

**MINUTES**  
**ZONING BOARD OF ADJUSTMENT**  
**TOWN OF PETERBOROUGH**  
Monday, January 14, 2011 – 6:00pm  
1 Grove Street, Peterborough, New Hampshire

**Present:** Matt Waitkins, Alice Briggs, Loretta Laurenitis, Jim Stewart, Sharon Monahan

**Also Present:** Nicole MacStay, Assistant to the Town Administrator

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Chair Waitkins called the meeting to order at 6:01pm and explained that the purpose of this meeting is to consider a request to rehear case 1159-A. He then asked if everyone had the opportunity to review the submission made by Mr. MacKenzie's attorney; the Board said that they had. Chair Waitkins said that Attorney Little has made some interesting arguments, however his feeling is that the board did consider all of the points in the request to rehear. Chair Waitkins said that he thought the Board spent more than ample time on the request, were diligent, and did their best to accommodate the request, and ultimately he believe that the Board performed their duty adequately.

Ms. Laurenitis said that she did not see any new information in the request. Mr. Stewart said that the only new argument is that Peterborough's zoning is illegal and unconstitutional because it does not have a sliding scale built into the Wetlands Protection District ordinance. Ms. Briggs said that is irrelevant since it is outside the Board's purvue to test the constitutionality of the zoning ordinance.

Motion:

In a motion made/seconded (Waitkins/Briggs) the request to rehear Case 1159-A Scott MacKenzie has been DENIED.

The Board finds:

1. The applicant's request for rehearing presented no new information.
2. In order to reach the original decision the Board carefully considered all the arguments and evidence presented by the applicant, and denied the variance because the criteria for a variance were not met. The applicant has offered no grounds to rehear.

Vote:

Chair Waitkins, Ms. Briggs, Ms. Laurenitis, Mr. Stewart and Ms. Monahan voted in favor of the motion: the motion carried.

As there was no further business, the meeting adjourned at 6:14pm.

Respectfully Submitted,

Nicole MacStay, Assistant to the Town Administrator