

EXETER ZONING BOARD OF ADJUSTMENT
May 27, 2015 MEETING MINUTES

PRESENT:

Regular Members: Vice Chair Laura Davies, Bob Prior and John Hauschildt,

Alternate Members: David Mirsky

The meeting was convened at 7:00 PM. Vice Chair Davies introduced the Board members. She indicated that she would be chairing the meeting given Chairman Rick Thielbar was out of town.

Mr. Prior stated that the purpose for the Board convening this evening was to correct a procedural error from the Board's last meeting on May 19th, 2015. He explained that due to the lengthy discussion of the application heard at that meeting, the board opted to continue the other business on the agenda, including the two scheduled rehearing requests, until the June meeting. He indicated this action was taken in accordance with Section 5) *Public Hearing, Deliberation and Disposition* of their Rules of Procedure which states "At the discretion of the board, the board may elect to not open or hear any new application(s) after 10:00 P.M."

It was represented that subsequent to this meeting, Town staff sought a legal opinion from Town Counsel to assure the action taken by the Board was permissible given the statutory requirement to address a rehearing request within thirty (30) days. Town Counsel advised that the Board either hold a special meeting before the expiration of the 30-day period to discuss, consider and vote on whether to grant or deny the rehearing requests or to convene (with a quorum) before the 30-day expiration for the limited purpose of making and approving a motion to 'suspend its decision for further consideration'. Town Counsel furthered advised that whichever alternative action is pursued, notice of the meeting was to be properly posted in at least two public places, and at least 24 hours in advance.

There being no further discussion, Acting Chairwoman Davies indicated she would entertain a motion for the recommended corrective action by the Board.

MOTION: Mr. Prior moved to suspend its most recent decision on application case #1480 (Seacoast Family Promise) until such time as the Board is able to deliberate on the rehearing requests.

Mr. Hauschildt seconded.

Discussion: Mr. Hauschildt clarified that the two requests for rehearing would be continued until the Board next meeting on June 16th and would be heard prior to any other new business scheduled for that meeting. Mr. Prior added that the suspension of the Board's decision means that no action can be taken by the applicant until a decision is rendered on the rehearing request before the Board.

VOTE: Motion passes unanimously.

MOTION: Mr. Mirsky moved to adjourn.

Mr. Hauschildt seconded.

VOTE: Motion passed unanimously.

The meeting was adjourned at 7:15 P.M.

The next meeting of the Exeter Zoning Board of Adjustment will be Tuesday, June 16, at 7:00 P.M. in the Exeter Town Offices.

Respectfully submitted,

Barbara S. McEvoy
Deputy Code Enforcement Officer
Planning & Building Departments