

NON-PUBLIC SESSION MINUTES

Washington Zoning Board of Adjustment

Case No: 15-131

Date of Session: 10/25/2023



Non-public sessions are conducted pursuant to the provisions of [RSA 91-A:3](#). Minutes of the proceedings and a record of all actions taken must be publicly disclosed within 72 hours of the meeting, notwithstanding the conditions enumerated in the RSA.

	Attendees	Role
x	Mark Florence	Chair
x	Gary Carney	Vice-Chair
	Andrew Hatch	
x	Linda Marshall	
x	Joseph Tapp	

Motion to Enter Non-public Session

The motion to enter a non-public session was made at 8:09 pm on 10/25/2023 by Mark Florence and seconded by Gary Carney. Mark Florence, Gary Carney, Linda Marshall and Joseph Tapp voted in favor of the motion, none voted against. The specific statutory reason cited as foundation for the non-public session was as follows:

	RSA 91-A:3, II(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.
	RSA 91-A:3, II(b) The hiring of any person as a public employee.
x	RSA 91-A:3, II(c) Matters which, if discussed in public, would likely adversely affect the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.
	RSA 91-A:3, II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.
	RSA 91-A:3, II(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.
	RSA 91-A:3, II(i) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Matters Discussed and Decisions Made

An email submitted by a resident raised concerns about the application for variances on lot 15-131. However, because the same concerns were also raised in direct testimony during the public hearing, the Board decided unanimously to take no further action regarding the email.

The Board also decided to withhold the contents of the email, as “disclosure would frustrate the purpose of the non-public session.” [Memorandum on New Hampshire's Right-to-Know Law](#), page 29.