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Please respond to our Meredith office

January 12, 2022

Town of Barrington
Zoning Board of Adjustment
Ray Demarais, Vice Chair
P.O. Box 660
333 Calef Highway
Barrington, NH 03825

Re: Case Number 220-54.16-GR-21-AMENDZBAVar

Dear Members of the Zoning Board.

The purpose of this letter is to briefly address the ZBA's rehearing on this matter, which is currently scheduled for January 19, 2022.

The ZBA previously received a rehearing request from Tory Bianchi regarding this matter. In Mr. Bianchi's letter, the only ground for rehearing that Mr. Bianchi raised was that the Bianchis did not have an opportunity to speak in opposition of Mr. Russell's application. Mr. Bianchi only raised this alleged procedural error, and he did not allege any substantive errors regarding the ZBA's determination that Mr. Russell's home occupation was not in violation of the Town's Zoning Ordinance.

The ZBA ultimately granted Mr. Bianchi's request for a rehearing based on the asserted error that the Bianchis did not have the opportunity to speak in opposition of Mr. Russell's application.

When the Bianchis submitted their rehearing request, they owned property at 93 Tolend Road, which abutted Mr. Russell's Property. Subsequently, the Bianchis sold their property. As a result, the Bianchis are no longer abutters to Mr. Russell's Property. Mr. Bianchi additionally submitted a letter to the ZBA stating that the Bianchis had sold their property at 93 Tolend Road and "no longer wish to comment on the situation and do not wish to appeal the decision."

Due of this change in circumstances, no rehearing is necessary because the person who requested rehearing is no longer an abutter and no longer wishes to appeal the ZBA's decision. Furthermore, the only error that the Bianchis alleged in their request for rehearing was the fact that the Bianchis did not personally have an opportunity to speak against Mr. Russell's application, and that alleged error is now moot.

DONAHUE, TUCKER & CIANDELLA, PLLC
16 Acadia Lane, P.O. Box 630, Exeter, NH 03833
111 Maplewood Avenue, Suite D, Portsmouth, NH 03801
Towle House, Unit 2, 164 NH Route 25, Meredith, NH 03253
83 Clinton Street, Concord, NH 03301

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Because the error the rehearing sought to remedy is now moot, there is no reason to unnecessarily rehear Mr. Russell's application. Therefore, I respectfully request that at the outset of the ZBA's rehearing on January 19, the ZBA reverse its prior decision to grant rehearing.

Thank you,

A handwritten signature in black ink, appearing to read "Brendan O'Donnell". The signature is fluid and cursive.

Brendan O'Donnell

CC: Client
Attorney Puffer (mpuffer@preti.com)