

ZONING BOARD OF ADJUSTMENT

Meeting of May 20, 2009

Present: Chair Myra Mansouri, David Calhoun, Peggy Pschirrer, and alternates Jan Galloway-LeClerc, Bill Webb, and Ernie Vose.

Absent: Leo Carignan and Mary Therese Lester.

Chair Mansouri called the meeting to order at 7:30 PM.

Chair Mansouri appointed Ernie Vose and Bill Webb, alternates to serve as regular members in the absence of Leo Carignan and Mary Therese Lester.

MINUTES:

Ernie Vose moved to approve the minutes of April 15, 2009 as distributed. Seconded by seconded by Bill Webb and so voted.

HEARING:

Virginia Carter: Request for Exception. Map 009-053-001. The meeting was properly noticed and abutters were notified of the request for an exception under Article VIII to sell products other than those produced on the farm at 114 Barnett Hill Road.

Ms. Carter site plans was notified May 8, 2009 that her plans for a barn and shop on her property were approved by the Planning Board pending approval of the Zoning Board of Adjustment for an exception to Article VIII, B. 5. Construction of a 22 x 24 barn is already underway. Ms. Carter expects her shop to sell wine, juice, grape plants, locally made products such as cheese, artisan crafts and t-shirts silk screened in New Hampshire. The parking area will accommodate 16-20 cars with additional space along side the building. She has a driveway permit for an entry cut into her property at the top of Barnett Hill. The current driveway to her house will accommodate delivery trucks. She wants to open her shop primarily on Saturday and Sunday. She expects to close during the winter months.

The Hearing was opened for public comments: Patricia Beaudoin who lives across the street from Ms. Carter's vineyards expressed her concerns re: increased traffic on Barnett Hill Road. Her driveway is immediately opposite the new entry drive into the vineyard. It is her experience that drivers tend to speed in the area putting her animals and guinea hens and children in the area in harm's way. Ms. Beaudoin would like signs posted which indicate there are animals and children in the area. Since there are currently no traffic signs of any kind on Barnett Hill Road, it is not clear what the speed limit is. Board members suggested Ms. Beaudoin contact the Board of Selectmen to request that traffic signs be posted as well as a sign indicating the presence of children and animals in the area.

John and Donna Peska appeared in support of Ms. Carter's request for an exception. It was noted there is a letter from Tom Durford in the file. Mrs. Peska asked if granting an exception to Ms. Carter sets a precedent. The Board assured Mrs. Peska that each application is considered on its own merits; granting an exception does not establish precedent.

The public hearing was closed and the Zoning Board discussed the request. Mr. Vose moved to approve the application from Ms. Carter as presented for a shop to be open on Saturdays, Sundays and holidays to sell her own wine and related products. Mr. Webb seconded the motion and it was so voted unanimously to grant the exception

NEW BUSINESS:

Ethan Plaisted, Alstead, requested permission to erect a sign above his new business in the Ames Shopping Plaza. He is renting space next to Ocean State Job Lots. His sign will be 20' x 96' in Blue and White and will be lit from behind. The sign will read: Cold River Communications, DirecTV, Authorized Dealer. A copy of the sign is on file in the zoning office. David Calhoun moved the approval of the sign; Mr. Webb seconded the motion and it was so voted.

Jan Galloway-LeClerc, alternate ZBA, requested a hearing for a variance for a sign to be erected on her property because the location of the sign will not meet set back requirements. Ms. LeClerc was informed her application needed to be file by June 2, 2009, for posting June 5, 2009 in order to be considered at the June meeting of the ZBA. Mr. Webb moved the hearing be granted for Ms. LeClerc June 17, 2009; the motion was seconded by Mr. Vose and so voted.

OLD BUSINESS:

Ms. Mansouri reported she Kelly Lynch of Main Street, Walpole, that Ms. Kelly is taxed as if she were located in Residential B; however, she is actually located in the Commercial District. Ms. Lynch can put a business on her property with adequate off street parking. She must come before the Zoning Board of Adjustment for approval of the signage and parking.

OTHER:

Ernie Vose moved the following amendments to the ZBA By-laws:

ARTICLE II OFFICERS

Section 1. A Chairperson shall be elected annually ~~in the month of March~~ at a meeting immediately following the annual town meeting by a majority vote.

Section 2. A vice-Chairperson shall be elected annually ~~in the month of March~~ at a meeting immediately following the annual town meeting by a majority vote of the Board.

Section 3. A Clerk shall be elected annually ~~in the month of March~~ at a meeting immediately following the annual town meeting by a majority vote of the Board.

ARTICLE III ALTERNATES

Section 1. The Zoning Board of Adjustment may appoint up to five alternate members for a term of three years each. (RSA 673:6-11, a). The terms of the alternates shall be reviewed annually ~~in the month of March~~ at a meeting immediately following the annual town meeting.

The amendments were seconded by Peggy Pschirrer. They will be read for the second time in the June meeting before voting. The amendments will take effect in 2010.

Election of Officers:

Ernie Vose moved the nomination of Myra Mansouri for Chair of the ZBA. The nomination was seconded by Peggy Pschirrer. Ms. Mansouri was so elected to serve for a year.

Peggy Pschirrer was nominated for Vice Chair and David Calhoun was nominated for Clerk. Both nominations were seconded and both were elected for one year.


ARTICLE VII INDUSTRIAL DISTRICT

A general discussion and review of the Article regulating industrial districts was held. Members were asked to review the article and consider any changes they feel are needed so that a discussion can be held in June on potential amendments to the Article.

ANNOUNCEMENTS:

Ms. Mansouri reported she, Jan Galloway-LeClerc and Peggy Pschirrer attended the 16th Annual Planning and Zoning Conference, May 2, 2009 in Manchester. She distributed registration forms for a two part local official workshop to be held in June in Rindge and Concord. Members were encouraged to register if they are interested or can take a full day.


Ms. Mansouri attended a workshop on Workforce Housing Law in Keene May 14, 2009. She distributed copies of the material outlining the legislation for Workforce Housing to all members of the Board.



Peggy Pschirrer
Interim Secretary

These are unapproved minutes. Any corrections or additions will be made at the June 17, 2009 meeting.

Ms. Mansouri attended a workshop on Workforce Housing Law in Keene May 14, 2009. She distributed copies of the material outlining the legislation for Workforce Housing to all members of the Board.



Peggy Pschirrer
Interim Secretary

These are unapproved minutes. Any corrections or additions will be made at the June 17, 2009 meeting.