

**Ashland Zoning Board of Adjustment**  
**Draft Meeting Minutes**  
**Thursday, May 13, 2021**

CALL TO ORDER: David Toth, Chair of the Zoning Board of Adjustment, called the meeting to order at 6:30 PM. The meeting was conducted via Zoom video and teleconference.

MEMBERS PRESENT: Mardean Badger, David Toth, Charlie Bozzello

OTHERS PRESENT: Paula Hancock

RIGHT TO KNOW LAW: Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

DISPOSITION OF MINUTES:

Charlie Bozzello made a motion to approve the Thursday, April 7, 2021 minutes. Mardean Badger seconded the motion. Roll call vote: Mardean Badger aye, Charlie Bozzello aye, David Toth aye. The motion passed.

Mardean Badger made a motion to approve the Thursday, April 14, 2021 minutes. Charlie Bozzello seconded the motion. Roll call vote: Mardean Badger aye, Charlie Bozzello aye, David Toth aye. The motion passed.

REORGANIZATION OF THE BOARD

David Toth's term as member/chair expired on April 30, 2021. He will continue as **member**/chair until a replacement can be found. Charlie Bozzello nominated David Toth as chair of the Board. Roll call vote: Mardean Badger aye, Charlie Bozzello aye, David Toth aye. The motion passed.

Mardean Badger nominated Charlie Bozzello as Vice Chair of the Board. Roll call vote: Mardean Badger aye, Charlie Bozzello aye, and David Toth aye. The motion passed.

Mardean Badger advised that the Zoning Board of Adjustment needs to have five members to be considered a full board. At this time, the Board is in need of two regular members plus a replacement for David Toth's position on the Board. The Board is in need of two alternate positions to the Board. If there are any Ashland residents who would like to fill one of these positions, they should call the Town Office.

EXCAVATION APPLICATION CASE UPDATE

Mardean Badger advised the Board that the applicants did appeal to the Superior Court. Mark Puffer with **the Preti Flaherty** legal firm is representing the Zoning Board. Atty Puffer has represented the ZBA several times in the past. Atty Puffer is collecting information relevant to the case. He will file his response **and a certified file of documents (minutes, maps, testimony, etc.)** in a couple of weeks.

The Court could uphold or overturn our decision or send the case back to the ZBA to be heard again.

ADJOURNMENT

Mardean Badger made a motion to adjourn. Charlie Bozzello seconded the motion. Roll call vote: Mardean Badger aye, Charlie Bozzello aye, David Toth aye. The motion passed. The meeting adjourned at 6:39 PM.

*Minutes submitted by Paula Hancock*

DRAFT