

**GILFORD ZONING BOARD OF ADJUSTMENT
MINUTES
JUNE 23, 2009
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Zoning Board of Adjustment met on Tuesday, June 23, 2009 at 7:00 p.m. in Conference Room A.

Present were: Vice-Chairman- Scott Davis, Regular Member: Robert Dion and Alternate: Mark Corry.

Absent: Chairman- Andrew Howe Regular Members: Ellen Mulligan, Charles Boucher and Alternate: Connie Grant. C. Boucher and C. Grant have recused themselves from participating in the

Barbara Aichinger, Trustee of Barbara P. Aichinger Revocable Trust application.

Also present were: James Sessler, Attorney representing the ZBA; Scott Dunn, Town Administrator; David Andrade, Code Enforcement Officer/Building Inspector and Stephanie Verdile Philibotte, Administrative Assistant.

Vice-Chairman Davis led the Pledge of Allegiance. He appointed M. Corry to replace absent regular member C. Boucher.

S. Davis introduced the first case.

Barbara Aichinger, Trustee of Barbara P. Aichinger Revocable Trust

Appeal of an Administrative Decision by the Director of Planning and Land Use, regarding the status of merged lots, pursuant to Section 9.1.1 of the Gilford Zoning Ordinance, which are shown as Tax Map & Lot #221-007.000 and Tax Map & Lot #221-007.001. The property is located at 554 and 558 Edgewater Drive in the Single Family Residential Zone. File #Z08-23. *Tabled from May 26, 2009.*

Motion made by R. Dion, seconded by M. Corry, to take the application off the table. Motion carried with all in favor.

S. Davis explained since there are three voting members the applicant has the option of moving forward or continuing until a larger quorum can be established. He asked P. Wood if they would like to continue with three members. P. Wood explained they chose not to continue with three members and would like to have a special hearing held the week of June 30, 2009, since his clients are unavailable for the regularly scheduled July ZBA meeting.

B. Aichinger explained from November of 2008 until May 2009, she has additional research and submitted more information to the Board and she wants to be able to present it.

Tom Maloney, attorney for the abutter, the Suttons, is requesting the Board move forward with this application and is objecting to P. Wood's requesting the hearing be tabled again.

Jim Sessler, attorney for the Town of Gilford, explained it is the only applicant's decision to either move forward or table the application.

S. Dunn suggested the application be tabled indefinitely until a decision from the New Hampshire Supreme Court has been issued.

P. Wood disagrees with S. Dunn and wants the Board to table the application and reschedule the meeting in order to have more than three members.

Motion made by R. Dion, seconded by M. Corry to table the application to July 1, 2009 with the stipulation that if there is not a quorum the application will be tabled until July 28, 2009.
Motion carried with all in favor.

The Board entered into the deliberative session.

OTHER BUSINESS

MINUTES

Motion made by R. Dion, seconded by M. Corry, to table approve the minutes of May 26, 2009 to July 28, 2009. Motion carried with all in favor.

ADJOURNMENT

Motion made by R. Dion, seconded by M. Corry, to adjourn the June 23, 2009 Zoning Board of Adjustment meeting at 7:45 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant

