

Present: Andy Jellie (Chair), Terri Fisk (Vice Chair), Bob Davis, and Matt Baran

Absent: Nancy Houghton

Staff: Liz Emerson

Public in attendance: Bonnie Remick

Chair Jellie called the meeting to order at 6:00pm.

Administration:

None at this time.

Minutes: January 12, 2023 & January 26, 2023

The Board reviewed the January 12th minutes. Ms. Fisk noted that her statements on Line 147 regarding ponds, brooks, and streams on the property were incorrect.

Terri Fisk moved to approve the meeting minutes of January 12, 2023, as presented. Bob Davis seconded. With four (4) members in favor, the minutes were approved.

Terri Fisk moved to correct the meeting minutes of January 26, 2023, on Line 14 to change from "It was clear," to "All are in agreement." Bob Davis seconded. With four (4) members in favor, the minutes were amended.

Terri Fisk moved to approve the meeting minutes of January 26, 2023, as amended. Bob Davis seconded. With four (4) members in favor, the minutes were approved.

New Business/Public Hearings:

Motion for Rehearing Review

Chair Jellie asked that the Board consider the rehearing review. Ms. Emerson stated that a motion for rehearing was submitted on January 26, 2023. This was reviewed by the Town attorney and the request is now before the Board. Chair Jellie stated that the next step in this process for the applicant should be through Superior Court. RSA 677:16 concerning Superior Court appeals has remained unchanged since 1983 regarding appealing the Building Inspector's decision on an application. Bob Davis agreed that the applicant should bring this item to the Superior Court at this time.

Bonnie Remick requested to speak before the Board. Chair Jellie stated that public comment is not being solicited at this time. This is not a public hearing, but simply a public meeting.

Ms. Fisk noted that legal advice was provided to the Board that a public meeting should be held to consider the motion in a public forum. As this is not a public hearing, public comment is not required to be solicited at this time. The Board voted to not hold a public hearing 3-1. The motion passed.

Bonnie Remick noted that the Board does not have to accept public comment but could. She also noted that the appeal needed to go before this Board before moving onto the Superior Court.

Ms. Emerson noted that RSA 677:16 states that the next step is through the Superior Court.

Bob Davis moved that the Board not have a rehearing on this item, under RSA 677:16, and that the applicant may instead bring this to Superior Court. Matt Baran seconded. With three (3) members in favor and one (1) against, the motion passed.

Continued Business:

None at this time.

Adjournment:

Matt Baran moved to adjourn the meeting. Bob Davis seconded. With four (4) members in favor, the meeting was adjourned at 7:17pm.

Respectfully submitted,

Kristan Patenaude
Recording Secretary