



TOWN OF  
BROOKLINE, NEW HAMPSHIRE  
BOARD OF ADJUSTMENT

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BOARD OF ADJUSTMENT  
MINUTES

Wednesday, April 11th, 2007

**Present:**

**Peter Cook**, Chair, **Charlotte Pogue**, Vice-Chair, **Marcia Farwell**, Clerk, **John Ganos**, Member  
**George Foley**, Member, **William Owens**, Alternate, & **Webb Scales**, Alternate.

**Absent:**

**David Beauchamp**, Alternate.

Also present for the meeting: Robert & Caroline Gay, Steven Gay, Mr. & Mrs. Gay's son, Robert Parodi, Robin Oininen.

**Peter** said that it was at or about 7:30. Tonight is a business meeting to decide whether to have a rehearing for case # 333, Lot B-20, Robert and Caroline Gay.

**Kristen** informed Peter that Marcia would be a little late tonight and is ok to start without her. **Kristen** also mentioned that Marcia would be willing to serve as clerk if the Board nominated her for another term.

**Peter** said the first issue of business is to elect a Chair, Vice-Chair, and Clerk. **Charlotte** stated she would not like to be the Vice-Chair anymore or a full member; she would like to be made an alternate, due to her busy work schedule. **Webb** said the board doesn't have the Authority to make her an alternate.

**Peter** told Charlotte she can resign and be reappointed as an alternate. For now the Board can nominate some else for Vice-Chair and have an alternate vote for Charlotte if she can't attend a meeting. **John** asked if anyone is a member of another board as well as the ZBA. **Webb** said he is an alternate on the Planning Board and the Hollis Brookline Co-operative School Board. **Bill** is a Selectman and also a Planning Board Alternate representative for the Board of Selectmen.

**John nominated Peter Cook for Chairman, Seconded by Webb. Vote Yes 4-0.**

**Peter nominated Marcia as Clerk, Seconded by John. Vote yes 4-0.**

**Peter nominated George as Vice-Chair, Seconded by John. Vote yes 4-0.**

**Request for Rehearing for case #333 Gay, Robert & Caroline, B-20:**

**Peter** read from The Board of Adjustment in New Hampshire Handbook page 45 " this is a board decision to consider the motion and act to grant or deny it. This is a public meeting subject to the minimum posting requirements of the Right to Know law but is not necessarily a public hearing and no formal notice is required to either the applicant or abutters (or the moving party) unless required by the board's rules of Procedure." "The meeting to consider a Motion for a Rehearing not be a *public hearing* and that no testimony is taken. It is a *public meeting* and anyone has the right to attend but all the Board is acting on is the motion in front of them (what has been submitted) and should not involve comments by the applicant, petitioner or abutters. If the board believes there are sufficient grounds to reconsider their original decision, the motion should be granted, if not, the motion should be denied." Peter said we are having a business meeting to decide whether or not to have a rehearing. **Peter** asked if the Board had any

ZBA Minutes

4/11/2007

comments. **John** and Charlotte both asked if there was anything that had changed. **Bob Parodi** asked if he could make a point of order. **Bob** stated Mr. and Mrs. Gay had received a letter from the Secretary and they were confused by the letter, it was written as if the Rehearing was scheduled for tonight. **Bob** handed the letter to Peter. **Peter** read and said he had never seen this letter and would not have sent this out. **Peter** said the letter stated the date of this meeting was going to be 4/11/07 and that it was a rehearing and not a business meeting to decide if there should be a rehearing.

**Bob** also said this should have been a request for an area variance and not a use variance that was requested. **Bob** stated they should deny this request and end tonight's meeting. **Bob** said they would fill out an application for an Area variance and come back. **Peter** said they if end the previous case by denying this request for a rehearing and they will apply for an area variance. **Bob** said he wanted the Board to agree that it should have been an area variance. **Bill** said an area variance would enable the special exception. **Webb** said after we grant this the plan could then change and subdivide this after the second dwelling unit is built. **Peter** said they can't subdivide a 3.17 acre lot.

**Webb** said he had confidence that a use variance should not have been granted and if they had been asking for an area variance the last meeting would have been a little more comfortable. **Bob Gay** asked why no one on the board explained to them what the difference was. **Peter** said they are here to make decisions and not to give advice. **Peter** also said he thought the decision they make for the original request for a use variance was correct. The Board agreed. **George motioned, Webb Seconded, not to grant the application for rehearing. Vote 4-0.** Marcia and Charlotte abstained from voting because they were not here for the original meeting.

**Peter** asked if there was any public input. **Bob Parodi** asked if they would be able to have the hearings on the same night for the area variance and the special exception. **Peter** said they could and the next meeting will be on May 9<sup>th</sup> 2007 at 7:30 pm.

**Peter motioned, George Seconded, to adjourn the meeting at 9:05.**

The minutes from the previous meeting were approved and signed.

**Minutes submitted by Kristen Austin.**

\_\_\_\_\_ **Peter Cook, Chairman**

\_\_\_\_\_ **George Foley, Vice-Chair**

\_\_\_\_\_ **Marcia Farwell, Clerk**

\_\_\_\_\_ **John Ganos, Member**

\_\_\_\_\_ **Charlotte Pogue, Member**

\_\_\_\_\_ **Webb Scales, Alternate**

\_\_\_\_\_ **William Owens, Alternate**