**Zoning Board of Adjustment**

**27 School Street**

**HILLSBOROUGH, NH**

**JULY 9, 2018**

**DATE APPROVED**: 9-10-2018

**TIME:** 7:10 p.m. –9:06 p.m.

**CHAIRMAN:** David Rogers

**VICE CHAIRMAN:** Roger Racette

**MEMBERS:** Russell Galpin Dana Brien and Nancy Torres

**PLANNING DIRECTOR:** Robyn Payson

**ALTERNATES:** Larry Baker and John Segedy

**ABSENT:** Larry Baker

**Present:** Nancy Torres, David Rogers, Russ Galpin, Roger Racette, Dana Brien**,** Robyn Payson,John Segedy – Alternate,

Also present: Bob Charron, Rick Lomonaco

**CALL TO ORDER:**

Chairman Rogers called the meeting to order at 7:10 p.m. Mr. Rogers stated there was a full Board and the Alternate would not be voting. Mr. Rogers also stated that the Minutes for June 11th would be discussed after the public hearing. The Board unanimously agreed.

**PUBLIC HEARING:**

**Application for Variance–Setbacks – Robert Charron – 20 Pearl Street, Map 25, Lot 44**

**Case #2018-006**

The Application is submitted by Robert Charron who is present as well as an abutter, Mr. Rick Lomonaco.

Mr. Charron discussed the reasons for the location of the proposed shed are aesthetics and ease of access. The topography of the property was also described and discussed. Mr. Charron was asked to go through the criteria:

1. Granting the proposed variance will not be contrary to the public interest because: The shed is a reasonable accessory use. It is a pre-fabricated shed that will be painted similarly to the house and will not negatively affect the neighborhood.
2. Granting the proposed Variance will observe the spirit of the zoning ordinance because: A shed is an accessory use typical of a residential property.
3. Granting the proposed variance will do substantial justice because: The location proposed is the most accessible to the house. The only alternative is the part of the lot near Mill Street which is not easily accessible from the house.
4. Granting the variance will not diminish the values of the surrounding properties because the location proposed is not as visible as the alternative location. The shed allows for the storage of items currently in the yard. The shed will neaten the area substantially.

E1. Owing to special conditions of the property that distinguish it from other properties in the

area: (i) no fair and substantial relationship exists between the general public purpose of the ordinance and the specific application of that provision to the property; And (ii) the proposed use is a reasonable one because: No other location on the property is as accessible or as appropriate as the proposed location. The topography does not lend itself to an alternate location.

The Board had no further questions for the applicant and the public portion of the meeting was opened. Mr. Lomonaco stated he was in favor of the placement of the shed and had no objections.

Having no further public comment, the public hearing was closed. The Board discussed the application and criteria. The Board members discussed the topography of the land and the location of the proposed shed.

1. Granting the proposed Variance will not be contrary to the public interest: Mrs. Brien – Yes, Mrs. Torres – Yes, Mr. Racette - Yes, Mr. Galpin – Yes and Chairman Votes Yes.
2. Granting the Proposed Variance will observe the spirit of the Hillsborough Zoning Ordinance: Mr. Galpin – Yes, Mr. Racette - Yes, Mrs. Brien–Yes, Mrs. Torres-Yes, and the Chairman Votes Yes.
3. Granting the Proposed Variance will do substantial justice: Mrs. Torres – Yes, Mrs. Brien – Yes, Mr. Galpin – Yes, Mr. Racette – Yes, and the Chairman Votes Yes.
4. Granting the Proposed Variance will not diminish the values of the surrounding properties: Mr. Racette – Yes, Mr. Galpin – Yes, Mrs. Torres – Yes, Mrs. Brien- Yes, and the Chairman Votes Yes.
5. Owing to special conditions of the property that distinguish it from other properties in the

area: (i) no fair and substantial relationship exists between the general public purpose of the ordinance and the specific application of that provision to the property and the proposed use is a reasonable one: Mrs. Torres – Yes, Mrs. Brien – Yes, Mr. Racette – Yes, Mr. Galpin – Yes, and the Chairman Votes Yes.

Mr. Racette made a motion to approve a variance for placement of a shed as depicted on the plot plan, seconded by Mrs. Brien. Motion carried unanimously. Variance was granted.

**MINUTES:**

The Board reviewed Meeting Minutes dated 6-11-18. Mr. Racette made a motion to accept the minutes as presented, seconded by Mr. Galpin. Minutes were approved unanimously.

**WORK SESSION - Rules of Procedure**

A draft update of Rules of Procedure for the ZBA was passed out to all Board members present for discussion. Mrs. Payson stated that a Public Hearing would be needed to adopt the final changes. These proposed changes came about to clarify and formalize the procedure suggested by Best Practices. The Board discussed each article and the proposed changes. Articles 4.2 and 4.3 will be held for discussion at a later time. Mr. Galpin left the meeting at 8:30 p.m.

Having no further business, the meeting was adjourned at 9:06 by unanimous decision.

Respectfully Submitted,

Dianne Rutherford

Administration/Land Use Secretary