

**MINUTES
NEW DURHAM ZONING BOARD OF ADJUSTMENT
10 FEBRUARY 2015**

Chair Prelli called the meeting to order at 7:04 pm.

Roll Call: Larry Prelli (Chair), Cecil Williams, Stephanie Richard (Alternate), Dave Shagoury (Alternate), Recording Secretary Amy Smith.

Excused: Wendy Anderson, Mike Hoffman, Joan Swenson

Others Present: Videographer Corky Mork, Greg Anthes, Atty. Art Hoover

Chair Prelli designated Mr. Shagoury and Ms. Richard to sit in as voting members.

Clarification/Modification - notice of decision letter -cases 2014-06 & 2014-07- Application submitted by Atty. John Cronin on behalf of Water Monkey Camp, LLC (Tax Map 119 Lots 11 & 32), 298 & 299 Merrymeeting Road. The property is owned by Russell Weldon.

Chair Prelli stated the purpose of the meeting was to clarify the Notice of Decision voted on and drafted by the Board at their 13 January 2015 meeting regarding cases 2014-06 and 2014-07, Water Monkey Camp, LLC. Chair Prelli noted the concern was brought up by the Board of Selectmen. Chair Prelli stated it is his understanding from the Town Attorney that the clarification to the Notice of Decision is not actually necessary but does add clarity by specifying owner Russell Weldon, as well as, Water Monkey Camp, LLC. Chair Prelli also stated it is his understanding the applicant, property owner and their Attorneys do not have an issue with modifying the Notice of Decision to include Mr. Weldon's name. Board members reviewed Town Atty. Justin Richardson's 'red-line' changes to the original Notice of Decision document. Ms. Richard noted a change found in the 'red line' document that was not made in the modified Notice of Decision. Ms. Smith made the correction to the modified Notice of Decision.

Chair Prelli made a motion to amend the Notice of Decision regarding cases 2014-06 & 2014-07- Application submitted by Atty. John Cronin on behalf of Water Monkey Camp, LLC (Tax Map 119 Lots 11 & 32), 298 & 299 Merrymeeting Road for property owned by Russell Weldon - as indicated in the 'red lined' document prepared by Atty. Justin Richardson. Mr. Williams seconded the motion. The motion was unanimously approved.

Review of Minutes

Board members reviewed the minutes of 13 January 2015. Ms. Richard noted a typo on page 2, second large paragraph, second sentence, the word "in" should be "is". **Mr. Williams made a motion to approve the minutes of 13 January 2015 as amended. Chair Prelli seconded the motion. The motion was approved with three affirmative votes (Prelli, Richard, Williams) and one abstention (Shagoury).**

Review of Mail

Board members reviewed a letter from Atty. John Cronin, dated 10 February 2015, stating his client is filing a Motion for Rehearing as a 'procedural safeguard' in the event a third party files an appeal to the granting of the variances. The letter states his client will withdraw the Motion for Rehearing if there is no third party appeal to the variances. Chair Prelli stated the Board will discuss this at the 10 March 2015 meeting if necessary.

At 7:25 pm Mr. Shagoury made a motion to adjourn. Mr. Williams seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith
Recording Secretary