

**Moultonborough Zoning Board of Adjustment
P.O. Box 139
Moultonborough, NH 03254**

Regular Meeting

July 18, 2012

Minutes

Present: Members: Russ Nolin, Joseph Crowe, Robert Zewski
 Alternates: Jerry Hopkins
Excused: Members: Bob Stephens, Ken Bickford
 Alternates: Natt King

Staff Present: Administrative Assistant, Bonnie Whitney

I. Call to Order

Mr. Nolin called the meeting to order at 7:30 PM and introduced the members of the board to the public. Mr. Nolin appointed Jerry Hopkins to sit on the board with full voting privileges.

II. Pledge of Allegiance

III. Approval of Minutes

Motion: Mr. Hopkins moved to approve the Zoning Board of Adjustment Minutes of June 20, 2012, as written, seconded by Mr. Zewski, carried unanimously.

IV. Hearings

1. Review and Approval of Notice of Decision for Andre G. Lambert Trust (12-111) (18 Myrtle Drive) Variance from Article III B(3)

Mr. Nolin stated this was a continued hearing for the Andre G. Lambert Trust (12-111).

The board reviewed the Draft Notice of Decision prepared by staff, as directed by the board at the hearing on June 20th. There were no changes made to the draft or further discussion on the Notice of Decision.

Motion: Mr. Zewski moved to approve the formal Notice of Decision for the **Andre G. Lambert Trust (12-111)** and to authorize the Vice Chairman to sign the Notice of Decision and staff to mail said notice to the applicant or applicant's agent seconded by Mr. Hopkins, passed by a vote of four (4) in favor (Nolin, Crowe, Zewski, Hopkins), None (0) opposed and 0 abstentions.

V. Correspondence

1) Board members were in receipt of a memo received July 16, 2012 from Chairman Bob Stephens regarding a recent Supreme Court ruling (Nicolas Bosonetto v. Town of Richmond, issued June 29, 2012) regarding the start time when the 30 day "Right of Appeal" begins. He noted they will need to advise the applicant the right of Appeal period begins the day following the Boards vote to either approve

or disapprove their request. In the past he has advised the applicant that time started after the Notice of Decision was approved by the Board. The recent Court's decision has rendered this practice incorrect. Once the Public Hearing has been adjudicated the Public Hearing portion of the process is closed and the only action before the board at the next hearing is Administrative in nature.

2) Planning Board Draft Minutes of June 27th and July 11th, 2012, were noted.

3) Board of Selectmen Draft Minutes of June 28th, 2012 were noted.

VI. Unfinished Business

VII. Adjournment

Motion: Mr. Hopkins made the motion to adjourn at 7:36 PM, seconded by Mr. Zewski, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant