

**NELSON ZONING BOARD OF ADJUSTMENT
MEETING**

Date & Time Meeting Convened: April 5, 2011 7:05PM

Location: Nelson Town Hall

Board Members Present: Richard Popovic, Chairman, Jason Walter, Mike Giacomo, Alternate: Peter Smith
Called to order by Richard P.

Richard P. requested nominations for a Chairman for the new year. Jason W. nominated Richard P. 2nd by Peter S. No other nominations were made. Vote in favor of Richard P. for chairman was Unanimous.

Old Business:

Item 1. Richard P. spoke about several conferences available to current ZBA members. Information is available in the ZBA inbox at the Town Offices

Item 2. Richard P. welcomed the new Agriculture Commission and its members

Item 3. Richard P. motion to accept January 13th Minutes as read; 2nd Peter S. Unanimous vote
To accept.

Richard P. called the Hearing to Order at 7:10PM requesting a roll call. The following members were present:

Mike Giacomo; Jason Walter; Peter Smith (alternate); Richard Popovic

Z11-01 Brian Pratt Special Exception request for 5 Old Towne Rd

Clerk gave the reports; Legal notice was posted on Town Boards 3/6/11; Legal notices in Keene Sentinel 3/15 & 3/16/11 & in Monadnock Shopper 3/16/2011; All listed abutters received a notification of this meeting.

Richard P. read the rules for this hearing.

Brian Pratt spoke to the board explaining his Special Exception request

Richard P. read 2 letters in support submitted by Brian Pratt (Barry Tolman & Don & Barbara Bennett).

Richard P. opened the discussion to any Abutters in Favor; no one spoke to this

Richard P. opened the discussion to any Abutters Opposed:

Attorney Silas Little on behalf of Ronald Lyon spoke against this Special Exception. He gave the board pictures and memos to support his opposition.

Doug Howard spoke against this Special Exception regarding noise issues

Terri Briggs spoke against this Special Exception regarding noise issues

Richard P. opened the discussion to the General Public

Ethan Tolman spoke in favor of this Special Exception and presented a letter to the Board

Maury Collins spoke about other businesses in this area

John Cucci says he is not in favor nor opposed to this Special Exception but he is in favor of businesses in this area

Kim Shawver spoke in favor of this Special Exception

Attorney Silas Little spoke again against this Special Exception regarding additional traffic this might create

Anne Cucci spoke about past ZBA decisions

John Cucci spoke about past ZBA decisions

Angel Nicoletti spoke on behalf of the Granite Lake Association regarding pollution concerns

Attorney Silas Little said this location is within 250 feet of the Mill Pond.

Tom Newcombe questioned whether any Special Exception runs with the property or with the applicant

Brian Pratt spoke to this question

There being no one else wishing to address the Board Richard P. closed the Public Portion of the Hearing at 7:58PM

Richard P. read a paragraph from the NH Handbook regarding the question of Special Exceptions running with the property or the applicant

Richard P. Called for the Vote:

In Favor of granting the Special Exception – none

Denying the Special Exception- Unanimous vote to deny

The clerk will send the Notice of Decision and the reasons for this Denial to the applicant in the mail.

Richard P. made a motion to adjourn 8:30PM

Unanimous vote to adjourn.

Next Meeting: Since no Hearings have been applied for at this time, no date has been set for another meeting.

Respectfully submitted,
Carol Raynor Clerk

Date signed: _____

DRAFT