



Zoning Board of Adjustment Meeting
Tuesday September 4, 2012 at 7:00 p.m.
City Hall, Council Chambers

MINUTES
Approved 10.1.12

I. Roll Call

Present: Mike Hurd, Carolyn Towle, Todd Russel

Absent: Pierre Caouette (alt), Dan Worcester (alt), Tom Rock, Jim Hanson

City Staff: Tracey Hutton; City Planner; Kelly LeBlanc, Administrative Assistant

The applicant has agreed to be heard by a three member board.

II. Review Public Meeting Minutes from August 6, 2012

Motion: approve minutes from August 6, 2012

Made By: Chair Hurd

Second: Ms. Towle

Vote: Unanimous

III. New Business

- **(ZO2012-0020 Christopher R Irish, Claremont, NH-** The applicant is seeking a Special Exception for a Home Occupation, Section 22-227. Property Location: **95 Winter Street**, Tax Map 96, Lot 90, Zoning District R-2.

The applicant is seeking a Special Exception pursuant to Section 22-227, Permitted Uses, to allow for the establishment of a Home Occupation. This proposed salon uses existing space in the home.

This property is in an R-2 district on Winter Street in close proximity to the B-2 District. Home Occupations are allowed only by Special Exception only. This business will be contained within a residential home with 3 on-site and 2 off-site parking spaces. The ordinance, in section 22-533, leaves the parking requirement for home occupations to the discretion of the Board. A small sign, which meets the sign regulations, is proposed.

Heather Irish, applicant, was present to discuss her application. She reported that a letter was received by Loraine Webster, abutter, stating that she would offer two of her parking spaces if needed. There will be a single salon chair for this business.

Ms. Towle asked how this affects her household insurance and if the CFD needs to be notified. Ms. Irish reported she has business insurance and that they have gone through the building department for permitting regulations.

Chair Hurd inquired about the signage. Ms. Irish stated she will have a basic sign sized and she will be working with Planning & Development for permits. Chair Hurd stated cosmetology has a minimum sign requirement. Ms. Hutton stated in an R-2 zone, 4 SF is the maximum sign size for a permitted use. Ms. Irish stated that there will be an entrance sign on the front door. Cosmetology regulations would be followed.

Ms. Towle stated the application was very well put together and this was appreciated by the board.

Open Public Hearing

No Abutters Present

Close Public Hearing

IV. Review Criteria

To approve a Special Exception the ZBA shall find favorably to the applicant on **all** the following Findings of Fact. The burden of proof is upon the applicant to demonstrate that the proposal meets the following criteria.

(1) The specific site is an appropriate location for such a use;

Yes, the site is appropriate.

(2) Property values in the district will not be reduced by such a use;

Yes, property values will not be reduced.

(3) No nuisance or unreasonable hazard shall result;

There will not be a nuisance as any chemicals will be properly disposed of.

(4) No adverse traffic impact will result from such a use;

There will be no traffic impact as there will be not be any on-street parking as this is for a single chair salon.

(5) Adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use, including water, sewer and parking;

Yes, the services are handled by the City and chemicals properly disposed of.

(6) No adverse impact on the view, light and air of any abutter will result; and

There will be no adverse impact on the view, light or air.

(7) The use will not place a disproportional burden on the city's operational services in comparison to the anticipated tax revenue associated with the property/use in question.

There will be no disproportional burden on the City's operational services.

(8) Such a use would not be detrimental to the public health, safety and general welfare.

No detriment to public health, safety or welfare as chemicals will be properly disposed of.

(9) Such a use would be in harmony with the general purpose and intent of the zoning ordinance

Yes, this ordinance was put into place to protect the public and this home occupation meets requirements.

Motion: to approve the Special Exception for a Home Occupation, Section 22-227 with the condition that The applicant shall obtain and receive approval for all necessary permits as determined by the Local, State and Federal governments.

Made By: Mr. Russel **Second:** Ms. Towle **Vote:** Unanimous

IV. Adjournment

Motion: to adjourn

Made By: Chair Hurd **Second:** Mr. Russel **Vote:** Unanimous

Meeting adjourned at 7:15 PM

Respectfully Submitted by, Kelly LeBlanc