



RINDGE BOARD OF ADJUSTMENT

30 PAYSON HILL ROAD
RINDGE, NH 03461

Tel. (603) 899-5181 X100 Fax (603) 899-2101 TDD 1-800-735-2964
www.town.rindge.nh.us

MEETING MINUTES: January 24, 2012 APPROVED

Present:

Regular members: Dave Drouin (Vice Chair), Bill Thomas, Marcia Breckenridge.

Alternates: Charlie Eicher, Joe Hill, and Rick Sirvint

Absent:..... Janet Goodrich (Chair), Philip Stenersen

Recusals..... Breckenridge recused herself from Case # 1035 only

The meeting convened at 7:00pm with the Pledge of Allegiance.

Kayalov PM Sirene, II, Ltd. / Case #1035:

Kayalov PM Sirene II, Ltd. , c/o James Romeyn Davis, Esq., Sheldon, Davis, Wells & Hockensmith, PC, 28 Middle Street, Keene, NH 03431. See Helen Lovely Francis, Director, Kayalov PM Sirene II, Ltd., letter to Jan Goodrich, Chairman, Board of Adjustment, dated 12/29/2011. Appeal of Administrative Decision of Code Enforcement Officer dated December 2, 2011 relative to Henry Lane, Map 21, Lots 19-1 & 19-2.

Sitting members: Drouin (Vice Chair), Breckenridge, Eicher, Sirvint, and Thomas.

Attorney JR Davis requested that the Board continue the public hearing to a time at next meeting on February 28, 2012. He stated: “ That tonight we have filed with the Board’s Clerk an Application for Special Exception. If the Board grants the Special Exception, we would withdraw the administrative appeal. We brought the appeal hoping that we could file the special exception with it, but my clients and architect are across the globe and we just got final approval for the location of the proposed replacement structures today.”

Dave DuVernay stated that he had nothing to add or say.

Hill: “The special exception would be heard on the 28th. Do you wish this case to be heard on the 28th if necessary?”

Attorney Davis: “This board sometimes renders a decision the same night. So if the board continues the administrative appeal knowing the other case will be heard... I





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would probably ask the board to continue it for 30 days. If the board grants the February 28th Special Exception, I wouldn't withdraw the appeal in case an abutter speaks up. I would submit a letter withdrawing it in 30 days assuming that no re-hearing will be filed.

Hill: "In February, we would have only the special exception. This case would be scheduled for February and he would then ask for another continuance, and he would not withdraw it for another 30 days to cover all the bases?"

Attorney Davis: "I think I can have a letter on Feb. 28th in the event the Board approves the special exception, that we are withdrawing the administrative appeal subject to no rehearing being filed."

Breckenridge: "I will not be at the next meeting, and Rick was listed on here. It would make sense that I not get started on this in any capacity, so I will recuse so there's continuity."

Drouin appointed Hill to sit for Breckenridge, so those sitting on Case 1035 are listed as Drouin, Thomas, Eicher, Sirvint and Hill.

MOTION: Thomas motioned to continue the case and Eicher seconded. The Zoning Board will continue Case # 1035 to the next meeting on February 28th at 7:00pm, 2012.

All were in favor, and there were no opposed, no abstentions.

Attorney Davis: "We will submit a plan showing the distances in advance, but we aren't submitting the same things we did before."

Hill: "February 7th at 4:30pm is the deadline for the Zoning Board to receive the plan, and not a week prior to the Hearing as per Attorney Davis' statement." Attorney Davis stated that he would comply with that.

DuVernay said he was told that The Rules of Procedure require an applicant to come in to the Town Office and prepare an abutter's list – Dave DuVernay said she didn't have to come in because they already submitted one. Hill replied that: "Our Rules of Procedure say things need to be in three weeks' in advance. There is nothing that



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requires an applicant to come to the Town Office to prepare an Abutter List – it is to be submitted with the application.”

Drouin said no one needed to read the case or summarize the related ordinances.

Last Month's Minutes:

Breckenridge moved, Thomas seconded, to approve the Draft Minutes of November 23, 2011 as written. Vote – unanimous.

Sirvint and Hill volunteered to review applications for the next meeting. New applications must be received by February 7th at 4:30pm.

Breckenridge moved, Thomas seconded, to adjourn at 7:14pm. Vote – unanimous

Joseph C. Hill MD
Alternate
Linda Stonehill
Clerk

Janet Goodrich
Chairman

David Drouin
Vice Chairman

