

Zoning Board of Adjustment Minutes
Wednesday, August 17, 2022
Walpole Town Hall
7 pm

Present: Chair Jan Leclerc, Clerk Tom Murray, Pauline Barnes, Judy Trow, Tom Winmill. Alternates Don Sellarole, Carolyn Vose, Myra Mansouri. Absent: Dave Edkins. Also attending the meeting were Marcia Galloway, Cindy Westover and Shane O’Keefe.

Minutes: Written by Marilou Blaine. **This meeting was recorded. These minutes are unapproved and will be reviewed at the September 2022 meeting for corrections, and additions and/or omissions.**

Call to order: Ms. Leclerc called the meeting at 7:01 pm. A full board was present so there was no need to ask an alternate to fill in.

Minutes of July 2022 minutes: Ms. Trow made a couple of corrections. On page 3, third paragraph, she added the word “in” to the word “with”; on page 4 under the section titled Adjournment it should read “Ms.” Trow, not Mr. Trow. Mr. Murray made corrections on page two 2. In the third paragraph from the bottom the word “be” should be added after the word “would” and Carbone should have an “e” at the end of his name. At the end of the sentence, add “than the previous distance” Ms. Trow made a motion to approve the minutes as corrected. Ms. Barnes seconded the motion.

Mr. Windmill said he had quite a few corrections. He began by saying the July 22 minutes had no mention of the agenda item that he requested regarding the establishment of procedures plan for creating the agenda. The secretary interrupted to state that items discussed in a nonpublic session could not be stated in a public meeting. Mr. Winmill replied, “let’s just see” and continued reading aloud. Mr. Winmill began reading his five points for the plan. Mr. Murray vehemently opposed point 3 by saying the board can’t do that. Point 3 said that the agenda must be distributed to all board members and alternates 72 hours before the meeting for comments. Mr. Murray said that first of all the board members and alternates are not supposed to be contacting each other about board business. Board business should only be discussed at an official open meeting. Mr. Winmill objected to Mr. Murray’s comments and kept on reading aloud. Ms. Leclerc said Mr. Winmill was out of order but he continued to read on. Mr. Murray made a motion to not put Mr. Winmill’s statements in the minutes. Ms. Barnes seconded the motion and four members voted aye. Mr. Winmill’s motion was never seconded and not discussed at the meeting.

A vote on the motion to approve the minutes was finally taken and the minutes were approved as corrected by four members with one member voting no.

Clarion article for September: Mr. Edkins was not at the meeting so discussion of the application for Non-Conforming Uses will be discussed next month.

Request for a public hearing for an Appeal from Administrative Decision

Ms. Leclerc said the board had received an application for a request for a public hearing and the board needs to vote to accept the application. She explained that the application was an appeal being made by Ms. Jennifer Plante, owner of the day care center, Home Away From Home. Ms. Plante is appealing the decision made by the Planning Board that the day care center’s site plan be approved on the condition that she get a variance from the ZBA. The appeal is on the conditional part of that decision.

Ms. Leclerc wanted to know who was going to be able to be at the meeting and who was going to recuse himself or herself. So the people who were planning to recuse themselves from the hearing sat in the audience. Hearing the appeal needs a quorum of five people. Ms. Leclerc and Mr. Murray recused

themselves. So that left Ms. Barnes, Ms. Trow, Mr. Windmill, Mr. Sellarole and Ms. Vose to vote on the motion to hold a public hearing for the appeal.

Ms. Trow stepped up as vice-chair and took up this portion of the meeting. She asked Ms. Vose and Mr. Sellarole to take part as board members in this portion of the meeting. Ms. Trow asked if the application was in order and if all fees had been paid. The answer was yes. Ms. Barnes made a motion to approve the request for a public hearing to be held in September for an Appeal from Administrative Decision. Mr. Sellarole seconded the motion and the motion carried with no one opposing the motion.

Nomination of an alternate

Ms. Leclerc asked Shane O'Keefe, who was in the audience, if he would like to be an alternate. Mr. O'Keefe said yes. He was familiar with zoning boards, he said. He served as town administrator in Bellows Falls and Newport, Vermont. He has spent much of his 31-year career in municipal government and planning including writing administrative reports. He has a master's degree in city and regional planning.

Ms. Trow made a motion to appoint Mr. O'Keefe as an alternate. Ms. Barnes seconded the motion and said you certainly seem quite qualified. Mr. Winmill asked Mr. O'Keefe how he heard about the board needing an alternate. Ms. Leclerc called me up, Mr. O'Keefe said. "She knows I have been in this kind of work and she knows I ran for a Planning Board seat last year. I can add my experience to my home town," he said.

Mr. Murray also had a possible candidate. He said Katy Beam, who is a real estate agent at Galloway Realty, also expressed interest in being on the board as an alternate. Mr. Winmill said the Fall Mountain school board has had a recent vacancy and they put it out on the web that the board is seeking letters from those who are interested in the vacant seat so if someone wanted to serve on the school board, that person could write them a letter. Mr. Winmill suggested the Walpole Zoning Board do something similar.

Ms. Barnes said the board is facing a time constraint with this upcoming hearing. Mr. Sellarole will not be at the hearing in September because he is going on vacation abroad. A motion was made by Mr. Sellarole, seconded by Ms. Barnes and the board voted that Mr. O'Keefe become an alternate. The vote was 4 ayes, and 1 nay.

Gravel pit inspections assignments

RSA 155 E states that gravel pits must be inspected yearly and for the last few years this has been done by the members and alternates of the Zoning Board of Adjustment.

This year's gravel pit assignments are:

Tim Graves on Wentworth Road – Tom Murray and Don Sellarole

Hodgkins on Old Drewsville Road - Judy Trow and Pauline Barnes

Cold River Materials on Brewery Road – Carolyn Vose and Jan Leclerc.

The inspection forms are due at the October meeting.

Nonpublic session

At 7:40 pm Ms. Trow made a motion to go into nonpublic session to review the minutes of the nonpublic meeting last month. At 8:50 pm the board came out of non public session.

Ms. Leclerc Clarion article

Since last month's meeting with Town Counsel Jeremy Hockensmith, there have been changes on how the Zoning Board of Adjustment will operate. The Board has been informed that the job of the ZBA does not include answering questions about zoning and about zoning applications. So in the future, if anyone has a question about a potential project or needs help in understanding the application process, the Town is asking you to call Mr. Ernest Vose at 603-756-3589. Mr. Vose has been a 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 public hearing for the following month if the application is filled out properly and fees paid. See the complete article attached at the end the minutes.

Changes to zoning board procedures

Beginning August 23, changes will occur on how these boards will operate regarding approvals and denials of requests. Many members and alternates attended a Webinar on Zoom August 10. It was presented by the NH Municipal Association and the presenter were lawyers with the Association. According to one presenter about 500 individuals signed up for the Webinar. Check the town website for a look at the forms that will need to be filled out and kept by the ZBA.

Email reminders

Chair Leclerc passed out the following reminders to the board and alternates at this meeting.

1. NO discussion about minutes via email. All discussion about minutes must take place at a public meeting that has been properly noticed.
2. No sending emails to all board members. NEVER "reply all" to any emails received.
3. If you want to make a statement to go into the minutes verbatim you must follow these steps:
 - a. Write your **brief**, respectful statement down on PAPER.
 - b. READ your **brief**, respectful statement ALOUD at a [public meeting](#).
 - c. Hand your paper with your **brief**, respectful statement on it to the secretary immediately after you have read it aloud at the public meeting.

Nomination of a vice-chair

As was mentioned in the July 2022 minutes, long-time Walpole Zoning Board member Ernie Vose resigned from the board. Mr. Vose was currently vice-chair of the Zoning Board. Mr. Vose was a member who was respected for his good judgment, knowledge of Walpole's zoning regulations and has a memory of years and years of applications and applicants. He was thoughtful about each presentation, polite in his manner of questioning. He leaves a huge, empty hole in landscape of the board. Ms. Leclerc said his position had to be filled and asked for nomination. Mr. Murray made a suggestion of Judy Trow. Ms. Trow has served the Walpole Zoning Board in many different ways. Originally, for 14 years she was recording secretary. She has also served as a member of board or alternate for 16 years. She is extremely knowledgeable about the Walpole Zoning Ordinance. Mr. Murray made a motion to appoint Ms. Trow. Ms. Barnes seconded the motion and the motion carried.

Zoning maps

Board members and alternates received copies of two zoning maps of Walpole. One map showed the entire town. The other focused on the village and its surrounding areas. The different colors show the

commercial, industrial, Residential A, Residential B, Rural-Agricultural areas in Walpole and Drewsville and other colors showed the North Walpole Commercial, North Walpole Industrial and North Walpole Residential A & B districts..

The maps were prepared by Emily Horton at Antioch University New England for the Town of Walpole Planning Board in 2012. Peter Palmiotto modified the maps for the Zoning Board of Adjustment in 2022 to conform to the town's current zoning districts. The Town will be hanging a larger version of these maps on a wall in the entry way of the Town Offices soon. The Board thanks Mr. Palmiotto for his time and effort in creating these useful, colorful zoning maps.

Adjournment

Ms. Trow made a motion to adjourn. Ms. Barnes seconded the motion and the motion carried. It was 9:10 pm.

Respectfully submitted,
Marilou Blaine
ZBA Secretary

cc: ZBA, WPB, Town Offices, The Walpolean
Posted: Inside the Town Offices, on the bulletin board outside the Post Office, www.walpolenh.us