**April 19, 2021**

**Request for Revision (ZBA March 16, 2020 Meeting Minutes)**

**After reviewing the meeting minutes from March 16, 2021 it seemed to be lacking important facts and comments made by myself and others. I would like the below information added in and put on public record. Thank you,**

**Emily Sliviak**

**5 Old Revolutionary Road**

**Temple, NH 03084**

On March 16, 2021 Attorney Hanna objected to using VHB as the additional traffic expert to conduct a peer review on the existing traffic study that the applicant submitted in November, 2020. The reasons for the objection was expressed from Attorney Hanna in a letter that was submitted prior to the hearing and also verbally.

Attorney Hanna submitted this prior to the hearing on March 16, 2021.

*“However, we firmly object to the hiring of VHB as the consultant to review Steve Pernaw’s studies for the following reasons:*

1. *We are appalled that the ZBA chose to have Gail Cromwell as the liaison to transmit information to VHB.  We assert that Gail is openly biased against Ben’s project, and in light of our repeated objections to Gail’s participation in this matter, it was totally inappropriate to have her be the person communicating with VHB and explaining the need for VHB’s review.  We cannot trust the process if VHB is the consultant.   Indicative of Gail’s bias, she was taking photographs of the cars parked along the roads while attending Ben’s annual maple sugar weekend during the March 6 weekend.  When asked what she was doing by an employee of Ben’s Sugar Shack, she said that she was “gathering evidence.”   At worst, this clearly evidences a continuing bias; at best, she is a ZBA board member conducting investigations outside the hearing process.  Unfortunately, VHB’s involvement is now tainted.”*

John Kieley thanked Mary Beth Ayvazian and Gail Cromwell for tracking down 2 experts and giving them only the pertinent information. “What we did very carefully is provide them only with the reports and information given from the application and the segments of minutes which helped outline what our concerns were”, said Kieley.

Kieley stated, “There’s now been some push back that the applicant doesn’t like the way we conducted our business relative to the way we communicated to one of these experts, and it happens to be the traffic expert and the sworn board member that tracked that down for the board was Gail Cromwell”.

Kieley continued to state that Mr. Hanna submitted accusations and concerns regarding Gail Cromwell and her participation in this case. Kieley then asked Gail Cromwell Yes or No questions concerning her recent visit and possible involvement at the current building. Gail Cromwell denied all accusations made against her from employees of Ben’s Sugar Shack on Saturday March 6, 2021.

Emily Sliviak asked the board if she could clarify the reasons why the applicant requested a new expert on traffic. “When Gail has been asked to recuse herself multiple times and she was here taking pictures, there has been a long history of it and then given the task to talk on the phone with the new traffic expert, there is no proof of her correspondence. Also when she is taking pictures and wants to use them for evidence and then states that she wasn’t here, when there were multiple people that saw her, at what point do you step in and know that the delay is not on us, it is on Gail and for you to give her that task as an alternate member knowing all the issues that we’ve had with her, this delay is on you.”

Kieley responds, “You won’t get us to agree to that, are you comfortable with the process that was just laid out with Mr. Hanna relative to selecting another consultant?”

Emily Sliviak answered “I think it’s necessary, the process has been tainted by Gail, it’s the only choice we have”.