TOWN OF SWANZEY

OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT

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Swanzey Zoning Board of Adjustment
Meeting Agenda for August 17, 2026
7:00 p.m.

The regular meeting of the Swanzey Zoning Board of Adjustment will be held on Monday, August 17, 2026 at 7:00 p.m. at Whitcomb Hall, 17 Main Street, Swanzey. The meeting will also be live streamed on the Town of Swanzey's Facebook and YouTube pages.

1) Call to Order

2) Approval of Minutes

    a. July 20, 2026

3) Public Hearings

    a. None

4) Other Business

    a. Rules of Procedure Discussion

5) Adjournment

Town of Swanzey, New Hampshire
Swanzey Zoning Board of Adjustment (ZBA)
Meeting Minutes – **July 20, 2026**
Whitcomb Hall, Main Street, Swanzey, NH

Note: Draft Minutes are subject to review, correction, and approval by the Board. Review and approval of Minutes generally takes place at the next regularly scheduled meeting of the Board.

CALL TO ORDER:
Chair Adam Mulhearn called to order the meeting at Whitcomb Hall at 7:00 pm. Other members present were Vice Chair Ann Karasinski, Jay Ward, Wayne Lechlider and Joe Parisi and Alternates Kyle Croteau and Jessica Ramsey-Sanchez. Also present were Town Planner, Adam Paquette and Recording Secretary, Susan Ells.

ABSENT: Peter Delaney

OTHERS PRESENT:
Kai Kraemer with FACT TV, Ryan Cooley (Dillant-Hopkins Airport), Joseph Walsh, Mackenzie Rokes, Ruth Joslin, Wendy Pelletier (Cardinal Surveying)

MINUTES:
The meeting minutes of June 15, 2026 were considered. Joe Parisi commented that the discussions at the previous meeting regarding the changes to the Rules of Procedure were not captured. Susan Ells explained that since Adam Paquette was documenting the decisions that were made, she felt the discussions leading to the decisions were not needed. Joe stated he wasn't looking to make an amendment to the minutes but that he was pointing out that things were missing. A motion was made by Ann Karasinski to approve the minutes as presented. There was a second made by Jay Ward. Jessica Ramsey-Sancez abstained; all others were in favor and the m*otion passed.*

REGIONAL IMPACT:
Chair Mulhearn asked Adam Paquette to clarify the process if a project was considered to have a regional impact. Paquette read the requirements in the RSA. He said that Town Staff would have made the required notifications if they had suspected an impact. He communicated with the Mayor of Keene who had the opportunity to respond but did not.

Jay Ward made a motion that there was no regional impact. There was a second by Ann Karasinski. All were in favor. With no further discussion, Motion passed.

PUBLIC HEARING:
1) **ZBA 26-005:** Cardinal Surveying and Land Planning, on behalf of Joseph Walsh, has requested a variance application in accordance with Section V, Article B.1 of the Zoning Ordinance to allow a residential use in the Business District. The lot is at Tax Map 205, Lot 2 in the Business District.

The applicant requests a Variance from Section V Article B of the Zoning Ordinance to allow a single-family residential use in the Business District. The entire lot within Swanzey is in the Business District. The lot in Keene is within the Rural district.

Adam Paquette explained that most of the Boards and Commissions who he generally sends the applications to have not had a chance to comment officially, but that Town Staff had no major concerns. He pointed out that in the narrative from the applicant, where it refers to 'special exception', it should read 'variance' and vice versa. He said the property owner must obtain all relevant approvals from Keene before applying for a building permit in Swanzey. Swanzey Code Enforcement Officer will work with Keene's Code Enforcement Officer.

Paquette went on to explain that since the property spans the two towns, the right-of-way and driveway would be in Keene, but the building would be in Swanzey; the mailing address would be in Keene, but Swanzey would tax the property; emergency services would most likely be from Keene.

Joe Parisi asked if the land development study that Adam Paquette provided at the meeting would be relevant to the decision because he would like more time to absorb it; Adam Paquette said he had attached it to the email packet on Thursday and that the Airport Director will speak to it during this meeting.

Wendy Pelletier from Cardinal Surveying and property owner Joseph Walsh presented the plan. Wendy told the Board that this has been a long process so far because it's in two towns. There is frontage in Keene and the driveway permit is in Keene; the building would be in Swanzey; the property has small frontage along the airport road, but there is no access from Swanzey. FEMA has proposed new flood plain maps which, if approved, there would be no flood plain to be concerned with; Keene has appealed the maps due to some concerns they have in some areas in Downtown Keene; however, even with the current base flood elevation, the proposed home would be on a slab which is a foot and a half above that elevation; with the proposed new map, it would be far above that and would allow them to apply for flood insurance. Jay Ward asked about the septic plan and how far from the wetlands; Wendy confirmed it is beyond the required setback.

The variance being requested is for residential use in the business district. Jessica Ramsey-Sanchez clarified if a business were to be built there, the traffic would go through Silent Way. There was some discussion regarding the airport road, but it is not a town road and there would be no access to this property.

Adam Paquette said it is an unusual situation and that there is some play in the ordinance regarding the requirement of town-maintained road; because Keene maintains the road the driveway is on, he feels the spirit of the town-maintained road is met even though it is in Keene.

There was also discussion about services such as EMS, and which town would provide; where would residents vote, which school would children attend, etc.

Joe Parisi made the point that this is not the venue to discuss these questions; if this was not in the business district, they would not need to be here. The rest of the board agreed there was a lot of curiosity since it is so unique.

Wendy then reviewed the answers she provided to each question on the application for the variance.

Chair Mulhearn asked for public comment; Ryan Cooley, Airport Director, expressed his concerns regarding the City being able to operate and expand the airport property and that there is a lot of potential in the airport and wants to ensure current and future compatibility. He recommended that the Board should require completion of the FAA OE/AAA Notice of Criteria Tool. He also recommended that the applicant and future owners receive a recorded disclosure that the property is adjacent to an active public-use airport and may be affected by aircraft noise, overflight, ground activity and future airport growth. Another concern is whether fill, grading, culverts, septic improvements, stormwater facilities, or drainage changes could affect the airport. The city must take reasonable measures to manage wildlife hazards and discourage new attractants near the airport.

Paquette stated that if the Board approved the variance that certain conditions should be met; Joe Parisi asked what forum would have been used if the variance wasn't needed. Adam Paquette said there are no public notice requirements for building permits so the Airport would not be notified. Joseph Walsh told the Board that he has been living on the street for 24 years; he is aware of the noise of the airport. Ryan Cooley said that if the airport staff noticed construction, the FAA would be notified and that could halt the construction until it was studied. Ryan said they are required to measure trees around the airport; it is possible they would need to request an easement to remove some trees from that property.

Jessica Ramsey-Sanchez asked to clarify what would be considered by the building inspector if the conditions were not made in this meeting; Adam Paquette said the note can be added in the Avatar software for the building permit and the tax assessment. He also stated that it is generally recommended that Zoning Boards attach as many conditions as they deem necessary.

Wendy said that many of the pine trees have been removed already.

Chair Mulhearn closed the public hearing at 8:31pm. He pointed out that although it is zoned business, there is very little likelihood it could be used for business since the road to access it is through a residential neighborhood. Jay questioned why it was originally zoned as business since there are mostly residential properties in the area. There was no answer to that question.

The Board deliberated the checklist for granting a variance.

1. **Could the variance be granted without being contrary to the public interest?**

- Karasinski -Yes - seeing that public interest is protected by the amount of space
- Lechlider – Yes – still some piece is usable for business if it becomes a public way
- Parisi – Yes – not contrary to public interest
- Ward – Yes - in this case it is compatible with neighborhood
- Mulhearn – Yes – doesn't see how a business could operate there

2. **Would the spirit of the ordinance be observed if the variance were granted?**

- Lechlider – Yes – same as Question 1
- Parisi – Yes - based on how it evolved
- Ward – Yes – since business doesn't fit there currently
- Karasinski – Yes – feels it is the best use of the property currently
- Mulhearn – Yes – feels it's a lesser impact than what could be there

3. Would granting the variance do substantial justice?

- Parisi -Yes
- Ward – Yes - for town and family
- Karasinski - Yes
- Lechlider – yes
- Mulhearn - Yes

4. Could the variance be granted without diminishing surrounding property values?

- Ward – Yes – wouldn't diminish the values
- Karasinski – Yes – nothing stated that would harm value
- Lechlider – Yes
- Parisi – Yes – no evidence
- Mulhearn – Yes – no testimony to the contrary

5. Do special conditions of the property exist that distinguish it from other properties in the area?

- Karasinski – Yes – it is unique; next to airport, Ashuelot river, landlocked; property is a challenge
- Lechlider – Yes – agree with Ann
- Parisi - Yes – absolutely unique
- Ward – Yes – limited access prevents from being used for much use
- Mulhearn – Yes – agree with others

A.i. Owing to the special conditions of the property that distinguish it from other property in the area, there is not a fair and substantial relationship between the general public purpose of the ordinance and the specific application of the provision to the property?

- Lechlider – Yes – no other properties in the area have these conditions
- Parisi – Yes even though it's in business district, it's really a hybrid district
- Ward – Yes – doesn't feel it's a place for a business
- Karasinski – Yes- agrees with other
- Mulhearn – Yes – protects the use, less impact than other uses

A.ii. Is the proposed use a reasonable one?

- Parisi - yes
- Ward - Yes
- Karasinski - Yes
- Lechlider – Yes
- Mulhearn - Yes

If the criteria in subparagraph A.i. and A.ii. are not met, an unnecessary hardship will be deemed to exist if, and only if:

B. Owing to the special conditions of the property that distinguish it from other properties in the area the property cannot be reasonably used in strict conformance with the ordinance, and a variance in necessary to enable a reasonable use of the property:

- Mulhearn -
- Karasinski -
- Ward -
- Parisi -
- Lechlider –

A motion was made by Wayne Lechlider to grant the variance application in accordance with Section V, Article B.1 of the Zoning Ordinance to allow a residential use in the Business District with the conditions that the FAA requirement tool be completed prior to the building permit and the airport noise disclosure on the property be noted on the tax card; Joe Parisi seconded the motion; all were in favor and the motion passed.

Jay Ward made a motion to suspend the rules and allow the next meeting to start after 9pm. Wayne Lechlider seconded the motion. All were in favor and the motion carried.

The Chair opened the public hearing at 9:02pm.

2) **ZBA 26-006:** Cardinal Surveying and Land Planning, on behalf of Joseph Walsh, has requested a special exception application in accordance with Section IX of the Zoning Ordinance to allow development within the Flood Plain District. The lot is at Tax Map 205, Lot 2 in the Business District.

The applicant is also requesting a Special Exception in accordance with Section IX of the Zoning Ordinance to allow development within the flood plain district. Both the Keene and Swanzey sections of the lot fall within a FEMA designated Special Flood Hazard Area. See attached map for reference.

Adam Paquette said that one topic for discussion is the following line in Section IX that states:
No Special Exception shall be granted in the Flood Plain District except under the following conditions:
1. The proposed development is otherwise permitted in the underlying District

It is Town Staff's opinion that the variance of Section V, Article B.1 addresses this requirement. Since the ZBA approved the variance application, this requirement should be seen as fulfilled. When an applicant seeks to deviate from permitted zoning uses, they must apply under the specific section governing those uses, rather than a section in an overlay district that references them. He sees no further issues with proceeding with the special exception.

Wendy reiterated that the foundation is above the current base flood elevation; the property around the foundation may need to have some fill added, or the property will be shaped; after the home is built, the property owner will file for A Letter of Map Amendment so they can purchase flood insurance. Joe Parisi asked if flooding has ever happened; Wendy said she asked a neighbor who said in 40 years it has not flooded. Jay Ward asked about the septic system; Mr. Walsh said it was designed with the

current flood plain in mind. Wayne asked about their source of water and was told the source would be from Keene.

Chair Mulhearn closed the public hearing at 9:22pm.

The Board deliberated the checklist for granting a special exception.

1. **The proposed use is similar to one or more of the uses already authorized in the district and is an appropriate location for such a use.**

- Parisi – Yes - he feels it is an appropriate use
- Ward – Yes - because the variance was allowed -appropriate use
- Karasinski – Yes – this is like another case with challenging topography
- Lechlider – Yes
- Mulhearn - Yes

2. **Such approval would not reduce the value of any property within the district, not otherwise injurious, obnoxious, or offensive to the neighborhood.**

- Ward – Yes
- Karasinski – Yes – would not reduce value, nor offensive to the neighborhood
- Lechlider – Yes
- Parisi – Yes – no evidence – good design approach
- Mulhearn - Yes

3. **There will be no nuisance or serious hazard to vehicles or pedestrians.**

- Karasinski -Yes
- Lechlider – Yes - based on what was presented
- Parisi – Yes
- Ward – Yes – private residence
- Mulhearn - Yes

4. **Adequate and appropriate facilities will be provided for the proper operations of the proposed use.**

- Lechlider – Yes - based on what was presented
- Parisi – Yes - agree with Wayne
- Ward – Yes – design of septic will be adequate
- Karasinski – Yes -agree with Jay
- Mulhearn – Yes

A motion was made by Ann Karasinski to grant the exception application in accordance with Section IX of the Zoning Ordinance to allow development within the Flood Plain District. Jay Ward seconded – all were in favor and the motion passed.

OTHER DISCUSSIONS

A. Rules of Procedure Discussion – postponed to a future meeting

B. Follow-up Discussion on Zoning Ordinance Audit - postponed to a future meeting

a. **Questions, insights, etc.**

ADJOURNMENT
A motion to adjourn was made by Jay Ward and seconded by Adam Mulhearn and all were in favor. The motion passed. Adjournment occurred at 9:30pm.

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on

DRAFT

RULES OF PROCEDURE
SWANZEY ZONING BOARD OF ADJUSTMENT

These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated, 1983, Chapter 676:1, and the zoning ordinance and map of the Town of Swanzey.

OFFICERS

1. The Chair shall be a regular member elected annually by a majority vote of the Board (including alternate members) in the month of March. The Chair shall preside over all meetings and hearings, appoint such committees as directed by the Board and shall affix their signature in the name of the Board.

2. The Vice-Chair shall be a regular member elected annually by a majority vote of the Board (including alternate members) in the month of March. The Vice-Chair shall preside in absence of the Chair and shall have the full powers of the Chair on matters which come before the Board during the absence of the Chair.

3. All officers shall serve for one year and shall be eligible for re-election.

ALTERNATE MEMBERS

1. Up to five alternate members shall be appointed by the elected Zoning Board of Adjustment, to serve whenever a regular member of the board is unable to fulfill their responsibilities. Alternate members shall serve a term of three years in accordance with RSA 673:6. When alternate member vacancies are posted, registered Swanzey voters seeking to be appointed as an alternate member shall submit their letter of interest to the Town Planner or designee. The voting on the appointment of alternate members shall occur at a date and time included in the posted notice of vacancy.

2. Alternate members should attend all meetings to familiarize themselves with the workings of the board to stand ready to serve whenever a regular member of the board is unable to fulfill their responsibilities.

3. At meetings of the ZBA, alternates who are not activated to fill the seat of an absent or recused member or who have not been appointed by the chair to temporarily fill the unexpired term of a vacancy may participate with the board in a limited capacity. During a public hearing, alternates may sit at the table with the regular members and may view documents, listen to testimony, ask questions and interact with other board members, the applicants, abutters and the public.

4. ~~During deliberations, alternate members may participate in the discussions. Alternates shall not be allowed to make motions, second motions, or vote unless seated in the place of a regular member.~~ ***Alternate members may participate in discussions until the public hearing is closed. Once closed, alternates shall not make motions, second motions, or vote, unless formally seated for a regular member.***

5. During work sessions or portions of meetings that do not include a public hearing, alternates may fully participate and participate in making motions and voting.

6. At all times, the chair shall fully inform the public on the status of any alternate present and identify the members who shall be voting on the application.

~~CLERK~~ *(RECORDING SECRETARY)*

The Clerk, who shall not be a Board member, shall maintain a record of all meetings, transactions and decisions of the Board, and perform such other duties as the Board may direct. The Clerk is appointed by the Board of Selectmen.

MEETINGS

1. Regular Board of Adjustment meetings are held on the third Monday of every month at ~~the Town Hall in Swanzey Center at~~ 7:00 p.m ***at Whitcomb Hall (17 Main Street, Swanzey, NH 03446),*** except in ***January and*** February, when the meeting will be held on the ~~second~~ fourth Monday. ~~Public Notice must be provided as required by RSA Chapter 91-A. If an emergency situation arises wherein action is required prior to the next scheduled meeting, the necessity for calling a special meeting will be determined by the Chair or in their absence, the Vice-Chair.~~ ***Public notice must be provided in accordance with RSA 91-A. If action is required before the next scheduled meeting, the Chair (or Vice-Chair in their absence) shall determine the necessity of a special meeting.***

2. A quorum for all meetings of the Board shall be three members, including alternates sitting in the place of members. ~~As stated in RSA 673:1~~1 ***RSA 674:33,III states that*** ~~provides~~ that "~~The concurring vote of 3 members of the Board shall be necessary to reverse any action~~ of ~~the administrative official or to decide in favor of the applicant on any matter on which it is~~ required to pass." ~~***"the concurring vote of any 3 members of the board shall be necessary to take any action on any matter on which it is required to pass."***~~ For this reason, the Board will make every effort to ensure that a full five-member Board is present for the consideration of any appeal. *Questions: virtual participation? Can virtual attendees vote?*

a. In the event it is not feasible to constitute a 5-member Board, the Chair shall, prior to the commencement of any proceeding, allow the applicant the opportunity to elect to either proceed with the Board then sitting, or postpone the hearing until the next meeting of the Board at which 5 members are present. Should the applicant choose to proceed with less than five members present, that shall not solely constitute grounds for a rehearing should the application fail.

b. If any regular Board member is absent from any meeting or hearing, or disqualifies themself from sitting on a particular case, the Chair shall designate one of the alternate members to sit in the place of the absent or disqualified member, and such alternate shall be in all respects a full member of the Board while so sitting. Alternates appointed in absence of a regular member, and participating in a public hearing on an appeal, shall retain the seat of the regular member when Board discussions and decisions pertaining to that appeal take place. *Points for discussion: clarify that if the meeting was continued, the same members should be seated if possible. RSA Citation? Also should be distinction between quick discussion and long hearing.*

c. If the Chair or Vice-Chair are both unable to serve due to absence or disqualification, the remaining Board members shall elect an alternate Chair to serve until the Chair or Vice-Chair can resume the duties of the Chair.

3. If any member finds it necessary to disqualify themself from sitting in a particular case, as provided in RSA 673:14, they shall notify the Chair as soon as possible so that an alternate may be requested to sit in their place. When there is uncertainty as to whether a member should be disqualified to act on a particular application, that member or another member of the Board may request the Board to vote on the question of disqualification. Any such request shall be made before the public hearing gets underway. The vote shall be advisory and non-binding.

    a. The disqualification shall be announced by either the Chair or the member disqualifying themself before the beginning of the public hearing on the case. The disqualified member shall absent themself from the Board table during the public hearing and during all deliberation on the case. ***The recused member retains the right to speak as a member of the public during the public hearing***

4. Ex Parte Communications:

    a. Board members shall avoid ex parte communications with the applicant or any person interested in the application. In the event that ex parte contact occurs, Board

members shall disclose the nature and date of the communication at the beginning of the public hearing.

b. ***Board members are not authorized to independently enter private property, conduct un-planned site visits, or engage in similar activities. Entry is permitted only with formal Board approval or in strict adherence to affidavits signed during the application process.***

c. Board members shall not seek ***input*** *(change to testimony or something similar regarding other personal sources)* or advice from ***any source*** regarding the application outside of the public hearing process.

d. Applicants and interested parties should direct questions regarding the process to the Town Planner or designee. If an applicant or interested party contacts a Board member, the member should refer that person to the Town Planner or designee, or advise the person to submit information to the Board in writing.

5. The order of business for regular meetings shall be as follows:
   a. Roll call by the ~~clerk~~ recording secretary.
   b. Minutes of previous meeting.
   c. Public hearings.
   d. Seating of Alternates (before each public hearing).
   e. Regional impact vote.
   f. Unfinished business.
   g. New business.
   h. Communications and miscellaneous.
   i. Adjournment.

6. It shall be the policy of the Zoning Board of Adjustment not to commence new public hearings after 9:00 p.m. This policy may be temporarily suspended upon the majority vote of the Board members present (including alternates).

   a. Meetings will adjourn at 10:00 p.m. This policy may be temporarily suspended upon the majority vote of the Board members present (including alternates).

APPLICATIONS & DECISIONS

1. Applications

a. Each application for a hearing before the Board shall be made on forms provided by the Board and shall be presented to the Town Planner or designee who shall record the date of receipt.

b. Appeals from an administrative decision taken under RSA 676:5 shall be filed within thirty (30) days of the decision. The date the decision was rendered shall not be counted in the 30-day period. If the 30th day falls on a Saturday, Sunday or Town holiday, the appeal shall be filed no later than the last regular business day preceding the Saturday, Sunday or Town holiday.

c. No application to the Zoning Board of Adjustment will be processed unless it is received by the Town Planner or designee at least 14 days before the date of the meeting.

d. If the application refers to any case law, statute, or administrative rule, copies of the same must be affixed to the application at the time of submission.

2. Public Notice

a. Public Notice of public hearings on each application shall be given in the Keene Sentinel and shall be posted at the West Swanzey and Swanzey Post Offices, the Town Office and the Town's website not less than five (5) days before the date fixed for the hearing. Notice shall include the name of the applicant, description of property to include tax map identification, action desired by the applicant, provisions of the zoning ordinance concerned, the type of appeal being made and the date, time and place of the hearing. *Discuss at next meeting.*

b. ~~Personal~~ ***The public hearing notice*** shall be made by certified mail to the applicant and all abutters not less than five (5) days before the date of the hearing, ***not including the date of posting or the date of the hearing.***

c. ~~Fees for certified notices and publication in the Keene Sentinel must be~~ ***All associated application fees must be*** paid by the applicant prior to the public hearing. The Board will not hear the application if fees have not been paid prior to the public hear~~ing. Failure to pay such costs shall constitute valid grounds for the Board to terminate further consideration and to deny appeal without hea~~ring. ***All application fees must be paid or the board will not hear the application.***

3. Public Hearing. The conduct of public hearings shall be governed by the following rules:

a. The Chair shall call the hearing in session and ask for the Town Planner or designee's report on the first case.

b. The Town Planner or designee shall read the notice of application and report on how public notice and personal notice were given. The Town Planner or designee will disclose the location and description of the subject property by use of tax maps, slides or photographs.

c. Members of the Board may ask questions at any point in the testimony.

d. Each person who appears shall be required to state their name and address and indicate whether they are a party to the case or an agent or counsel of any party of the case.

e. The Chair shall control the conduct of the hearing and may impose reasonable limitations upon the number of times and the length of time any person may speak so long as everyone with a legitimate interest is given a reasonable opportunity to state their views and present evidence.

f. Anyone who wants to ask a question regarding the case must do so through the Chair.

g. The applicant shall be called to present their appeal and those appearing in favor of it will be allowed to speak.

h. Those in opposition to the appeal shall be allowed to speak.

i. Those in favor of the appeal shall be allowed to speak in rebuttal.

j. Those in opposition to the appeal shall be allowed to speak in rebuttal.

k. Upon filing any application, the owner of the affected land implicitly consents to a site visit conducted by the Board (should the Board determine that a site visit is necessary). The site visit shall be conducted as part of the public hearing and shall be open to all interested parties. Date and time of any site visit will be announced during the public hearing. Additional written notice of any site visit to the applicant, abutters and the public shall not be required.

l. The Board of Adjustment will hear with interest any evidence that pertains to the facts of the case or how the facts relate to the provisions of the town zoning ordinance and state zoning law.

m. After all interested parties have been given a reasonable opportunity to present their evidence, the Chair shall present a summary setting forth the facts of the case and the claims made for each side. Opportunity shall be given for correction from the floor.

n. The Chair shall declare the public hearing closed. After the close of the public hearing, the Board shall discuss and act upon the application. The public shall not be permitted to participate in the Board's deliberations, but the Chair may direct questions to members of the public and receive answers during the Board's deliberations. Except as provided in the right-to-know law (RSA 91-A), the deliberations of the Board shall be held in open meeting where the public can hear.

4. Decision. The Board shall strive to decide all cases within thirty five (35) days after the close of the public hearing. The Board shall issue a final written decision which either approves or disapproves the application. Whenever the Board votes to approve or disapprove an application or denies a motion for rehearing, the minutes of the meeting at which such vote is taken, including the written decision containing the reasons therefore, shall be placed on file in the Land Use Office and shall be made available for public inspection in accordance with RSA 676:3.

REQUEST FOR REHEARING

1. If possible, the Chair will seat those members who were seated during the underlying hearing. Any member, whether they were present or not present during the underlying hearing, can be seated upon recitation that they have reviewed the underlying application, minutes, the Request for Rehearing and any other materials relevant to the application.

2. The Chair shall inform the Board members, the applicant and the audience that while this is a public meeting, it is not a public hearing. Comments from the applicant, their agent and the public will not be permitted.

3. The Chair shall ask if any Board members have any questions or need clarification on any points raised in the Request for Rehearing. The Board will not review the Request for Rehearing point by point, unless so desired by the Board.

4. Should Board members have specific questions, they may address them to the appropriate party through the Chair.

5. If the Request for Rehearing is granted, it shall be the responsibility of the party who requested the rehearing to pay the applicable fees for certified notices and publication in the Keene Sentinel. The fees must be paid by the party who requested the rehearing prior to the

public hearing. The Board will not hear the application if fees have not been paid prior to the public hearing. Failure to pay such costs shall constitute valid grounds for the Board to terminate further consideration and to deny appeal without hearing.

MISCELLANEOUS

1. ~~Records.~~ The records of the Board shall be kept by the Land Use Office and made available for public inspection at the Swanzey Town Office in accordance with statutory requirements.

2. ~~Joint Meetings and Hearings.~~ Joint meetings with other town boards shall be held under the provisions of 676:2.

3. Amendments to these rules of procedure may be amended by a majority vote of the Board members present (including alternates) provided that such amendment is discussed at a meeting of the Zoning Board of Adjustment, and following said discussion the text of the proposed amendment is posted in at least three public places in Town at least ten (10) days preceding the meeting when the vote is to be taken.

We hereby attest that this is a true copy of the Rules of Procedure as amended and adopted by the Swanzey Board of Adjustment on DATE.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____