



Zoning Board of Adjustment Meeting  
Monday, April 6, 2015 7:00 PM  
City Hall Council Chambers

**MINUTES**  
**Approved 5/4/2015**

**I. Roll Call**

**Present:** Michael Hurd, David Nichols, Carolyn Towle, Daniel Worcester  
**Absent:** Richard Collins, Todd Russel, Amy Richardson  
**City Staff:** Michael McCrory, Interim City Planner

Mr. Hurd appointed Mrs. Towle to sit in for Mr. Collins and Mr. Worcester to sit in for Mr. Hanson.

**II. Review Public Meeting Minutes from 3/2/2015**

**Motion:** To accept the minutes as read for March 2<sup>nd</sup>, 2015.

**Made by:** Mrs. Towle      **Second:** Mr. Worcester      **Vote:** Unanimous in favor

**III. Old Business**

- **(ZO2014-00008) Diana Gauthier, 198 Bible Hill Road** – seeks a variance from Section 22-189 of the City Zoning Ordinance for construction of an addition to the house at **198 Bible Hill Road**. Tax Map: 166, Lot: 41. Zoning District: RR2. (cont. from Mar. 2, 2015)

Mr. McCrory stated that the applicant is asking the Board to continue the hearing to the May meeting.

**Motion:** To continue application #ZO 2014-00008 for Diana Gauthier to our May meeting.

**Made by:** Mr. Hurd      **Second:** Mr. Worcester      **Vote:** Unanimous in favor

**IV. New Business**

Mr. Hurd gave all applicants present the option to wait until next month when there would be a full board.

- **(ZO 2015-00003) James & Lori Roy, 93 Sullivan Street** – seek a special exception for placement of signs on the building at **7 Pleasant Street**. Tax Map: 120, Lot: 53. Zoning District: MU

Mr. McCrory stated that the application location is actually 1 Pleasant Street, Suite 101. The map/lot and owner information are correct. The owner has given authorization for the application.

Mr. McCrory stated that the applicants are seeking approval for placement of three signs whose total area exceeds what is allowed in the district. (In addition, the MU district only allows one sign. However, there have been three signs on this building and staff considers this to be a grandfathered condition. So only the total area of the proposed signage is being considered in this application.)

The current ordinance allows a maximum of 16 SF. However 42 square feet are allowed by special exception. There was some discussion regarding how the area of the signs had been calculated. The applicant is proposing approximately 30 SF.

There were no conflicts of interest with the board members.

The applicant handed new materials to the board. He showed where on the building that the signs would be placed, what their respective sizes are, and what they are made of.

Mr. McCrory read the abutters roll. No abutters were present. Mr. Hurd closed the public hearing. The board discussed the application and the special exception criteria:

- a) The site is appropriate for the location of the sign.
- b) The size of the sign is appropriate for the location.
- c) Property values will not be harmed. The signs will add to the downtown.
- d) There will be no nuisance or hazards associated with the signs.
- e) Traffic impacts – n/a.
- f) There will be no adverse impacts to abutters.
- g) There will be no adverse impacts on city services.
- h) There will be no adverse impacts to the general welfare of the public.
- i) The project is in harmony with the zoning ordinance.

The application still needs approval from the Historic District Commission.

**Motion:** To grant the special exception to Jim and Lori Roy for a sign ordinance for Pleasant Street Suite 101.

**Made by:** Mr. Hurd      **Second:** Mrs. Towle      **Vote:** Unanimous in favor

- o **(ZO 2015-00004) Steve Bernash, 19 Byrd Avenue** – seeks a special exception for placement of a sign on the building at **42 Opera House Square**. Tax Map: 120, Lot: 45. Zoning District: MU

Mr. McCrory read the abutters roll.

Mr. McCrory explained that the applicant is seeking a special exception for a single sign that is greater than the allowed 16 SF, but well within the 42 SF allowed with the special exception. He said this is an after-the-fact permit. He also said the application has already received its Certificate of Appropriateness from the HDC.

Mr. Bernash presented his application to the Board. He said his sign is 10 SF larger than what's allowed.

There were no comments from the public. Mr. Hurd closed the public hearing.

**Motion:** To grant a special exception in accordance with section 22-604(6), *Special Exception to Allow 42 SF of Affixed Signage in the MU Zoning District.*

**Made by:** Mrs. Towle      **Second:** Mr. Nichols

The Board addressed the criteria:

- a) The specific site is an appropriate location for the use – there was a sign there before.
- b) The size of the sign fits within the designated area on the building.
- c) The sign will not harm property values in the district.
- d) No nuisance or hazard will result from the sign.
- e) No adverse traffic impacts will result.
- f) N/A
- g) No impacts on abutters will result.
- h) There will no burden to city services.
- i) The sign will not be detrimental to the public welfare.
- j) The sign is in harmony with the zoning ordinance.

**Vote:** Unanimous in favor

- o **(ZO 2015 - 00005) Christopher Stone, 5A Christine Drive, Hudson, NH** – seeks a variance from section 22-604(5) of the City Zoning Ordinance for placement of signs at **216 Washington Street**. Tax Map: 121, Lot: 47. Zoning District: B-2

Mr. McCrory explained that the project is located in the Claremont Plaza. The applicant seeks to place a sign on the freestanding sign plaza next to the road as well as a sign affixed to the building. The proposed sign for the sign plaza is grandfathered. However the existing signage on the building currently exceeds the maximum allowed area of 300 SF (it is at 367 SF). There is currently no sign on the empty storefront where this business would like to locate. The applicant wants to add another 94 SF. This application is for a special exception for all of the signage on the building, including the applicant's (America's Mattress).

Mr. Stone presented his application to the board. The board had no questions for the applicant.

Mr. McCrory read the abutters roll. As there were no comments from the public, Mr. Hurd closed the public hearing.

The board briefly discussed the application.

**Motion:** To grant the variance for sign placement at 216 Washington Street, Tax Map 121, Lot 47 with the special conditions of approval:

1. Total exterior affixed sign area (at 216 Washington Street) shall not exceed 461 square feet. Future alterations to the number, location, and dimensions of the affixed signage may be altered with prior permit approval from Planning and Development.

2. The applicant shall obtain all necessary permits and approvals as determined by the Local, State and Federal governments.
3. This variance shall be recorded in the chain of title.

**Made by:** Mr. Worcester                      **Second:** Mrs. Towle

The Board addressed the variance criteria:

- a) Granting this variance would be in accord with the public interest.
- b) The proposal is in accordance with the spirit of the ordinance.
- c) Substantial justice would be done by granting the variance.
- d) The project will not harm surrounding properties.
- e) The request is reasonable.

**Vote:** Unanimous in favor.

## V. Correspondence

## VI. Other

## VII. Adjournment

**Motion:** To adjourn the meeting.

**Made by:** Mr. Worcester                      **Second:** Mrs. Towle                      **Vote:** Unanimous in favor

The meeting adjourned at 8:00PM.

Respectfully submitted,

*deForest Bearse*