

**TOWN OF NEW DURHAM  
ZONING BOARD of ADJUSTMENT  
December 8, 2020  
New Durham Town Hall –7:00 PM**

*DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a draft copy for public informational use only.*

*In accordance with Governor's Executive Order #12, pursuant to RSA 91-A: 2  
Attendees log into:*

Join Zoom Meeting

<https://us02web.zoom.us/j/88574336667?pwd=a0xIVE5qU1VMMVM2TW84cURPTEVxUT09>

Meeting ID: 885 7433 6667 Password: 836780

Or via telephone number: 1-646-558-8656; Meeting ID: 885 7433 6667 Password: 836780

*Technical difficulties contact Town Administrator Scott Kinmond at [skinmond@newdurhamnh.us](mailto:skinmond@newdurhamnh.us) or by phone at 603-556-1516. Assistance with Zoom application please contact Brian Cauler at [ndlanduse@newdurhamnh.us](mailto:ndlanduse@newdurhamnh.us) or contact Zoning Board.*

*Note: Town of New Durham offers no security assurances to those connecting via PC to a third-party software and hardware not configured or controlled by our IT Service provider.*

**PRESENT**

Terry Jarvis, Chair of Zoning Board of Adjustment – via Zoom  
Wendy Anderson, Vice Chair of Zoning Board of Adjustment – via Zoom  
Stephanie Richard, Zoning Board of Adjustment – via Zoom  
Linda Callaway, Zoning Board of Adjustment – via Zoom  
Paul Raslavicus, Zoning Board of Adjustment – via Zoom

**ALSO PRESENT**

Scott Kinmond, Town Administrator – via Zoom

**CALL TO ORDER**

Chair Jarvis called the meeting to order at 7:08pm.

Chair Jarvis stated that due to the State of Emergency declared by Governor Sununu and pursuant to Executive Order #12, the Town is authorized to meet electronically. She stated there is no physical location to observe this meeting. However, in accordance with the Order, it was confirmed that they are providing public access to the meeting by telephone, with additional access possibilities by video (Zoom); all members of the Zoning Board of Adjustment and Town Administrator have the ability to communicate contemporaneously during this meeting; the public has access to contemporaneously listen and participate via links posted on the agenda. Chair Jarvis confirmed the meeting was posted appropriately with access numbers. She stated in the event the public is unable to access the meeting, it would be adjourned and rescheduled.

Chair Jarvis stated in the event they need to go into non-public session, a separate phone number will be used for the Zoning Board of Adjustment members to use and they will then reenter nonpublic session. Chair Jarvis stated all motions would be taken by roll call; roll call attendance was taken for those participating in the Zoom meeting.

Chair Jarvis confirmed there are no objections to this case being heard electronically. None were indicated.

### **APPROVAL OF MINUTES**

Meeting of November 25, 2020 – Edits were made. **Vice Chair Anderson made a motion to approve the minutes as amended. Ms. Richard seconded the motion. Roll Call Vote: Ms. Callaway – aye; Ms. Richard – aye; Vice Chair Anderson – aye; Chair Jarvis – aye; Mr. Raslavicus- abstain. Motion passed, 4-0-1.**

### **Request for Continuance Case # 2020-015: Saphspencer and Samantha Lessard**

Chair Jarvis stated this case was postponed at the last meeting due to missing information. An email was received from the Lessards by the Land Use Assistant dated November 16, 2020, and a request for a continuance to the January 12, 2021 ZBA meeting as they are still working on gathering further information for presentation to the Board.

**Chair Jarvis made a motion that the review and acceptance of application #2020-015, Saphspencer and Samantha Lessard, be continued until January 12, 2021 at 7:00pm. Vice Chair Anderson seconded the motion. Roll Call Vote: Ms. Callaway – aye; Ms. Richard – aye; Vice Chair Anderson – aye; Chair Jarvis – aye; Mr. Raslavicus- abstain. Motion passed, 4-0-1.**

### **Review of Changes to the ZBA Rules of Procedure**

The Board reviewed and discussed the proposed edits to the draft ZBA Rules of Procedures.

**Ms. Callaway made a motion to accept the Town of New Durham Zoning Board of Adjustment Rules of Procedures as amended on December 8, 2020. Vice Chair Anderson seconded the motion. Roll Call Vote: Ms. Callaway – aye; Ms. Richard – aye; Vice Chair Anderson – aye; Chair Jarvis – aye; Mr. Raslavicus- aye. Motion passed, 5-0-0.**

**Chair Jarvis made a motion to enter non-public session pursuant to RSA 91-A:3II(e) – consideration of pending claims or litigation. Ms. Richard seconded the motion. Roll Call Vote: Ms. Callaway – aye; Ms. Richard – aye; Mr. Raslavicus – aye; Vice Chair Anderson – aye; Chair Jarvis – aye. Motion passed, 5-0-0.**

The Board entered non-public session at 8:08pm.

The Board reentered public session at 8:14pm.

### **Future Meetings:**

December 15, 2020, 7:00pm – Joint meeting with Planning Board  
January 12, 2021, 7:00pm

**ADJOURN**

**Ms. Richard made a motion to adjourn. Vice Chair Anderson seconded the motion. Roll Call Vote: Ms. Callaway – aye; Ms. Richard – aye; Mr. Raslavicus – aye; Vice Chair Anderson – aye; Chair Jarvis – aye. Motion passed, 5-0-0.**

The meeting was adjourned at 8:16 pm.

Respectfully Submitted,

*Jennifer L. Riel*

Jennifer Riel, Recording Secretary