

# DRAFT MINUTES

## NEW DURHAM ZONING BOARD OF ADJUSTMENT

### JULY 13, 2011

*(Please note: These are draft minutes prepared by staff from notes taken at the meeting. They have not been reviewed by the Board for accuracy, and should not be relied upon for accuracy. Reviewed, corrected, and approved minutes will be available at Town Hall and on the Town's website following the next scheduled Board meeting.)*

Chairperson Larry Prelli called the meeting to order at 7:08 PM.

**Roll Call:** Larry Prelli (Chair), Wendy Anderson, Mike Hoffman, Dave Shagoury, Helen Wellman

**Others Present:** Malcolm McNeill, Brian Crossan, Cindy Balcius,

**Kodiak Woods Special Exception:** Chair Larry Prelli introduced members of the Board and mentioned rules that govern the operation of the ZBA, including 1) the applicant has the right to a full board, and 2) anyone with a perceived conflict of interest should recuse themselves from a particular case. He asked the applicant and Board if anyone perceived a conflict of interest in the Kodiak Woods case. Malcolm McNeill said the applicant had no concerns.

Mr. Prelli asked the applicant to present his case. Mr. McNeill referenced Article XI.E of the Zoning Ordinance which specifically allows the ZBA to issue a special exception to allow a road to cross a wetland if it is necessary to make productive use of a piece of land on the other side. He described the background and history of the Kodiak Woods application.

Ms. Cindy Balcius gave a brief introduction to the specific wetlands and proposed plans. She noted that the NHDES had granted a Standard Dredge and Fill permit indicated the plan met its regulations.

Chair Prelli noted that the role of the local ZBA is unique and it is bound to make its own decision based on the Ordinances and Regulations of the Town. He noted that the Board had not received the application materials in advance and not had the opportunity to review them. He said he needed time to digest the proposal. Other board members agreed.

Ms. Balcius noted that the application materials had been delivered to the Town office well in advance. Mr. Prelli asked if she would prefer to walk the board through the application or give the Board until the next meeting to review and digest the information. Ms. Balcius and Mr. McNeill said they preferred to return to the August board meeting.

Mike Hoffman moved to continue the Kodiak Woods Special Exception application to 7 PM at the New Durham Public Library on August 10, 2011. Dave Shagoury seconded. Approved unanimously.

Mr. Shagoury asked staff to ensure that Board members had all the information they needed, including material from the subdivision application files, and review and comment by the Conservation Commission and the Planning Board.

**Minutes of June 8, 2011: Mike Hoffman moved to approve the minutes of June 8 as presented. David Shagoury seconded. Approved unanimously.**

**David Shagoury moved to adjourn at 8:52 PM. Helen Wellman seconded. Approved unanimously.**

Respectfully submitted,

David Allen  
Land Use Administrative Assistant

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