

Newton Board of Appeals  
2 Town Hall Road  
Newton, NH 03858

**MINUTES OF THE SPECIAL MEETING of April 30, 2018**

**CALL TO ORDER** at 7:30 PM by Chair Tom McElroy

**ROLL CALL:** Chair Tom McElroy, Vice Chair Alan French, Jack Kozec and Brad Cardoso

**Motion for Rehearing – George Twiss Appeal of Administrative Decision**

Mr. McElroy asked for a Motion on the Appeal of Administrative Decision for George Twiss.

**Mr. Kozec made a motion to deny the request for rehearing of George Twiss due to the fact that there was no new information presented to the Board of Appeals. Mr. French seconded the motion.** Mr. McElroy asked if there was any discussion and he asked that each Board member be polled and that they say a few words as to why they voted as they did.

Mr. French voted to deny the rehearing. Mr. French stated that it was an Appeal against the Building Inspector and everything that was brought up to support the request for the appeal either addressed the engineering plans or the Planning Board decision. He said when they did their site walk, everything they were complaining about had to do with the engineers. He said that when they began clear cutting, that is when the complaint should have been made, not four years later. He stated that all the people involved (the land, the properties) have all changed hands. It's not like you can make someone responsible for the engineering changes. He feels it was a misdirected appeal or misdirected hearing.

Mr. Kozec stated he was voting to deny the request for a rehearing. He agrees with Mr. French. He felt it would be unfair to the Building Inspector to vote in their favor. The Building Inspector did his job. He based his decision on the engineering reports. He said no new information was presented to the Board to support the request for the appeal.

Mr. Cardoso stated he is voting to deny the request for a rehearing because he believed the Building Inspector, in good faith, went to the site, reviewed the drawings, looked at the built conditions and clearly saw that what was built matched the drawings. He stated that he agrees with the decision after going to the site and looking at the drawings and saw that the drainage was exactly where the drawings showed. He believes the Building Inspector performed his responsibilities and was not at fault.

Mr. McElroy stated that he is voting to deny the request for a rehearing based on the facts that 1) No new information has come before the BOA to change their decision; and 2) He said that after going on the site walk, he thinks everything looked to be as the drawing showed. He stated that it looked like the trees that were cut, were cut to accommodate the retention pond. He does not think it is anything that should go back on the Building Inspector. He was doing his job.

**All that being said, it was a unanimous vote (4-0) to deny the request for a Rehearing. Motion carries. Appeal denied.**

**ADJOURNMENT** At 7:38 PM, a motion to adjourn was made by Mr. Kozec. Second by Mr. French. All in favor.

Meeting adjourned at 7:38 PM.

NEXT MEETING will be Monday, May 14, 2018 at 7:30 PM.

Respectfully submitted,

Gail M. LeBlanc, Secretary  
Board of Appeals

