

Questions about Zoning? Don't ask the Zoning Board!

Walpole's town counsel has recently informed the Zoning Board of Adjustment (ZBA) that our job is not to answer questions about zoning. In fact, we may be getting the town in trouble if we do.

For many years, if you had a question about what was needed in order to build an addition that was too close to the property line, or operate a business outside of the commercial district, or any of a myriad of issues regarding the Town Zoning Ordinance, you may have been sent to the Zoning Board to explain the project. The ZBA understood the Ordinance and could see what type of appeal was needed in order for the project to be allowed.

In the past the ZBA would just tell you what was needed and hand out applications and instructions for filling them out. However, we live in litigious times, and we have been instructed that we must stop doing this. Legally, the ZBA is a quasi-judicial board, and its members should only hear about a project after an application has been submitted and if we have no personal reason to pre-judge the 'case.' Listening to an applicant describe their project before an application has been submitted is one way that we may be considered to have prejudged a project.

Therefore, if you have questions about a potential project or need help understanding the application process, the Town asks that you call **Mr. Ernest Vose at (603)756-3589**. Mr. Vose is a former long-time member of the Zoning Board of Adjustment and is thoroughly familiar with the Walpole Zoning Ordinance. He can direct you to the application forms you will need and explain the application process to you. When the ZBA receives the application the board will set a hearing for the following month, and the abutters will be notified. We look forward to hearing all about your project at the public hearing.

Jan Galloway-Leclerc
Chair, Zoning Board of Adjustment