

Tilton Zoning Board of Adjustment Draft Meeting Minutes – January 9, 2018

Agenda

5:30 PM Call to order.

Motion for Rehearing of ZBA Case 17-10

Other Business:

- Review the November 21, 2017 minutes
- Correspondence
- Other

Members Present:

Christine Coletti (Chair), Mari Ann Princiotta, Olivia Laporte, Jim Engle and Joe Jesseman

Others Present:

see attached list of attendees
Dari Sassan (Planning Board Staff)

Call to Order

Chairman Coletti called the meeting to order at 5:52 PM.

Motion for Rehearing of ZBA Case 17-10

Chairman Coletti announced that Mr. Jesseman would serve as voting member during this meeting and that Mr. Pyra has recused himself.

Board Members discussed the motion. Chairman Coletti said that it still remained unclear why no appeal was filed following the Planning Board's determination that was made in May. She said she believed that the Atwater v. Town of Plainfield case holds true to this case, and that an appeal should have been filed in a more timely manner. Chairman Coletti noted that the motion for rehearing claimed that the appellant did not become aggrieved until the Planning Board's decision to approve was rendered in September. She expressed disagreement with this interpretation.

Ms. Princiotta asked other Board Members whether they felt anything had been brought forward in the latest motion providing additional information that had not previously been disclosed. Board Members expressed that no such information had been provided.

Mr. Engle said that the project was initially discussed in February, when it was presented as an adult recovery center providing 12-step therapy. He noted that, at that time, there was discussion that therapy and counseling would be provided and that attendees would hand over their car keys during their stay. Mr. Engle said that it was clear from the discussion that the proposed use involved non-elderly, adult, in-house, rehabilitative care.

Mr. Engle noted that during the March Planning Board meeting, a similar representation was put forth.

Tilton Zoning Board of Adjustment
Draft Meeting Minutes – January 9, 2018

He said that the March meeting included discussion of rooming accommodations, in that it was proposed that attendees would be boarded in double- and triple-occupant bedrooms. Mr. Engle said that it was also discussed at the March meeting that drug and alcohol counselors would be on staff. Mr. Engle summarized that all of the discussion in those meetings indicated that the use would be geared toward what it ultimately became, and that it was known in March what the proposal was about.

Mr. Engle said that appeals were also part of the conversation early in the process. He said that revisions to the application served to decrease the size and scale of the proposed use, not to alter its nature, which had been evident throughout, as discussed and advertised.

Ms. Princiotta noted that the Zoning Ordinance does not define “adult care facility,” but that it was clear that the proposal involved adults receiving care and that it was clearly stated throughout what the purpose of the facility would be. She said that during the June meeting the abutter's lawyer questioned the Board's May 9th determination to categorize the proposed use as an “adult care facility,” and that during an August meeting it was brought up that the decision had not been appealed. Ms. Princiotta said that attendees were told that appeals generally need to be filed within 30 days, and she said that there were plenty of opportunities to challenge the determination.

Mr. Jesseman expressed that his position has not changed, which is that the appeal had not been submitted within a reasonable time.

MOVED by Ms. Princiotta to *deny the motion for rehearing based upon a lack of new information.*
SECONDED by Mr. Engle.

All in favor, none opposed: **MOTION APPROVED.**

Other Business

Review the November 21, 2017 minutes

MOVED by Ms. Princiotta to *approve the minutes of the November 21, 2017 Zoning Board of Adjustment meeting.* **SECONDED** by Ms. Laporte.

All in favor, none opposed: **MOTION APPROVED.**

* * *

MOVED by Chairman Coletti to *adjourn this meeting.* **SECONDED** by Ms. Princiotta.

All in favor, none opposed: **MOTION APPROVED.**

The meeting adjourned at 6:10 PM.

CC/ds

GUEST LOG
of the
TILTON ZONING BOARD OF ADJUSTMENT

January 9, 2018

Please print your name and affiliation as you would like them to appear in the meeting minutes.

1. Isaac Sargent Sanbornton
2. Rachel Sargent Sanbornton
3. Biron Bedard Attorney for the Meads
4. Thomas Mead Tilton
5. Lenore Mead Tilton
6. Daven Rowles Smyrna, NH
7. Karyn Forbes Concord, NH
8. Katherine Dawson Here!
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____