



Zoning Board of Adjustment Meeting
Monday, April 2, 2007
Council Chambers, City Hall at 7:00 p.m.

Meeting Minutes

Meeting Called to order at 7:00 pm by Chair Hurd

Roll Call

Present: Robert Woodman, Jim Hanson, Michael Hurd, Tracy Pope, Heather Bopp

Absent: None

I. Report(s) of Secretary:

- Monday, March 5, 2007 minutes

Motion to: Accept the meeting minutes of March 5, 2007

Made by: Mr. Woodman **Second:** Ms. Bopp **Vote:** Unanimous

II. Continuation:

- **(06-2007) David Crosby of the First Baptist Church, 56 Main Street, Claremont, NH –** seeks a Use Variance from Sections 22-296 of the City Zoning Ordinance in order to construct a church on the property of 135 Maple Avenue. Tax Map 130, Lots, 47 & 48, Zoning District: B-2. Property Owner: William Finard, Claremont Realty Trust

Prior to the meeting Chair Hurd spoke with Pastor David Crosby to confirm that he was comfortable with Mr. Hanson sitting on the board. Mr. Hurd assured Pastor Crosby that Mr. Hanson has reviewed the tape and the application. Pastor Crosby stated to Mr. Hurd that he was comfortable with Mr. Hanson sitting on the board.

Pastor David Crosby presented a brief presentation as a refresher for the board. A letter from the owner of the property and a letter from Mr. Brian Bogle, Moderator of First Baptist Church to authorize David Crosby to speak for the church have been provided to the board.

Mr. Coogan provided a Zoning Map to provide clarification of the area that the Church is looking to occupy stating that the area is a mixed use area. Also the board has the ability to make recommendations to the Planning Board on the Site Plan for things that came up such as traffic, they can recommend that a traffic study be completed for the site plan, etc. Ms. Pope asked if the buffer they had previously talked about can be a recommendation. Mr. Coogan stated that it could if the put that in their motion for the Planning Board to consider.

Motion to: approve the use variance for the First Baptist Church and only the First Baptist Church, to construct a church at 135 Maple Avenue with a condition that they merge the two lots.

Made by: Ms. Pope **Second:** Ms. Bopp **Vote:** 4-1
Mr. Woodman – Nay
Mr. Hanson – Aye
Mr. Hurd – Aye
Ms. Pope – Aye
Ms. Bopp - Aye

Will the proposed use diminish the surrounding property values?

Vote: Mr. Woodman – Nay
Mr. Hanson – Nay
Mr. Hurd – Nay
Ms. Pope – Nay
Ms. Bopp - Nay

Will granting the variance be contrary to the public interest?

Vote: Mr. Woodman – Aye
Mr. Hanson – Nay
Mr. Hurd – Nay
Ms. Pope – Nay
Ms. Bopp - Nay

Denial of the variance would result in unnecessary hardship to the applicant

a. The zoning restrictions as applied to this property, interferes with the applicants reasonable use of the applicants property considering the unique setting of the property in its environment

Vote: Mr. Woodman – Nay
Mr. Hanson – Aye
Mr. Hurd – Aye
Ms. Pope – Aye
Ms. Bopp – Aye

b. There is no fair and substantial relationship between the general purposes of the zoning ordinance and the specific restriction on the property

Vote: Mr. Woodman – Aye
Mr. Hanson – Aye
Mr. Hurd – Aye
Ms. Pope – Aye
Ms. Bopp – Aye

c. The variance would not injure the public or private rights of others

Vote: Mr. Woodman – Nay
Mr. Hanson – Aye
Mr. Hurd – Aye

Ms. Pope – Aye
Ms. Bopp – Aye

Will granting the various do substantial justice?

Vote: Mr. Woodman – Nay
Mr. Hanson – Aye
Ms. Pope – Aye
Ms. Bopp - Aye

Is the use contrary to the spirit of the Zoning Ordinance?

Vote: Mr. Woodman – Nay
Mr. Hanson – Aye
Mr. Hurd – Aye
Ms. Pope – Aye
Ms. Bopp – Aye

III. Other

- **Letter from Baker & Hayes Attorneys at Law** – James and Joanne Rogers v. City of Claremont. Rogers sold parcel of land to Reinhard Sarges.

IV. Communications

- **Notice from Environmental Strategy & Engineering** – Mandatory Licensing of Auto Salvage Yards for Municipalities

Ms. Pope wanted to let the Planning office know that she felt the Master Plan Visioning Session was wonderful and a lot of positive information was provided. Mr. Coogan advised that the Master Plan Advisory Committee is going to gather all the information together, put out a survey and in 6-8 weeks there will be another public input session.

V. Adjournment

Motion to: Adjourn

Made by: Mr. Woodman **Second:** Ms. Bopp **Vote:** Unanimous

Meeting adjourned at 7:25 p.m.

Respectfully Submitted,

Michelle Aiken
Boards and Commissions Coordinator