

03/20/14

## HILLSBOROUGH ZONING BOARD

Meeting Minutes

March 20, 2014

Date Approved: April 14, 2014

Present:

Members: Roger Racette, Chairman; James Bailey, III, Vice Chairman; Larry Baker and Richard Booth

Alternates:

Planning Director:

Public: John Segedy

### **CALL TO ORDER**

The meeting was called to order at 7:21 p.m. by Chairman Roger Racette.

**CONTINUED PUBLIC HEARING FROM FEBRUARY 26 – APPLICATION FOR SPECIAL EXCEPTION - ZONING ORDINANCE Section 229-20.1C Permitted and Prohibited Uses – (3) Uses Permitted by Special Exception – (b) Dwelling Units at Street Level – They want apartments at street level – 17-19WMAINSTREETHILLSBORONH, 1 West Main Street (Map 23 / Lot 148).**

Chairman Racette said as the applicant is not present the Board will schedule the continuation for a later date.

### **MINUTES:**

Mr. Bailey made a motion to approve the minutes of February 26, 2014 as written.

Chairman Racette noted on page 1, paragraph 8 this application is not a variance but a special exception. He said on page 2, first line states the applicant wants to place apartments on the second floor it should say at street level.

Mr. Booth noted on page 2, paragraph 15 exemption should be exception and uses should be use.

Mr. Bailey made a motion to approve the minutes of February 26, 2014 as amended. Mr. Baker seconded the motion. The Board voted all in favor.

### **OTHER BUSINESS:**

Chairman Racette said Robert Hill has resigned from the Board citing health reasons.

After a short discussion the Board decided to communicate to the Board of Selectmen their recommendation to appoint Alternate Michael McEwen, if he is interested in serving, to fill the three-year position and the need for an alternate.

#### **PUBIC HEARING DISCUSSION:**

Mr. Bailey spoke to the applicant, Raj Dudani, and he was unable to attend tonight's meeting due to an emergency. He told him the Board would continue the hearing for another date and to contact Robyn Payson for the details.

Mr. Segedy said if the Board determines that the floor for which the apartment is being requested is indeed the second floor than the special exception is not necessary.

Chairman Racette said the ordinance reads uses permitted by special exception - dwelling units at street level.

Mr. Baker feels the Board should close the hearing and dismiss the application as neither the applicant nor his building manager were able to attend. He added if the applicant had an emergency this didn't excuse the manager from attending.

Chairman Racette questioned the Board's ability to deny the application.

Mr. Baker said the failure of the applicant to supply the additional information the Board requested at the last meeting he felt was grounds for denial.

Mr. Bailey contacted Greg Lull, from the Contoocook Valley Bible Chapel, regarding the applicant's statement that he has a lease with the Chapel for the use of their parking lot by his tenants. Mr. Lull said there is no such lease.

After discussing the parking issue further and the lack of a clearer explanation by the applicant both Mr. Booth and Mr. Baker made motions to deny the application based on the applicant's inability to provide to the Board tonight the additional information it requested.

Mr. Bailey said because there are only four Board members present the applicant would have been given the option of continuing with the hearing or to have it postponed until all five members could be present.

Mr. Bailey made a motion to continue the hearing until April 14 at 7:00 p.m. at 27 School Street. Chairman Racette seconded the motion. The Board voted in favor except for Mr. Baker who voted no.

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**NOMINATION OF OFFICERS:**

Mr. Baker nominated Mr. Racette for Chairman. Mr. Booth seconded the nomination. Mr. Racette nominated Mr. Bailey for Vice Chairman. Mr. Baker seconded the nomination. The Board voted all in favor on both nominations.

**ADJOURNMENT:**

Chairman Racette announced meeting was adjourned at 8:12p.m.

Respectfully Submitted:

Iris Campbell  
Recording Secretary