

TOWN OF EPPING, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT

Wednesday, May 28, 2008

PRESENT: Paul Spidle, Dave Mylott, Bob Jordan, Paul Brown; Alternate Peter Loch; Secretary Phyllis McDonough.

CALL TO ORDER: Chairman Spidle called the meeting to order at 7:00 P.M., and appointed Loch to sit in for Nowe.

JH REALTY TRUST – Chairman Spidle read notice for an appeal from an Administrative Decision concerning Article II Section 4.3 and Article VI Section 6.14 (2) (a) (1). Parcel is located at Railroad Ave & Main Street (Tax Map 029 - Lots 208, 209 & 290) in the Central Business District.

Attorney McNeill representing Miles Cook came before the Board requesting that Paul Brown to recuse himself from participating in this hearing. He explained the reason is, Brown on behalf of Hurlbert Toyota, consulted with Jones & Beach to retain them to do a site Plan for the Hurlbert property.

Paul Brown explained his relationship with the Hurlbert's is on the Railroad Street property that concerns the landscaping. He explained he would like to site through the hearing although will restrain from voting.

Attorney McNeill in terms of the ongoing business his requested from the board that they would like to proceed with a full board.

Attorney McNeill stated he appreciates Mr. Brown's candor. He advised that with the Zoning Board there is a threshold for decision making of three votes and he did not raise the issue with Brown as did not realize until after last meeting and did not know what position Brown would take. He stated with that he will renew the request that Mr. Cook have a full Board.

Attorney Michael representing Hurlbert stated they assent with the decision to have a full, fair, and impartial Board to continue.

The hearing on this matter will be renoticed.

MINUTES OF 04/23/08 FOR APPROVAL -- Jordan moved, Mylott seconded the motion to approve the minutes. The motion carried unanimously.

MINUTES OF 04/02/08 FOR SIGNATURE – The minutes of April 2, 2008 were duly signed.

MINUTES OF 4/9/08 FOR SIGNATURE – The minutes of April 9, 2008 were duly signed.

LETTER FROM PATRICK PAGNANI, JR. RE: ALTERNATE TO THE BOARD

Chairman Spidle read a letter from Patrick Pagnani, Jr. requesting to serve as an Alternate to the Board. Chairman Spidle explained he feels a person that considers being an alternate should use it as a training

ground to become a Board member.

Mylott explained to Pagnani that it very important that an Alternate be present at every meeting. Pagnani stated he understood.

Loch asked Pagnani if he would have a problem going to conferences held in the spring time, usually on a Saturday. Pagnani stated he would have no problem attending conferences.

Jordan moved, Loch seconded the motion to appoint Patrick Pagnani, Jr. as Alternate for a three year term. The motion carried unanimously.

ADJOURNMENT – Mylott moved, Jordan seconded the motion to adjourn the meeting at 7:20 pm. The motion carried unanimously.

Respectfully submitted,

Phyllis McDonough,
Zoning Board of Adjustment Secretary

APPROVAL NOTIFICATION: May 28, 2008 - Minutes of April 23, 2008 were approved as submitted. Minutes of April 2, 2008 were duly signed. Minutes of April 9, 2008 were duly signed.