

OSSIPEE ZONING BOARD

Meeting Minutes

October 10, 2017

Minutes were recorded by and transcribed by Laura Nash, Board Secretary.

Revisions of these minutes are noted by ***bold/italic*** type.

Call to Order: Stanley Brothers, Chairman called the meeting to order at 7:04 p.m.

Members Present by Roll Call: Chairman - Stanley Brothers, Ralph Wurster, Jim Rines.

Absent: Bob Freeman (Selectmen's Rep), Steve McConarty (ZEO), Bill Grover and Ski Kwiatkowski.

Meeting Minutes:

Review to Approve the ZBA Meeting Minutes from September 12, 2017.

Board Discussion: Rines submitted several edits on page 2, 3, 4, and page 7. All revisions of these minutes are noted in ***bold and italic*** type.

A **Motion** by Brothers to approve the September 12, 2017 meeting minutes as amended. Rines seconded. No further discussion. A unanimous vote was taken.

Financial:

- Budget & Revenue Reports: September 2017 was reviewed by the Board.
- 2018 Budget Review Schedule: Wurster discussed his recommended changes to the budget. The Board discussed each aspect and agreed to the proposed budget as follows:

2018 BUDGET WORKSHEET- ZBA		to 8/31/2017	
	2017 Adopted	2017 YTD	2018
Description	Budget	Transactions	Dept. Request
ZBA - SALARY SECRETARY	\$3,900.00	\$3,678.75	\$5,500.00
ZBA – FICA - <i>Estimate</i>	\$242.00	\$228.01	\$350.00
ZBA – MEDICARE - <i>Estimate</i>	\$57.00	\$53.35	\$75.00
ZBA TELEPHONE	\$550.00	\$320.01	\$550.00
ZBA - ADVERTISING	\$1,600.00	\$1,681.00	\$1,700.00
ZBA - OFFICE SUPPLIES/ PROF FEES	\$400.00	\$78.07	\$400.00
ZBA - POSTAGE	\$900.00	\$953.76	\$1,050.00
ZBA - MILEAGE	\$200.00	\$64.46	\$200.00
ZBA - EDUCATION	\$300.00	\$0.00	\$300.00
ZBA - COMPUTER & SOFTWARE	-	-	-
	\$8,149.00	\$7,057.41	\$10,125.00

A **Motion** by Rines to modify the budget for secretary's wages to \$5,500.00, FICA to \$350.00, Medicare to \$75.00, (pending actual figures from Finance Administrator), Telephone at \$550.00, Advertising to \$1,700.00, Office Supplies/Prof. Fees at \$400.00, Postage to \$ 1,050.00, Mileage at \$200.00 and Education at \$300.00 for a total of \$10,125.00. Wurster seconded. No further discussion. A unanimous vote was taken.

New Business:

- **Case # 17-4-AA:** Dennis Belliveau, 18 Stoneview Rd. Tax Map: 272 Lot: 040 has filed an Administrative Appeal requesting a Rehearing for a denial decision of a Variance from Article 34.1 (c) Residential Uses for a Multi-family dwelling and Article 4.1 General.

Brothers acknowledged the attending Board members the application is incomplete. Mr. Belliveau submitted the application but did not provide a letter outlining the grounds upon which it is claimed the decision complained of is "unlawful or unreasonable".

Rines read the statute RSA 677:3, II and questioned if the written decision was submitted within five days. The secretary stated the Notice of Decision for the applicant was mailed on 09/15/2017 and was published in the Conway Daily Sun on the 9/16/2017 edition. The Board **discussed** options.

Brothers called Mr. Belliveau at 7:40 pm and left a voice message informing Mr. Belliveau the application is incomplete because he did not provide a letter outlining the grounds upon which it is claimed the ZBA 's decision is "unlawful or unreasonable". Brothers gave Mr. Belliveau until close of business day on Thursday, October 12, 2017 to submit his letter of reasons and supplied phone numbers to contact.

A **Motion** by Brothers that if the Board does not receive Mr. Belliveau's letter of reasons by end of business day Thursday, October 12th the Administrative Appeal will be denied for being incomplete. Rines seconded the motion for discussion.

Discussion: Rines read part of RSA 677:3, II which states "When a Motion for Rehearing is received, the board must decide to either grant the rehearing or deny it within 30 days. Since this is a board decision, the board must meet to consider the motion and act to grant or deny it. This is a public meeting subject to the minimum posting requirements of the Right to Know Law..." Rines questioned if the Board could even take action on this tonight, because of **the fact that** the Board just received the application and may not meet the minimum posting requirements.

Point of Order by Wurster stating, he does not believe you can make a motion on a hypothetical. You can only make a motion on current situations as they present.

Brothers withdrew his prior motion and Rines withdrew his second on that motion.

A **Motion** by Rines that the ZBA hold a Special Meeting on October 19, 2017 at 7:00 pm for the purposes of acting on the Administrative Appeal of Dennis Belliveau, **Case # 17-6-Variance**. Wurster seconded. No discussion. A unanimous vote was taken.

Any Other Business Which May Come Before This Meeting

- NBI – Land Use Law: Current Issues in Subdivision & Zoning seminar.
- Brothers appointed Wurster as backup if Brothers is unable to attend the budget hearing with the Board of the Selectmen on October 30th, at 4:30 pm.

Adjournment:

A **Motion** by Rines, and seconded by Wurster to adjourn the meeting.

All voted in favor, motion passed. The meeting adjourned at 7:52 p.m.

Next Meeting: November 14, 2017 @ 7:00 pm

Minutes approved by majority vote of the Board on:

Stanley Brothers, Chairman

Date

Or

Ralph Wurster, Vice Chairman

Date

(In the absence of the Chairman)