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HILLSBOROUGH ZONING BOARD

Meeting Minutes

August 11, 2014

Date Approved: November 10, 2014

Present:

Members: Chairman Roger Racette, Larry Baker, Richard Booth

Alternates: John Segedy

Absent and Russell Galpin, Michael McEwen, James Bailey,

Members from the Public: None

CALL TO ORDER: 7:07pm

Larry Baker made a motion to appoint John Segedy as alternate in place of James Bailey.

Richard Booth seconded the motion. The motion carried unanimously.

Mr. Segedy pointed out that although he did not have a problem with the vote it was normally the procedure for the Chairman to appoint the alternate.

MINUTES:

June 23, 2014 John Segedy made a motion to approve the minutes. Larry Baker seconded the motion. The motion carried unanimously.

July 14, 2014 John Segedy made a motion to approve the minutes. Roger Racette seconded the motion. The motion carried with Roger Racette voting in favor and Larry Baker, and Richard Booth abstaining because they were not present and John Segedy abstaining because he did not feel the minutes were complete.

WORK MEETING:

Roger opened the discussion on the latest amendments to the Rules of Procedure and the hope that they will be completed soon.

John Segedy said that although it is not required he suggested holding a public hearing prior to adopting the Rules of Procedure.

Roger Racette proposed waiting until the next Special Exception or Variance and using that opportunity to approve them because it would be likely that the entire Board would be present.

Meeting Schedule

There was an extended discussion about the possibility of a meeting schedule. John Segedy expressed the opinion that at most the deadline for applications should be more than 14 days before the hearing. He was very concerned that applicants would have to wait longer than 30 days to have their applications heard if there was a monthly meeting schedule in place.

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There was agreement that 14 days prior to the hearing because it was likely that in most cases that would be enough time to process the application. If there was not enough time, the application could be continued at the hearing.

Audio Recordings

There was further discussion about the retention of meeting recordings. Roger, Larry and Richard all agreed that the ZBA's procedure should be similar to that of the other town boards. The only difference was that the ZBA recordings were to be retained 30 days beyond the approval of the official minutes or appeal period, whichever is longer.

John Segedy read his proposed "Audio Recording" section for the Rules of Procedure for the Board's consideration.

"The purpose is for the convenience of the public and to promote openness in the conduct of public business as expressed in RSA 91a:1 the preamble of the "Access to Governmental Records and Meetings Act"

Roger said after the official minutes are approved and after the appeal period has lapsed he could not see what the recordings could be used for.

John said

- The applicants business is not the only business that gets taken care of at a meeting
- If an appeal goes on beyond 30 days (could go on for a year or two) recordings should be retained through any appeal period.

Roger said, an appeal has to be started within 30 days

Larry said any interested parties are likely to download the recordings if they plan to use them for an appeal or other action.

John said out if the sole purpose of the recording is for the preparation of the minutes then it is ok to delete them, if the purpose he suggests is added the recordings would have to be retained as long as any other record.

Larry said he liked the way the section was currently written. The recording will be on line 30 days following the approval of the minutes which is 60 days. This addresses concerns about covering the appeal period.

Roger and Larry agreed that the appeal period will have expired long before the recording will have been removed from the website.

Roger said without audio recordings there is still transparency because of the written record. John Segedy said that was a matter of opinion because in his opinion the minutes of the last meeting were legal but said nothing about what was discussed.

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John read the Preamble to 91A and said having the discussion in the minutes was very important.

Richard Booth said if he had an “ax to grind” about an issue he would download the recording immediately.

Further reasons for retaining Audio Recordings by John Segedy

- A “Successor in Interest” could come up based on a previously recorded case.
- A “Successor in Interest” wants to come forward with a similar variance case.

Larry said all supporting documentation would be in the file.

John Segedy wanted to make changes to section c. under Meetings in regard to the seating of alternates.

“A meeting which an alternate does not attend and the one month subsequent time period shall not be counted as time that the alternate has not been activated.”

Richard Booth thought the way it was written was fine the way it was.

John said his concern was alternates skipping multiple meetings.

Discussion continued touching on various other changes to the Rules that will be reviewed in the next draft.

Motion to Adjourn by Larry Baker, seconded by John Segedy

ADJOURNMENT: 9:30

Respectfully Submitted:

Robyn Payson
Planning Director