a set of bullets. She also called attention to several formatting errors on the application form.

There was general agreement that there is a need for a form for requesting a Reconsideration. John Kieley said that this form should be clear that the applicant must provide new evidence not in the original request. Kieley will continue working on the Application Form and bring it to the next meeting.

Motion called to adjourn was moved by Bill Ezell. John Kieley seconded and all voted in favor. The meeting was adjourned at 9:17 PM.

Submitted by
Vince Mamone on Sept. 15, 2018