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November 18, 2015

VIA EMAIL ONLY

Zoning Board of Adjustment
Town of Barrington
PO Box 660
Barrington, NH 03825

Re: Case No. 238-5-TC/SDAQ-15-Appeal (Owners George & Avilla - Calef - George Calef Fine Foods)

Dear Board Members:

This office represents the Barrington Planning Board in this matter. I am writing in response to Attorney Gregory Wirth's letter to the ZBA of November 18, 2015, in which he asserts that the Planning Board's motion for rehearing should be dismissed. Attorney Wirth did not explain the rationale for his claim, and instead referenced RSA 677:2 and the NH Supreme Court's decision in *Hooksett Conservation Commission v. Hooksett Zoning Board of Adjustment,* 149 N.H. 63 (2003). Neither the provisions of RSA 677:2 nor the cited court decision require dismissal of the Planning Board's motion for rehearing.

The planning board urges the ZBA to grant the motion for rehearing for the reasons set forth in its motion. Thank you for your consideration of the Planning Board's position in this matter.

Sincerely,

Judith E. Whitelaw
jae@mitchellmunigroup.com

cc: Marcia Gasses, Planner and
Land Use Administrator
John Scruton, Town Administrator
John L. Arnold, Esquire
Gregory D. Wirth, Esquire
Michael L. Donovan, Esquire
(All via email only)