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**TOWN OF CHESTERFIELD, NH
ZONING BOARD OF ADJUSTMENT
Tuesday January 8, 2019 7:00pm**

Members present: Richard Aldrich, Joe Hanzalik, Kristin McKeon, John Zannotti, Joe Parisi. Lucky Evans arrived at 7:10pm

1. J Zannotti nominated K McKeon for Chair, seconded by J Hanzalik. Motion passed unanimously
2. J Zannotti nominated L Evans for V Chair, seconded by J Hanzalik. Motion passed unanimously

Minutes of December: Question by Aldrich about stairs out of the setback. Written in the decision. Not changing. Minutes are editable.

Jeanny – decision is separate from the minutes.

Tabling decision on tonight's draft minutes. Sending out one written long form of meeting for next month's meeting..

Xpress Gas BOS decided not to go forward. Discussion of decision. Same judge decided against us on other issues. Lucky – we are at disadvantage. Was the affidavit supplied by Fletchers the one we did not accept? Joe P is this a moot point if BOS decided not to go forward. John made a change that any information you want to be considered has to be in Thursday before the meeting at noon. Joe p the biggest learning to define trucking terminal after close of public hearing. Our lawyer told us we needed to define trucking terminal. We didn't give the applicant a chance to rebut definition of FT. Audience Charlie Donahue our counsel should have caught the affidavit before it was submitted. Evans was it submitted as something we knew about. Aldrich his decision based on building and judge told us we couldn't define it but p 26 he defined it. Also p 28. We couldn't define but judge did. Did we have a way of accepting by dating? Yes, and

we also wrote that we did not accept the second affidavit. Joe - once the judge defined freight terminal there was no question that the property was not abandoned. Evans – where do we go now? We have doc from DOT about number of cars going and going from an area. Over 100 cars is on state, under 100 cars on us.

Joe P is it true it doesn't have to go before PB? Jon McKeon thinks no. K thought yes. Joe P intensity of use, type of use, times of use. Shouldn't that have to go before PB. Evans – before was milk. Now hazardous material. Mentioned to neighbor. Car/truck accident gas will come out as liquid gas cold. Makes a big bomb. Jeanny right now discussion is showing bias. Bringing items in that have nothing to do with ZBA. Joe P ? is what is process that causes business to be reviewed. Jeanny thinks code enforcement. John Z we should motion to SB rep John Z, motion to bring K McKeon to ask SB rep to bring ? Back to Selectboard what triggers bus getting brought to PB. Yes Unanimous.

John Z would like to push forward. Judge asked for evidence of abandonment. We did that and went beyond that and changed/extended the definition. Given that perhaps we lick our wounds and move on. Jeanny for clarification do we want to go forward to supreme court? K McKeon feels we did it right. Judge defined individual words not phrase. Mean different things. Probably not worth the cost of moving forward. John Z needs to be stated to SB looking at this from a use intensity. Aldrich our definitions in the code book and ordinances are terrible. K McKeon. We have 4 ordinance changes in the works by the ZB. Joe P did bring up if ZB has any changes they would like to see. Only the ones mentioned were brought up at that time.

Aldrich motion to send to the PB request to define inanimate objects in sensible way in ordinance book. John Z second. Joe P speaks for self, best way of doing this is by joint meeting. ZB is in the trenches. Us defined as town. Unanimously accepted. John Z there are 13 ZB and PB. Never seen decisions made by 13 people. PB needs to take the ball. Get our input.

ZB application review.

Ultimately becomes a word doc.

John Z do we include equitable waiver in packet? Gives option of getting permission after the fact. Aldrich why do we want to leave this easier way of doing things out. John Z we don't want folks to have that option from the get go. Consensus to put equitable waiver in own packet. Joe P consensus to pull out and make own packet. Part of it is not clear. Should there be something that explicitly

says already exists. Put in language. About structure referred to already in existence.

Joe P grammatical error 3rd line. Corrected on paper.

Throughout first.

Joe P p. 2, second paragraph. Licensed surveyor plot plan. Aldrich this will put people off. John Z Joe P has the point this is only required when asking for setback relief. John Z don't we have that? Joe P varies.

Joe P maybe less frustrating would be to send out as word doc and get comments back to me before next meeting.

Joe P suggests making into a word doc. And send out to members. They send back with their changes in track changes.

John Richard motion to adjourn and second. Adjourn at 9:05pm.

Respectfully submitted,
Kristin R. McKeon

Approved:



Kristin R. McKeon, Chariman ZBA

Date: 25 April 19