

June 22, 1976

There was a meeting of the Board of Adjustment on Tuesday, June 22, 1976 at 7:30 P.M. in the Town Hall. The meeting was called to order at 7:40 P.M. and the roll call was as follows:

Emery S. Doane	Present
Carole Webber	Absent
Eugene Bried	Present
Benjamin Pratt	Present
Ralph Proctor	Absent
Robert B. Flanders	Absent
Patricia Novak	Absent
Catherine C. T. Dik	Present

The first item on the agenda dealt with the fee for an application. The State law requires that the applicant bear the cost of a hearing, and the present fee of \$15.00 does not do that. After considerable discussion it was felt that the instructions for filing an application should specify that the application should be accepted with a \$15.00 filing fee and it be understood that at the hearing, and before the Board proceeds, the Board collect from the applicant the final cost for publication of the two notices and the cost of two mailings of certified mail to the applicant and abutters. As this amendment had to be reviewed at two meetings of the Board, the Board should call a meeting to finalize the vote if it does not have another meeting scheduled within a month. Therefore, Mr. Pratt

MOVED: That the Board maintain the filing fee of \$15.00 but at the time of the hearing the additional cost above and beyond the \$15.00 to cover the notification of the abutters and publication in the newspaper be payable by the applicant at that time.

SECONDED: By Mr. Bried

VOTED: Unanimously in favor, subject to approval at the next meeting of the Board.

There was discussion about the difficulty in obtaining a correct list of abutters and it was agreed that it is up to the Town to set up a central system available to all.

When the Board first started, the choice of the Messenger which comes out on Wednesday made the requirement of five days before the hearing possible,

but when we changed to the Transcript which comes out on Thursday that cut the time to four days, which is illegal. Now we are requiring eleven days between publication and the hearing.

There was a meeting of the Planning Board and the Southwest Regional Planning Commission to talk about Board of Adjustments. An attorney from Keene remarked that the decision should take place publicly whenever possible; that one should not go into executive session. Mr. Pratt remarked that everybody would lose; it would not do justice to the applicant or to those there. Anything one says one realizes is being recorded and kept, and those records are and should be public. It was agreed that the Board has been following the correct procedure.

The Chairman raised the question of how much should alternates who are present but not called on to fill a vacancy of the regular Board be allowed to participate. If we have a five-member vote, three of them must concur to pass a vote. How much should they be led by the alternates? Does this need to be solved? Mr. Pratt is not inclined to worry about it. If an alternate is interested to come to the meeting he should be able to say whatever he wishes. If at two hearings running it causes a problem, then perhaps we should do something about it. He thinks the potential good outweighs any risk there is. Mr. Bried agrees.

Mr. Bried raised the question about a change in the Zoning Ordinance regarding signs. The Chairman explained that he was told that Mr. Gilmore of the Planning Board said it had been straightened out by adding the word "shall" to the Selectmen's participation in the matter. Mr. Bried felt that there are a lot of things that need to be clarified. The Chairman pointed out that there is no option in the Ordinance, no mention of "shall" or "shall not", nothing about off-premise signs, etc. It was remarked that any proposed change will have to be very rigorously worded and have discussion beforehand as to why it is added or reworded, why it will improve, because it will be very carefully scrutinized by the townspeople.

The meeting adjourned by unanimous consent at 8:40 P.M.

Respectfully submitted,
Catherine C. T. Dik
Catherine C. T. Dik, Clerk