

RANDOLPH BOARD OF ADJUSTMENT

Minutes of Meeting
July 13, 2023

Members Present: David Ruble, Robert Onacki, Paul Cormier, Bill Parlett, and Robert Harris (6:35pm)

Members Absent: Guy Stever and Robert Leclerc

Public: None

David Ruble called the meeting to order at 5:35 pm.

Paul Cormier was the alternate filling in for Guy Stever.

Review Rules of Procedure

The Board reviewed Chapter 3 of the Zoning Board of Adjustment Handbook for Local Officials. David Ruble called the Board's attention to Appendix A, the suggested Rules of Procedure, and the Board agreed that these should be used for the Randolph Board. David Ruble will create a copy and email to members, so that they can vote on the adoption of these rules at their next meeting.

In reviewing Chapter 3, the Board noted the time frames for hearings and notices, posting requirements for meetings, and that visiting a site as a Board is considered a meeting and needs to be posted as such. Abutter notices and postings need to be retained with the official record. It was noted that in the case of a denial, the Board must record those voting in favor and those opposed, and that another motion must be made which includes the reason for the denial. The Board does not need to render a decision at the same time as the public hearing, and if the Board wishes to continue discussion to another meeting, the date, time, and location must be included in the motion, so that the meeting does not have to be noticed again.

The Board discussed disqualification due to conflict of interest, and when this would be appropriate. It was noted that discussion of the application outside of the meeting is not allowed. The Board also discussed consultation with legal counsel, and noted that this could be

done in a non-meeting, which does not require public notice. It was noted that the statements of fact in the findings are not the same as the reasons. Words used in the motion should accurately describe what the Board is hoping to accomplish. It was also noted that it is up to the applicant to prove the criteria required.

Paul Cormier noted that the Board members should have a copy of the Master Plan, as this is the reason behind why the Land Use Ordinance is written.

Paul Cormier also noted that the Master Plan encourages the use of renewable energy systems, and questioned why free-standing solar systems require a Special Exception. Mr. Cormier advised that he will attend a Planning Board meeting to discuss this.

Public Hearings

David Ruble advised that three applications have been received, two for solar and one for a dog kennel. The public hearings will be scheduled for August 24, 2023 at 5:30 pm.

Adjournment

On a motion by Bill Parlett, seconded by Robert Onacki, the meeting was adjourned at 6:56 pm.

Respectfully submitted,
Shelli Fortin