



**TOWN OF MADISON
ZONING BOARD OF ADJUSTMENT
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ZBA MINUTES

March 15, 2023

ATTENDANCE: Chairman Drew Gentile, Vice-Chairman Jake Martin, Doug McAllister, George Rau, Alternate – Marc Ohlson, Mark Totman (appeared via Zoom meeting)

EXCUSED: None

OTHERS PRESENT: Madison TV, Aysia Morency, Kate Young, Land Use Boards Administrator, J.P Goodwin-Rogers; Tom Rogers, Craig Salomon, Agent for Jerome Ken Sakurai, Trustee of Tayzach Realty Trust, Ralph Lutjen, Paul Marks, Mark McConkey and Jake McConkey, Agent for Samuel Shiro and other members of the public

CALL TO ORDER: Gentile called the meeting to order at 6:00 PM. Rau led the reciting of the Pledge of Allegiance.

PUBLIC NOTICE: Notification of this meeting was posted on February 22, 2023 at the Madison Town Hall, (upper and lower levels) and the Madison and Silver Lake Post Offices.

Young read aloud **Case #23-03** – Variance request by Mark and Jacob McConkey, Agent for Samuel Shiro for property located at 14 Little Loop Road, Tax Map 109 Lot 121, from Article V, Section 5.9 C and 5.9 E of the zoning ordinance to permit the house to be 69.54’ from mean High-Water Mark of Pea Porridge Pond, where 75 feet is required. Also to permit the deck to be 62.79’ from the mean High-Water Mark of Pea Porridge Pond, where 75 feet is required and the house to be 55.55 feet from center line of the road way where 65 feet is required.

Young explained that there was an error in the applicant’s address for notification of an abutter who did not receive proper notice of the meeting and the opportunity to respond.

Gentile stated it is the responsibility of the applicant to ensure the addresses of abutters are correct.

Mark McConkey, Agent for Samuel Shiro stated that he is willing to continue **Case #23-03**.

Motion by McAllister, seconded by Martin to continue and reschedule **Case #23-03** to the April 19, 2023 meeting as an abutter was not properly notified. The motion passed **5-0**.

McConkey will provide Young with the correct mailing label and fee for resending the notice to the abutter.

Gentile stated the board was moving on to **Case #23-02** which was continued at the request of the Agent of the owner for the purpose of requesting a five-member board. Gentile further stated the board is going to raise Mark Totman as a full member but Gentile needs to ask Totman questions as to RSA 91-A:2, III. Totman stated he is appearing telephonically as he is currently in South Carolina for several months and he is the only person present in the room for the telephonic meeting. Gentile stated all votes need to be done by roll call vote.

Gentile asked the Board if anyone had any objection. There was none.

Gentile asked for a motion to elevate Totman to a full member.

Motion by McAllister, seconded by Rau to elevate Mark Totman to a full member.

Roll Call Vote: McAllister – Aye; Rau – Aye; Gentile – Aye; Martin – Aye; Ohlson - Aye
The Motion passed **5-0**.

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Ohlson removed himself from **Case #23-02** and sat in the audience.

Young read aloud **Case #23-02 – Continued** - Variance request by Craig N. Salomon, Land Use Consultant and Ambit Engineering, Inc., as representatives for Jerome Ken Sakurai, Trustee of Tayzach Realty Trust for property located at 363 Danforth Lane, Tax Map 120, Lot 05, from Article I, Section 1.3 – A and Article V, Sections 5.7 A and B to allow a three-lot cluster subdivision with frontage on a Class IV Highway.

Young explained that there was an error in the applicant’s address for notification of an abutter who did not receive proper notice of the meeting and the opportunity to respond.

Gentile stated the Agent can waive the 90 deadline and he recommended the Agent execute a waiver for delay. Salomon asked if they can request waiver next month? Gentile stated that the case has to be completed within 90 days and if a waiver is not requested then the applicant would have to start the application process over.

Motion by McAllister to continue **Case #23-02** to the April 19, 2023 meeting as an abutter was not properly notified.

Roll Call Vote: McAllister – Aye; Totman – Aye; Rau – Aye; Martin – Aye; Gentile - Aye
The Motion passed **5-0**.

Ohlson returned to the meeting.

APPROVAL OF DRAFT MINUTES - Motion by Rau, seconded by McAllister to accept the February 15, 2023 minutes as written. The motion passed **unanimously** by roll call vote.

Roll call Vote: McAllister – Aye; Rau – Aye; Gentile – Aye; Martin – Aye; Totman – Aye; Ohlson
The motion passed **6-0** by roll call vote.

ADMINISTRATION: Gentile stated that he may have someone interested as an alternate and that there should be five regular board members and three alternates. Gentile asked the Board if they knew of anyone that may be

interested in serving on the board and that they have to be a Madison resident, be able to attend meetings on the third Wednesday of the month and available for site visits when needed.

Rau also asked that the board consider women to serve on the board. It was a consensus that both women and men are encouraged to apply.

ADJOURNMENT: Motion by Rau, seconded by McAllister to adjourn. The motion passed 6-0 and the meeting adjourned at 6:25 PM.

The next meeting of the Zoning Board of Adjustment will be held on April 19, 2023.at 6:00 pm.

Respectfully submitted,

Katharine Young
Land Use Boards Administrator