

FOSTER ZONING BOARD OF REVIEW

Minutes of the November 9, 2005 Meeting

Chairman Martin Helfgott called the November 9th meeting of the Foster Zoning Board of Review to order at 7PM in the Eddy Building. The following members were present:

Martin Helfgott, Chairman

Heidi Colwell, Secretary

Donna Baribault

Renee Bevilacqua

Thomas Grabbert, Alternate

William Gibbs, Alternate

Scott Shangraw, member, Robert Fallon, Building & Zoning Official, Gorham & Gorham, Town Solicitors and the stenographer were absent.

Minutes:

Renee Bevilacqua moved, William Gibbs seconded and it was so voted to approve the minutes of the October 18, 2005 as published with the following amendment:

Members reviewed the "Democratic Rules of Order: by Fred and Peg Francis" which all members received at the October 18th meeting. It was also noted that Chariman Helfgott consulted two sources outside the board, Gail Sherman (for information on how Foster's Zoning Board compares to those of surrounding communities) and past zoning board member Ralph Berkowitz.

Hearings:

There were no hearings scheduled for the November meeting.

Zoning Board of Review – Hearing Procedures:

Chairman Martin Helfgott reported to the board that he discussed the revised hearing procedures with Town Solicitor Bradford Gorham and that he approved of the changes.

Donna Baribault moved, William Gibbs seconded and it was so voted to approve the following revised hearing procedures.

ZONING BOARD OF REVIEW

HEARING PROCEDURES

1. Any person who wishes to speak will give his or her name and address and will be placed under oath. All questions and statements must be addressed to the board. There will be no cross talk in the audience.
2. Once the application is read the chair will hear from the applicant first. It is the applicants burden to present evidence supporting his or her request. The presentation must be clear and to the point.
3. After the applicant has completed his or her presentation any abutter in favor of the application will have a reasonable time to speak. After all abutters in favor of the application have spoken, any abutter opposed to the application will have a reasonable time to speak.

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4. After all abutters have spoken any other interested member of the audience may, at the discretion of the chair, speak for no more than 5 minutes. No person shall speak twice until all interested parties have spoken.
5. Once all testimony is heard, the Board will recess in place for discussion. No further testimony will be taken from the floor once the Board is in recess.
6. The Board will then come out of recess: the Chair will accept any motion and it is the Board's procedure that each motion must be in the affirmative which does not imply an acceptance of the application.
7. A four to one vote is necessary to carry any motion except an appeal, which only requires a three to two vote.
8. If your application is approved the decision will be finalized at the next monthly Zoning Board meeting. No building permit can be issued before the decision is finalized.
9. If your hearing is denied, you have the right to appeal to Superior Court within twenty (20) days after such decision is recorded.
10. The Board reserves the right to postpone a decision until the next scheduled regular meeting on any hearing.

Every zoning applicant shall receive a copy of the Hearing Procedures along with his or her zoning application.

Donna Baribault moved, William Gibbs seconded and it was so voted to approve the Hearing procedures as submitted to be put into effect at the first meeting in January 2006 which will be January 11, 2006.

The meeting adjourned at 7:50 pm

Attest:

Heidi A. Colwell
Secretary