



**TOWN OF MADISON  
ZONING BOARD OF ADJUSTMENT  
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**ZBA MINUTES  
September 17, 2025**

**ATTENDANCE:** Drew Gentile, Chairman, Sharon Schilling, Vice Chairman, Doug McAllister and Richard Ventura

**EXCUSED:** Marc Ohlson, Alternate

**OTHERS PRESENT:** Madison TV, Kasia Scentsas and Kate Young, Land Use Boards Administrator

**CALL TO ORDER:** Chairman Gentile called the meeting to order at 6:02 pm.

**PLEDGE OF ALLEGIANCE/ROLL CALL:** Chairman Gentile asked McAllister to lead in the reciting of the Pledge of Allegiance. The roll call confirmed four regular members were present, constituting a quorum.

**ELEVATION OF ALTERNATES:** Chairman Gentile noted that there were no alternates present tonight to elevate.

**Case #23-20**

**Case #23-20 – Request for Re-Hearing of the Zoning Board of Adjustment’s July 16, 2025 Decision** - is requested by Matt Johnson, Esquire, Devine, Millimet & Branch, P.A., Agent for Cory, Jade and Cynthia Franklin, 26 Little Shore Drive, Tax Map 104 Lot 096 to determine whether or not their circumstance allows for short term rentals relating to a denial from Robert Boyd, Code Enforcement Officer dated August 16, 2023 as to Article IV, Section 4.6A of the Town of Madison Zoning Ordinance.

Chairman Gentile opened the public meeting by clarifying this was a public meeting, not a hearing. He further explained that for the record, there was question as to whether Attorney Johnson filed his motion for **Case #23-20** late. Chairman Gentile explained that the Zoning Board’s decision on the original Appeal from Administrative Decision was dated July 16, 2025 and that the first day of the 30-day appeal period started on July 17, 2025. Chairman Gentile stated that the Motion for Rehearing should have been filed by Attorney Johnson on August 15, 2025. Young, Land Use Boards Administrator explained that she received the Motion for Rehearing via email on August 18, 2025 since the town was closed on August 15, 2025 and that she was advised that Attorney Johnson’s office was overnighting it. Young explained the original Motion for Rehearing was delivered via Federal Express on August 20, 2025. Chairman Gentile stated that the Town Hall is closed on Fridays and Friday, August 15, 2025 was the deadline. Chairman Gentile clarified that because the office was closed on August 15, 2025, the board would accept the Motion for Rehearing on the next business day which was August 18, 2025.

Chairman Gentile noted that Attorney Johnson’s arguments were very similar to those previously presented in other cases, primarily requesting grandfather status as an existing nonconforming use based on financially invested. It was discussed that the board previously determined that the only evidence of financial investment was a pre-approval of a loan, which the board considered too general.

Chairman Gentile polled the board and asked the members if they felt there was any new information, procedural errors or errors of law in the arguments presented. All members agreed they had not found any procedural error, errors of law, or new information that was not available at the first hearing.

**Motion** by McAllister, seconded by Schilling to deny the Motion for Rehearing of **Case #23-20** which was filed on time, because the board found no procedural error, no indisputable error of law, and no new information. The motion was voted on and passed by a vote of **4-0**.

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**APPROVAL OF DRAFT MINUTES – August 20, 2025**

Chairman Gentile stated the board is now going to review the draft minutes of August 20, 2025. Schilling had a revision to the minutes to correct “Gentle” to Gentile. Young clarified with Gentile that his comment bracketed on Page 4 was to be removed.

**Motion** by Ventura, seconded by McAllister to approve the August 20, 2025 minutes as amended, due to a typographical error. The motion was voted on and passed by a vote of **4-0**.

**ADMINISTRATION:** Young, Land Use Boards Administrator explained to the board that in their packets, they had the finalized Rules of Procedure which have been posted on the Website and she provided a copy for each member for their future reference.

Chairman Gentile explained that Jennifer Skaife, an alternate, resigned from the board on Monday, September 15<sup>th</sup> and that he and the board wanted to publicly thank her for her service on the Zoning Board of Adjustment.

Chairman Gentile stated that there may be a joint meeting with the Planning Board at the Zoning Board’s meeting on October 15, 2025 for a new application for a cell tower. Young, Land Use Boards Administrator explained that on September 3, 2025, Attorney Francis Parisi presented her with an application for Vertex Towers, LLC whom he is the agent for. At that time, he explained that he wanted to do a joint meeting with the Planning Board and the Zoning Board of Adjustment at the Planning Board’s meeting on October 1, 2025. Young explained to him that she would have to contact Zoning Board members to see who could attend the October 1, 2025 regularly scheduled Planning Board meeting. Young further explained that Attorney Parisi called her on September 11, 2025 and decided that he did not have enough time to schedule the balloon test **before** the October 1, 2025 Planning Board meeting and that he would now like a joint meeting with the Planning Board attending the Zoning Board of Adjustment’s regular meeting on October 15, 2025. He further explained that he would schedule the balloon test for Monday, October 6, 2025 and if that cannot be done on that day due to weather, then it will be done on Tuesday, October 7, 2025 or each successive weekday (not a weekend day) until successful.

Schilling stated that she is against a joint meeting and does not understand the purpose of it. Young explained that she believes Attorney Parisi wants to come before the Zoning Board of Adjustment first, because he will already have the balloon test done to present to the boards and that he was willing to defer the October 1, 2025 Planning Board meeting to the regular meeting of the Planning Board on November 5, 2025. McAllister stated he believes it would be easier for Attorney Parisi to do a joint meeting as he explains his case once to both boards. Chairman Gentile stated that Attorney Keriann Roman, Planning Board attorney and Attorney Tim Sullivan, Zoning Board attorney need to talk and the board needs to know if they can deny a joint meeting. Chairman Gentile explained that the board needs a clear indication if this is an advisable option or is it required to have a joint meeting. Schilling questioned whether the board needs to take a vote to do a joint meeting. She

further stated that in a previous meeting with the other cell phone tower case, our Zoning Ordinance does not say that an applicant must go to the Planning Board first. Schilling explained she believes that this case should go to the Planning Board and the Planning Board should approve the project first.

**ADJOURNMENT: Motion** by Schilling, seconded by Ventura to adjourn the meeting at 6:40 pm. The motion was voted on and passed **4-0**.

The next Public Hearing of the Zoning Board of Adjustment will be held on October 15, 2025 at the Madison Elementary School Gymnasium at 6:00 pm.

Respectfully submitted,

Katharine Young  
Land Use Boards Administrator