



RINDGE BOARD OF ADJUSTMENT

30 PAYSON HILL ROAD, PO BOX 163

RINDGE, NH 03461

Tel. (603) 899-5181 X100 Fax (603) 899-2101 TDD 1-800-735-2964

www.town.rindge.nh.us

Hearing Date: September 27, 2011

Decision Date: September 27, 2011

Case Number: 1034

Notice of Decision

You are hereby notified of the Decision in the case of: Brenda Derosier, Secondwind Consignment / Case #1034:

Brenda Derosier, Secondwind Consignment , 43 B Lisa Drive, Rindge, NH 03461 Map 6 Lot 49A-4-1. For a Variance from Article V, Section A of the Rindge Sign Ordinance prohibiting Off-Premise Signs.

Sitting on this case:

Regular members: Marcia Breckenridge, Dave Drouin (Vice Chair), Janet Goodrich (Chair), Bill Thomas, and Phil Stenersen.

A variance can be granted only if an applicant satisfies all five variance criteria.

1. **The variance is not contrary to the public interest because:** It promotes a local business consistent with the economic development plans of the community.
(Unanimous consent)
2. **Special conditions do exist on the property that distinguish it from other properties in the area, such that literal enforcement of the ordinance results in unnecessary hardship:**
The store location is at the rear of the property and the front of the property is elevated and wooded, preventing reasonable visibility. The store location is not visible from the road due to the property's contour. (Unanimous consent)
 - a. **No fair and substantial relationship exists between the general purposes of Zoning Ordinance provisions and this restriction on the property because:**
The variance is needed because the sign ordinance prohibits off-premise signs.
(Unanimous consent)
 - b. **The proposed use is a reasonable one because:**
The benefit sought by the applicant cannot be achieved by some other reasonably feasible method because there is no reasonable way to increase visibility of the business and its location other than to grant the variance. (Unanimous consent)
3. **The variance is consistent with the spirit and intent of the Rindge Zoning Ordinance because:** It meets all criteria and the purpose and intent of Section 1 of the Rindge Sign Ordinance. (Unanimous consent)



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4. **Substantial justice is done by granting the variance.** If the variance is denied, the applicant will be burdened because the public will not know the business exists. There is no significant benefit to the Town in denying the variance because the Town benefits from business growth and granting the variance is consistent with the economic plan of the community.
(Unanimous consent)

5. **Granting the variance will not diminish the value of surrounding properties because:** it is consistent with businesses both north and south of the proposed project.
(Unanimous consent)

A motion was made to grant the variance because: all criteria have been met. Bill Thomas motioned to grant the variance, and Dave Drouin seconded.

Vote: Unanimous consent

Respectfully submitted,
Linda Stonehill
Clerk



Janet Goodrich
Chairman



David Drouin
Vice Chairman