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HILLSBOROUGH ZONING BOARD

Meeting Minutes
November 10, 2014

Date Approved: January 12, 2015

Present:

Members: Chairman Roger Racette, Larry Baker, James Bailey and Michael McEwen

Alternates: John Segedy, Russell Galpin

Absent: Richard Booth

Members from the Public: Rick Harvey

Chairman Racette called the meeting to order at 7:03 pm.

MINUTES:

August 11, 2014: Mr. Segedy said on page 2, paragraph 4 “purposes” should be “purpose is” and on page 2, last paragraph “minutes” was misspelled.

Mr. Baker made a motion to approve the minutes as amended. Chairman Racette seconded the motion. The motion carried unanimously.

PUBLIC HEARING:

Chairman Racette appointed Mr. Galpin to sit on the Board in place of Mr. Booth.

Chairman Racette read “Notice is hereby given in accordance with RSA 676:7 that the Hillsborough Zoning Board of Adjustment will hold a public hearing on an application for a Variance as provided for under Zoning Ordinance Section 674:33 Section I (5) (a) submitted by Kim Roberts of Allen Industries for property located at 59 Henniker Rd. (Tax Map 24, Lot 93). The request is to install a sign larger than is allowed under the Sign Ordinance.”

Rick Harvey, from Harvey Signs representing Family Dollar and Allen Industries, said the original intent was to be able to place a sign on the building and a street sign larger than code allows.

Chairman Racette said the height of the sign was not properly noticed and they would have to submit as a separate variance.

Mr. Harvey said there would be no problem to reduce the height meet code.

Mr. Harvey said the square footage of the signs on the application is incorrect. The applicant is requesting a 101 sq. ft. wall sign and 96 sq. ft. road sign for a total of 197 sq. ft. and by code they are allowed 80 sq. ft. Mr. Harvey asked if the corrections could be made to the application.

Chairman Racette said the road sign can only be a maximum of 50 sq. ft. He added that you can't make the building sign smaller in order to make the road sign bigger.

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Mr. Harvey asked if the sizes could be negotiated.

Chairman Racette said the Board cannot negotiate. The Board can only act on whether conditions exist with the property which makes it impossible for you to comply with the ordinances.

Mr. Harvey asked if the Board where to consider the five criteria and we are denied can we reapply.

Chairman Racette said he could apply for a rehearing but in order for the Board to grant a rehearing it would have to be based on them showing that the Board had done something unreasonable or unlawful not on the merits of this application.

Chairman Racette added that the hearing could be continued to allow Mr. Harvey time to review the application and make corrections.

Chairman Racette said if the wall sign and the road sign are larger than allowed then they would have to apply for two variances.

Mr. Harvey agreed.

Mr. Harvey said at this point he felt the best thing to do was to withdraw the application and resubmit.

Mrs. Payson said at this time there are provisions in place for them to have a temporary sign.

Mr. Baker said if we were to continue the hearing then the Board would be voting on both signs together so if one sign failed the criteria then both signs would be denied. He added if an application is submitted for each sign then they would be discussed and voted on separately.

Mr. Harvey decided the best thing to do would be to withdraw the application and resubmit at a later date. He thanked the Board for its time.

WORK MEETING:

Rules of Procedure:

The Board discussed the proposed Rules of Procedure as presented.

Chairman Racette asked that the recorded minutes remain on the web site until the meeting's written minutes have been approved by the Board.

Mr. Segedy said that the amount of time needed to post the notice of a public hearing should be in accordance with RSA 91:A-1 and adding RSA 676:7.

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Chairman asked for a motion to adopt the Rules of Procedures

Mr. Bailey made a motion to approve the Rules of Procedure as written with the addition of the RSA Mr. Segedy referred if it is found to be pertinent. Mr. Galpin seconded the motion. The Board voted all in favor.

Meeting Schedule:

Mr. Bailey made a motion to approve a meeting schedule, which will be developed by Mrs. Payson every year, based on the second Monday of every month with thirty day deadlines for accepting applications. Chairman Racette seconded the motion. The Board voted all in favor.

Upcoming Hearing:

Mrs. Payson distributed information to the Board members regarding the Appeal to an Administrative Decision hearing which is being held on Monday, November 24. She said the Board will not be discussing this matter tonight this information is for the members to familiarize themselves with the issue.

Mrs. Payson said the Board will have to be totally non-bias when hearing this issue.

ADJOURNMENT:

Chairman Racette made a motion to adjourn. Mr. Bailey seconded the motion. The Board voted all in favor.

Meeting was adjourned at 8:30 p.m.

Respectfully Submitted:

Iris Campbell
Land Use Administrator