

**Call to Order:** Chairman Morton called the meeting to order at 7:10 p.m. Board members in attendance: Edna Mosher, Ralph Estes, John Frink, Alternate, Vincent Frank, Representative of the Planning Board, Tom Morgan, Town Planner, and the Chair: Matt Morton. Richard Ford attended meeting as a public as he was not at the January meeting.

**Minutes:** Edna Mosher moved to approve the minutes of January 28, 2008; Ralph Estes seconded. Minutes were approved.

**Correspondence:** All correspondence related to request for rehearing.

**Old Business:** The Board met to consider a request for rehearing by Michael Marconi regarding the Board's decision of January 28 to grant a variance from Article X of the Zoning Ordinance in order to allow a new septic system and the expansion of a residential building on the Mazeau property at 14 Coleman Drive, Tax Map 12, Lot 8.

The Board received a request from Michael and Janis Marconi, 19 Coleman Drive; a Supplemental Motion for Rehearing for filing with the Board from Attorney John Magee; a response from Michael Mazeau addressing the Concerns of the Marconi's; information from Mr. Mazeau advising Board that he had met with the Building Inspector, Charles Smart and the results of that meeting. In addition, Chairman Morton received a response from Building Inspector Charles Smart. Attorney Peter Loughlin gave his comments, history and advise regarding the Variance Application of Michael Mazeau.

The Chair reminded the Board that there would be no comments from the Public. John Frink had comments/questions regarding the rehearing. Would the Board be rescinding the decision that had been made at the January 28 meeting?

Mosher asked when the request could be heard.

Although there were usually no comments from the Public, the Chair asked if there were any comments. Mr. Mazeau felt he met the letter of the law. He had provided adequate notice to everyone. Mr. Marconi was asked if he had any comments and he

advised the Board that his attorney advised that he not comment. It is noted in these minutes that Mr. Marconi was given an opportunity to comment.

After more discussion by the Board, Ralph Estes made a motion that the Board have a rehearing of the January 28 approval of variance application by Michael Mazaeu. The vote was John Frink and Edna Mosher, no; Ralph Estes and Vincent Frank, yes. There being a tie, Chair Morton had to vote. His vote was yes. Motion carried, a rehearing will be held Monday March 17 at 7:00 P.M, Newington Town Hall.

**Additional Business:** Town Planner Morgan advised the Board that he had received interrogatories submitted by the Carroll's. He reviewed those that applied to the Board members. He outlined questions submitted by the Carrolls and advised the Board that two lawsuits had been submitted; one concerning the BOA and one regarding the Planning Board. He also advised the Board that the Carroll's had sued the Bairds for giving land to the Conservancy.

After discussion by the Board regarding this information, Edna Mosher made a motion to adjourn; John Frink seconded. Motion carried, meeting adjourned at 7:30 p.m.

Respectfully submitted,

Sandra Sweeney, Secretary