



Town of Plaistow
ZONING BOARD OF ADJUSTMENT
145 Main Street - Plaistow, NH 03865

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
June 29, 2023**

The meeting was called to order at 6:31 pm

Roll Call: Peter Bealo, *Chair*
Jim Unger, *Vice Chair*
Jonathan Gifford, *excused*
Michael Murray
Jim O'Brien

Also Present: Dee Voss, *Zoning Official, Administrative Assistant*

P. Bealo noted that there were only four (4) voting members available for this meeting, adding that per New Hampshire RSA, all motions for relief must be granted by at least three (3) votes to the affirmative. Per the Zoning Board's By-Laws, all applicants have the right to request a continuance to a meeting with a five (5) member Board. If an applicant moves forward with less than a five (5) member Board, the lack of a full board cannot be used as grounds to request a re-hearing if the application is denied.

Minutes of May 25, 2023

★ *M. Murray moved, second by J. O'Brien, to approve the minutes from the May 25, 2023, meeting as written. There was no discussion on the motion.*

Roll Call Vote: P. Bealo – abstained; J. Unger – yes; M. Murray – yes; J. O'Brien – yes. The vote was 3-0-1.

PUBLIC HEARINGS:

Continued from May 25, 2023

#23-07: A request from Sweet Hill Farm, LLC for an Appeal of the Administrative Decision of the Building Inspector/Code Enforcement Officer failing to act on Building Permit Application filed on February 9, 2023. The subject property of the building permit application is 82 Newton Road, Tax Map 68, Lot 8 in both the LDR and ICR Zoning Districts. The applicant is the property owner of record.

Continued from May 25, 2023

#23-08: A request from Sweet Hill Farm, LLC for an Appeal of the Administrative Decision of the Building Inspector/Code Enforcement Officer failing to act on Building Permit Application filed on March 27, 2023, for a Bee House. The subject

property of the building permit application is 82 Newton Road, Tax Map 68, Lot 8 in both the LDR and ICR Zoning Districts. The applicant is the property owner of record.

Continued from May 25, 2023

#23-09: A request from Sweet Hill Farm, LLC for an Appeal of the Administrative Decision of the Building Inspector/Code Enforcement Officer to issue a foundation only permit for application for Farmhouse Mudroom, Permit No. BP2023-000076. The subject property of the building permit application is 82 Newton Road, Tax Map 68, Lot 8 in both the LDR and ICR Zoning Districts. The applicant is the property owner of record.

Continued from May 25, 2023

#23-10: A request from Sweet Hill Farm, LLC for an Appeal of the Administrative Decision of the Building Inspector/Code Enforcement Officer to issue a foundation only permit for application for Hops Barn, Permit No. BP2023-000071. The subject property of the building permit application is 82 Newton Road, Tax Map 68, Lot 8 in both the LDR and ICR Zoning Districts. The applicant is the property owner of record.

D. Voss read an email request from Attorney Thomas MacMillan, counsel for the applicant, requesting a continuance to the July 27, 2023, meeting.

P. Bealo stated for the record that the public hearings for matters #23-07 through #23-10 are continued to July 27, 2023, at 6:30PM and that no further notification of the continuance would be forthcoming.

OTHER BUSINESS:

ZBA By-Law Amendments

D. Voss noted that there had been an additional suggestion for an amendment to the By-Laws provided to the Board. The proposed language of the amendment was read for the record:

New paragraphs under Decisions heading:

Per RSA 674:33, I-a(a) and IV(b) any variance or special exception shall be valid if exercised within two (2) years from the date of final approval, or as further extended by the local ordinance or by the Zoning Board of Adjustment for good cause, provided that no variance or special exception shall expire within six (6) months after the resolution of a planning application filed in reliance upon the variance or special exception.

Requests for extension of time beyond the two (2) year requirement shall be considered as part of a legally noticed public hearing and such requests must be filed prior to the expiration of the two (2) year period. All requests shall be in writing and shall demonstrate good cause as to why the two (2) year period should be extended. The costs of legally noticing the public hearing to consider an extension shall be the responsibility of the applicant.

Variances and special exceptions that are not exercised or extended by the Zoning Board of Adjustment, as noted above, shall be considered as denied with prejudice.

This will be posted for first reading, along with the other two (2) previous amendments that have not yet been finalized for the public meeting on July 27, 2023.

There was no additional business before the Board and the meeting was adjourned at 6:42 pm.

Respectfully Submitted,

Dee Voss
Administrative Assistant