

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

**Approved Minutes  
May 18, 2016**

Members Present: Henry Anderson, Ken Hughes, Stuart Lord, and Mark Lucy

Members Not Present: Kevin O'Neil and Hersh Sosnoff

Staff Present: Chris Young – Land Use Boards Administrative Assistant

Others Present:

Work Session Posted: 5/4/16 at Madison Town Hall, Madison Post Office, and Silver Lake Post Office

1. **CALL TO ORDER:** Mr. Lucy called the meeting to order at 6:05 PM.
2. **PLEDGE OF ALLEGIANCE:** Mr. Hughes led those assembled in the Pledge of Allegiance.
3. **ROLL CALL:** Mr. Young called the roll.
4. **APPROVAL OF MINUTES:** Mr. Lucy moved, seconded by Mr. Lord, to approve the minutes as written. The motion passed.
5. **OTHER BUSINESS & COMMUNICATIONS:**
  - a. The Rules of Procedure were reviewed for a second time. It was discovered that section P. at the top of page 5 still contained reference to the chair not voting and only voting to break a tie. This is an outdated practice no longer used by this board. The sentence referencing that will be removed.  
  
The section on Waivers at the bottom of page 5 also needed to be reworded to reflect the new information gotten from legal counsel. Mr. Lucy moved, seconded by Mr. Anderson, to review these changes at the next meeting. The motion passed.
  - b. The Application Form was reviewed for a second time with reference to counsel recommendations. Mr. Lucy commented before beginning the review that documents from the legal counsel needed to be distinguished by a date to avoid confusion. The changes which Mr. Young had made to the document based on counsel were reviewed. In reference to submitting an application late, it was recommended that applicants sign a waiver form to waive the rights to a hearing within thirty days of the submission. A couple of board members suggested referencing that part of the form in the instructions, and the direction "See page 13" was suggested for the end of the first paragraph on page 3. On page 10 a bold "and" was also suggested

between the two criteria following the "or" in part 1 of the Application for an Equitable Waiver of Dimensional Requirements. Under the History of Changes section, the addition of clarification regarding a waiver was also suggested to be added. Mr. Lucy moved, seconded by Mr. Hughes, to continue the review at the next meeting. The motion passed.

The Conditions to Be Met guide document was reviewed with regard to the above changes in the application. The only recommendation was to make the word "and" in bold between elements a. and b. of the section on concerning the Application for an Equitable Waiver of Dimensional Requirement. Mr. Lucy moved, seconded by Mr. Hughes, to accept this amended document with the one addition and no further review at this time. The motion passed.

- c. The board worked with Mr. Boyd and Mr. Young to clarify section I.1.3.B. of the Zoning Ordinance. Mr. Young and Mr. Boyd had been wrestling with some recent building permit applications and some applicants interpretations of the ordinance. Mr. Young read section I.1.3.B. for the public benefit. After reviewing the questions Mr. Boyd and Mr. Young had, the board was able to clarify them. The board also suggested that the Planning Board look at it and rewrite it as it is unclear in the current format.
- d. The last item of business was a communication regarding the transfer of property and the grandfathering of light industry. Mr. Lucy read a letter from the BoS dated June 16, 1999 into the record which gave a piece of property a grandfathered use of light manufacturing. The question was whether futon making fell under the same category as blacksmithing. The board did respond that this use would be considered as light manufacturing.

6. **ADJOURNMENT:** The meeting was adjourned at 7:16 PM.

Respectfully submitted,

Chris Young  
Land Use Boards Administrative Assistant

Minutes Approved: July 20, 2016