



TOWN OF WAKEFIELD, NEW HAMPSHIRE  
LAND USE DEPARTMENT

2 HIGH STREET  
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MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING  
21 May 2018

Approved: 7/9/2018

MEMBERS		ALTERNATES		OTHERS	
Don Stewart, Chairman	X	Doug Stewart	X	Victor Vinagro, Land Use Clerk & Code Enforcement Officer	X
George Frothingham	X	Annie Robbins	X	Rick Sager, Town Counsel	
John Crowell					
Judi DesRoches	X			Site Walk Public Hearing	S H
Steve Brown					

Also Present: Rose and Robert Baxter and Donna Martin

A. CALL TO ORDER

Don Stewart called the meeting to order following the Pledge of Allegiance at 7:00PM.

B. SEAT ALTERNATES

Don Stewart stated that he was under the understanding that Steve Brown was no longer a member of the ZBA, as his term ran up, and when he went for re-appointment, the town administrator advised the Select board that there was only a three year term, and Steve ran for a one year term. When presented to the Select board, they did not approve a three year term for Steve Brown.

Annie Robbins and Doug Stewart sat for John Crowell and Steve Brown

Steve Brown showed up and there was some confusion of if Steve Brown was still an appointed member or not. There was discussion about the matter. Steve made comments that G Frothingham went to the Town Administrator to get him off the board. G Frothingham denied the comments Steve made. It was determined that at the present time, Steve Brown was not a member of the board. Steve left the meeting.

C. BOARD BUSINESS

- Discussion of proposed selection considerations for candidate(s) for appointment.

Don Stewart stated that the selectmen would entertain recommendations for possible members/alternates of the Zoning Board of Assessors. Don Stewart provided a list of considerations for the board to review and edit as the board sees fit. Once the list of potential candidates is complete, the ZBA would submit that list to the selectmen. G Frothingham requested to clarify that the ZBA will only submit recommendations, the decision is to be made by the board of selectmen.

1. Wakefield Resident:
2. Minimum of 18 years of age: Don Stewart is unsure if that is mandatory or not. There is no RSA regarding membership. The Board is in agreement of the minimum age of 18 years old.
3. Potential candidate not be a member of a household of a current member or alternate of the ZBA: The reasoning is to avoid any conflict of interest. G Frothingham noted that the board can recommend any standard to the board of selectmen, but it is up to the select board to make the decision. The Board is in agreement of this standard.
4. Potential member to be able to attend 90% of meetings: The board stated that was too high of a percentage. The suggestion was to change the percentage to 75% of meetings.
5. Potential Member should be able to certify that they are in compliance of zoning rules and regulations at the time that they are in front of the board. The board is in agreement
6. That there cannot be more than one member on the Zoning Board, that are also members or another town board. (ie: Doug Stewart is a member of the Planning Board, and the Zoning Board. David Silcocks is also a member of the Planning Board, therefore David Silcocks cannot be a member of the Zoning Board): That is a State RSA, so this would act as more of a reminder to the board.

D Stewart asked if anyone else had other items to add

A Robbins suggested that the potential member to be able to attend an OEP workshop, once a year.

J DesRoches suggested an education level/level of competency to be part of the process for recommendation. It was asked how to measure the education level, J DesRoches suggested the way the person presents themselves. It was agreed that it was too subjective of a standard to be able to define. G Frothingham noted that the board has time to meet with potential members, and that would help the board make a decision.

D Stewart suggested maybe life experience could be a standard, a business owner etc.

D Stewart suggested that the potential member to be able to work well with the other members of the board. Don Stewart stated that is also a subjective standard.

The list will be updated and sent back to members for review at the next meeting.

#### D. PUBLIC HEARINGS

None

#### E. BOARD BUSINESS

- Alternate Member(s) - Candidates for Membership

D Stewart proposed the board to invite Annie Robbins to step up from an alternate, to a full member of the board

**Motion: To appoint Annie Robbins as full member of the ZBA**

**Made by: George Frothingham**

**Seconded by: Judi DesRoches**

**Discussion: Annie is in agreement, given the matter with Steve Brown and the Select Board are cleared up.**

**Vote: 4-0-1**

Rose and Robert Baxter approached the Board regarding becoming Alternates. Robert spoke to the board about his abilities to be a member of the ZBA. He is a business owner and contractor, NH born and raised, familiar with the area. He applied to the ZBA to be more involved in the town, to share his knowledge with the town. He moved to town about 3.5 years ago. Don Stewart asked Robert if he has anything in current business that is going to come before a land use board, Rose stated Robert works for her, so he wouldn't be involved in anything like that. A Robbins asked if Robert would be able to attend a workshop in Concord, he stated yes he can. Robert is able to attend 75% of all meetings.

Don Stewart spoke about not having two people from the same household as members. Rose will be withdrawing her application.

G Frothingham asked if Robert still has an application into the Planning Board as well. Robert stated yes. Don Stewart stated that because Doug Stewart is a member of the Planning Board, they could not accept him as an alternate if he was a member of the Planning Board. The Planning board is still in the process of Robert's application. Don Stewart suggested tabling the matter until he can speak with the Chair of the Planning Board. Robert stated that he applied to both, and if one application goes through before the other, than that would be the board he would be on. He would withdraw from the other board.

D Stewart brought up the above standard that was discussed about a potential member being in compliance of zoning rules and regulations. Robert stated once everything is done with the Planning Board, they should be. Rose added he isn't listed as the property owner, so it has nothing to do with him. G Frothingham asked if he had a preference between ZBA and Planning Board. Robert stated no. Judi asked if they should hold off until the issue with the Planning Board is cleared up. Don Stewart clarified with V Vinagro that Rose is the owner of the property, and the one with the current issues with the planning board. V Vinagro confirmed, yes.

It was noted that it is ultimately the selectman's decision, but it should be an applicant that the board supports.

**Motion: To table the applicant until the board receives further information from the Planning Board**

**Made by: Annie Robbins**

**Seconded by: Judi DesRoches**

**Discussion: D Stewart is under the understanding that Roberts name is not on the deed, the property in question. D Stewart does not believe that the board can table the application because he is not tied to the property**  
**A Robbins withdrew her motion**

**Motion: To make a recommendation to the selectmen for Robert to be appointed as an alternate on the board**

**Made by: George Frothingham**

**Seconded by: Annie Robbins**

**Discussion: none**

**Vote: 4-1-0**

F. APPROVAL OF MINUTES

April 16th Minutes to Approve

**Motion: To approve the April 16, 2018 minutes**

**Made by: Doug Stewart**

**Seconded by: Judi DesRoches**

**Discussion: none**

**Vote: 4-0-1**

G. CORRESPONDENCE

None

H. SET NEXT MEETING DATE

Tentatively June 18<sup>th</sup>, 2018

G Frothingham spoke about the earlier incident with Steve Brown. G Frothingham wanted to clarify that the statements that Steve Brown made about him were not truthful. Don Stewart indicated that he would be going to the Town Administrator in the morning to speak with her about what happened at the meeting and will find out what the next step will be.

I. ADJOURNMENT

**Motion: To adjourn the meeting**

**Made by: George Frothingham**

**Seconded by: Judi DesRoches**

**Discussion: none**

**Vote: 5-0-0**

Respectfully submitted, *Jeanne Paul*