

**Zoning Board of Adjustment
Town of Madison
PO Box 248
Madison, NH 03849**

**Minutes
February 15, 2012**

Members Present: Henry Anderson, Jay Bisio, Peter Craugh, Ken Hughes, Mark Lucy, Kevin O'Neil, and Hersh Sosnoff

Members Not Present:

Staff Present: Bob Babine – Code Enforcement Officer, Courtney Croteau – Land Use Board Administrator

Others Present: Ron Briggs, Diane Destefano, Cathie Gregg

Meeting Agenda Posted: 2/8/12 at Madison Town Hall, Madison Post Office, and Silver Lake Post Office

1. **CALL TO ORDER:** Mr. Lucy called the meeting to order at 7:00 P.M.

2. **ROLL CALL:** Ms. Croteau called the roll.

3. **NEW HEARINGS:**

Case 12-01: Charter Trust Company, Elaine Conners Unitrust, 152 Pine Hill Road, Tax Map 228 Lot 15, Rural Residential District. Applicant proposes a conference/education center requiring a Special Exception from section 4.2.B.8 of the Zoning Ordinance.

Notice was made in the Daily Sun on 2/7/12 and posted at Madison Post Office and Silver Lake Post Office on 2/1/12. Abutters were notified by certified mail on 2/1/12 and all return receipts have been returned. All fees have been paid. There were no waiver requests and the application was not considered to be of regional impact. The Board had no conflicts of interest. Mr. Lucy explained the hearing procedure and swore in all those who would be speaking to the application.

The public hearing was opened at 7:04 P.M. Mr. Briggs introduced the Elaine Conners Center for Wildlife as having a dual mission to 1) rehab wildlife animals and 2) provide education and outreach. The applicant is appearing before the Board to obtain a Special Exception for a one-story building to be used for education and a conference center. Ms. Gregg, the organization's director, handed out a list of the expected use of the building. The maximum capacity is 30 people. Most attendees to the building will be coming from around New England and will carpool. There are 12 parking spaces total, including one handicap space, with a loop driveway. The 24'x48' building is ADA accessible and will contain an office and conference space.

Ms. Gregg explained that the project is not expected nor intended to expand the Center. Currently the Center conducts off site education and trainings. The building would provide the Center with the ability to bring much of this activity on site. The Center does not anticipate more staff or an increase in volunteers. The public would be able to drop off injured animals for rehabilitation to the proposed building at an estimated three or fewer cars per day. Mr. Lucy asked about the acreage of the property. Mr. Briggs reported that the entire parcel is 186 acres and the area of impact is less than one

acre. The Board asked questions concerning the setbacks and the location of a driveway gate. The applicant confirmed that the project meets all set back requirements and a brief discussion followed concerning a gate. There was no one present in opposition to the appeal.

Finding of Facts: Mr. Lucy listed the facts. There are 186 total acres and less than one acre is impacted, equaling half of 1% of the total area. A parking area of twelve spaces is adequate. The proposed building is a 24'x48' one story structure. The Elaine Conners Wildlife Center has a mission of rehabilitating wildlife as well as providing education and outreach. Conference centers are allowable under Special Exception 4.2.B.8 in the Zoning Ordinance. There being no further questions from the Board or public, the public hearing was closed at 7:23 P.M.

Deliberation and Vote: Mr. Lucy stated that the finding of facts would suffice for the summary of facts. Seeing that the Board had no further discussion, Mr. Craugh moved, seconded by Mr. Lucy, to grant the Special Exception as presented in accordance to 4.2.B.8 in the Zoning Ordinance. The motion passed unanimously. Mr. Lucy read the rules of the appeal.

4. CONTINUED HEARINGS: none

5. OTHER BUSINESS & COMMUNICATIONS:

Rules of Procedure changes: Mr. Lucy reminded the Board that these changes were initiated at November's meeting and further amended at January's meeting. Ms. Croteau read aloud the changes, which clarified the role of the alternate in deliberation and the vote of an application appeal. Mr. Lucy moved, seconded by Mr. Craugh, to adopt the Rules of Procedure as amended. Motion passed.

The Ettinger lawsuit will be heard by the Supreme Court. Ms. Croteau will inform the Board when the date for the hearing is set. Board members and the public are welcome to attend the proceedings in person. It is also possible to watch the proceedings online.

The Board would like to send Ms. Huff a thank you card. Ms. Croteau will expense one to the ZBA general budget under office supplies.

Term Expiration: Mr. Bisio and Mr. O'Neil, whose terms end in 2012, indicated that they would like to continue serving on the Board. Mr. Bisio stated his preference to be appointed to an alternate position because of potential time commitment conflicts in his schedule. Mr. Lucy inquired if Mr. O'Neil would like to be appointed as a regular member. Mr. O'Neil stated that he would. Ms. Croteau will notify the Board of Selectmen that Mr. O'Neil would like to be appointed to the Board as a regular member and Mr. Bisio would like a position on the Board as an alternate.

Board Elections: Mr. Lucy reminded the Board that it was time to elect officers into position. Mr. Craugh moved, seconded by Mr. O'Neil, to nominate Mr. Lucy as Board Chair. Mr. Lucy accepted the nomination. Motion passed unanimously. Mr. Hughes moved, seconded by Mr. Craugh, to nominate Mr. Anderson as Co-Chair. Motion passed unanimously. Mr. Lucy thanked Mr. Hughes for serving on the Board since 1987.

Mr. Craugh initiated a discussion on the use of surveyors tape for flagging properties that are appealing to the Board. Ms. Croteau will ensure that applicants are given yellow surveyor tape to flag their property.

Mr. O'Neil put forth his interest in electronic packets to the Board. After a brief discussion about the feasibility of scanning and sending packets electronically, Mr. Lucy asked that Ms. Croteau add this item to next month's agenda.

6. APPROVAL OF MINUTES: Mr. Craugh moved, seconded by Mr. Bisio, to approve the minutes of January 18, 2012 as presented. Motion passed.

7. ADJOURNMENT: Mr. Lucy moved, seconded by Mr. Bisio, to adjourn the meeting at 7:52 P.M.

Respectfully submitted,

Courtney J. Croteau
Land Use Board Administrator

Minutes Approved: not yet approved
Corrections: