



TOWN OF WAKEFIELD, NEW HAMPSHIRE
LAND USE DEPARTMENT

2 HIGH STREET
SANBORNVILLE, NEW HAMPSHIRE 03872
TELEPHONE 603.522.6205 x308 FAX 603.522.2295

MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING
13 May 2014

Approved
18 August 2014

MEMBERS		ALTERNATES		OTHERS	
John Napekoski, Chairman	X	George Frothingham	X	Nathan Fogg, Land Use Clerk & Code Enforcement Officer	X
Sharon Theiling, Vice Chairman	X	Doug Stewart	X		
Cecille Arnone		Steve Brown			
Judy Sjostrom	X				
John Crowell	X				

Also present were: Rob Ward (videographer)

Nathan Fogg called the meeting to order at 7:00 pm. George Frothingham was seated for C Arnone.

N Fogg noted that there is a public hearing next Monday, May 19th and he felt that it would be a good idea to reorganize the board prior to that public hearing. He had checked with other members who had agreed that it would be good to be organized before we had public in the audience.

BOARD BUSINESS

1. The ZBA began discussing **nominations for Chair**. N Fogg noted that he had asked C Arnone if she was interested in becoming chair or vice-chair. She noted that she was glad to serve on the ZBA but that she would be too nervous to run the meeting. She also noted that she goes away for several months and that would not be fair to the other members.

MOTION: To nominate John Napekoski as Chair of the ZBA.
Made by: George Frothingham
Seconded by: John Crowell
Discussion: J Sjostrom nominated S Theiling as Chair, but did not receive a second. J Napekoski noted that he was not prepared for this nomination. D Stewart noted that he would continue to attend all meetings and would be able to assist if necessary. G Frothingham noted that he would be available also.
Vote: 5-0 in favor of the motion.

2. N Fogg asked for **nominations for Vice-Chair**.

MOTION: To nominate Sharon Theiling as Vice-Chair of the ZBA.

Made by: John Napekoski
Seconded by: George Frothingham
Discussion: J Sjostrom noted that J Crowell was a long serving member. J Crowell noted that he is happy to be a member of the ZBA, but does not want to be Chair of Vice-Chair. J Sjostrom noted that she has served happily on the ZBA for 10 years and will not seek to be reappointed to the ZBA next year when her term is up. N Fogg asked if there were any further nominations for Vice-Chair. Hearing none a vote was called for.
Vote: 4-0-1, with S Theiling abstaining.

BOARD BUSINESS

3. N Fogg noted that he felt it would be helpful for everyone to review the procedure followed for public hearings.
4. D Stewart reviewed the procedure for a public hearing:
 - a. Pledge of Allegiance;
 - b. Ask the ZBA Members to introduce themselves to the public;
 - c. Explain the process
 - i. Review the application for completeness
 - ii. Accept the application if ready
 - iii. Have the applicant present the application
 - iv. The ZBA and alternates ask questions of the applicant
 - v. Open the public input portion of the hearing
 - vi. Public speaking for the application
 - vii. Public speaking against the application
 - viii. After all have had ample time to speak, close the public input portion of the hearing. No further input by the public or alternates is allowed unless the public input portion of the meeting is reopened for good cause
 - ix. ZBA deliberation
 - x. Take action on the application (approve, continue, deny)
 - d. Board business
 - e. Approve minutes
 - f. Adjourn
5. J Napekoski asked if the applicant should be asked if they are prepared to move ahead with the application. D Stewart and G Frothingham both noted that they would assume that the applicant is prepared to move forward, but would entertain a motion to continue the hearing is asked by the applicant. Any number of issues could come up that would require the ZBA or applicant to request a continuance of a meeting and that is always an option. An applicant can always request a continuance if a full 5-member board is not present. An approva vote requires 3 members voting in the affirmative.
6. S Theiling noted that this board tends to bend over backwards for the property owners. This is the way it should be and it has not always been this way.

7. N Fogg noted that there a new ZBA Handbook became available last November. N Fogg will forward the link for those who wish to download the handbook or look at other links available at the website.
8. N Fogg noted that the application for the following Monday's meeteing is included in the packet for this meeting. While they cannot discuss the application tonight, they could ask general questions about applications. There will be a site walk before the meeting next Monday. N Fogg reviewed the overall application for Stewart's Woodworking. The ZBA can grant a Variance and/or a Special Exception to provide what Mr Stuart needs to move forward. G Frothingham cautioned that the ZBA should not go into any specifics of the case. An abutter has been in to review the case.
9. J Napekoski asked if there was an update regarding alternates speaking at meetings. N Fogg noted that it was made fairly clear by legal counsel that once the public input portion of the hearaing was closed, that members of the public and unseated alternated were no longer welcome to speak at a hearing. The planning board has discussed this at a recent meeting.

APPROVAL OF MINUTES

MOTION: To approve the minutes from March 17th.
Made by: Sharon Theiling
Seconded by: Judy Sjostrom
Discussion: None
Vote: 5-0 in favor of the motion.

BOARD BUSINESS

10. None.

ADJOURNMENT

MOTION: To adjourn the meeting.
Made by: John Crowell
Seconded by: Sharon Theiling
Discussion: None
Vote: 5-0 in favor of the motion.

Respectfully submitted,
 Nathan Fogg
 Town of Wakefield NH
 Code Enforcement Officer
 Land Use Clerk