



## 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

### Zoning Board of Adjustment Public Hearing Minutes May 25, 2010

# APPROVED

6/22/10

**Regular members present:** Vice Chair: Janet Goodrich, David Drouin, Marcia Breckenridge and Phil Stenersen.

**Alternate members present:** Charlie Eicher, William Thomas and Joseph Hill.

Janet Goodrich opened the Public Hearing at 7:00 pm with the Pledge of Allegiance. The members and alternates introduced themselves and their status.

Recusals: None

Notice of public hearings were posted as follows: Town office, post office, library, transfer station, police station and newspaper

Joe Hill will read the cases, with William Thomas Summarizing the ordinances.

**Case #1014** John P. and Holly S. Mara 112 Red Gate Lane Rindge, NH 03461, Map 34 Lot 17, for a special exception of the Zoning Ordinance article XIIC and XIV, B to expand dwelling that does not meet set backs.

Sitting on this case will be David Drouin, Marcia Breckenridge, Janet Goodrich, Phil Stenersen, and Joe Hill.

Roberta Letourneau spoke for John and Holly Mara. Board had copy of plans in question. Plans were designed so that they were not encroaching on any of the existing setbacks. The permit has been obtained. The existing deck attached to the main house is within the 50ft setback from the waterfront, the addition of the screen porch will not be part of that.

Discussion of setbacks, addition will be over twice as far back as the existing house from the side lot line.

There will be no increase in bedrooms so there will be no need for additional parking, existing driveway will remain the same.

David DuVernay made mention of an email he sent out to all board members and alternates stating his opinion. No concerns were voiced by DuVernay.

Motion to close and deliberate made by Hill, seconded by Breckenridge.  
Special Exception Granted, unanimous vote.



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**Case #1015** Galaxy Development, LLC 30 Lafayette Square, Suite 116, Vernon, CT 06066, Physical address of property: Route 202 as shown on the Tax Map 6 Lot 99-3, for a variance from article VI section C of the Sign Ordinance to allow for building signs larger than the regulations allow for.

Sitting on this case will be David Drouin, Marcia Breckenridge, Janet Goodrich, Phil Stenersen, and Charles Eicher.

Patrick Doherty from Midpoint Development spoke for Galaxy Development. Site plan with arial photo & dimensions were submitted. Also submitted were letters from the Rindge Planning Board requesting favorable consideration of this variance, as well as a letter from the Rindge Code Enforcement Officer, David DuVernay outlining previously granted variance's for signs.

Mr. Doherty stated the tenants are concerned with the visibility from Rte. 202. The signs being proposed are in fitting with other businesses in the area.

Eicher questioned the construction of the signs (flat/flush against the building or project from the building). The signs in question will actually project from the building and lighting will be "gooseneck" lighting from above. Eicher also questioned how the dimensions were calculated, and if they were calculated according to the ordinance.

There was discussion surrounding the dimensions including the logo or not.

DuVernay stated the calculation seemed appropriate, that the geometric shape should include the letters and the logo and did not feel there was a problem with the way it was calculated.

Breckenridge moved to deliberate, seconded by Drouin.

Variance granted vote 4-1 with Stenersen, Breckenridge, Goodrich and Drouin in favor; Eicher, opposed.

4/27/10 and 5/11/10 minutes approved as edited. Changes in wording to the applications will be discussed at the June meeting.

Reviewers for June meeting will be Hill and Stenersen

### Other Business

Eicher asked if there were any more alternates that had applied. Drouin mentioned that it had not been re-advertised. Some discussion of whether board should pursue additional alternates.

Goodrich brought up possible orientation for Carol. Next month will review Rules of Procedure, possible job description.



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Drouin motioned to adjourn at 8:30, seconded by Stenersen, all in favor.

Respectfully submitted,  
Carol Olesen/clerk

Janet Goodrich  
Chairman

David Drouin  
Vice Chairman



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Hearing Date: May 25, 2010

Decision Date: May 25, 2010

Case # 1014

### Notice of Decision

You are hereby notified of the decision of John and Holly Mara, 112 Red Gate Lane, Rindge, NH 03461, Map 34 Lot 17, for a Special Exception from Article XII, section C and XIV, section B of the Rindge Zoning Ordinance to expand a dwelling that doesn't meet setbacks.

**The Board found that:**

- 1. The use will not create excessive traffic, congestion, noise or odors.**  
On these issues the applicant and others provided evidence that: the proposed addition of the screen porch will not create any additional capacity, therefore it will not create any additional traffic, congestion or noise.
- 2. The proposed use will not reduce the value of the surrounding properties.**  
On this issue, the applicant and others provided evidence that: the proposed addition is in keeping with the existing property, and stayed within the state laws.
- 3. There is adequate sewage and water facilities and sufficient off street parking provided by the applicant.**  
On these issues the applicant and others provided that: There will be no increase in usage or capacity.
- 4. The proposed use will preserve the attractiveness of the town.**  
On this issue, the applicant and others provided evidence that: the proposed addition (screened porch) will be consistent with neighboring properties.

**Motion to grant a Special Exception made by Stenersen, seconded by Drouin. Unanimously approved.**

Respectfully submitted,  
Carol Olesen, Clerk

George Carmichael



Chairman

Janet Goodrich



Vice-Chairman



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Hearing Date: May 25, 2010

Decision Date: May 25, 2010

Case # 1015

### Notice of Decision

You are hereby notified of the decision of Galaxy Development, LLC, 30 Lafayette Square, Suite 116, Vernon, CT 06066 for property on Route 202, Rindge, NH 03461, Map 6 Lot 99-3, for a Variance from Article VI, section C-5-c of the Rindge Sign Ordinance to permit signs larger than the regulations allow for.

#### The Board found that:

1. **The variance is not contrary to the public interest.**  
On this the board found that: the proposed sign will be consistent with surrounding businesses and other retail signs in the vicinity.
2. **Special conditions do not exist on the property that distinguish it from other properties in the area, such that literal enforcement of the ordinance results in unnecessary hardship.**
  - a. **no fair and substantial relationship exists between the general purposes of zoning ordinance provisions and this restriction on the property because:**  
On this issue the board found that: the building is 300 feet from the state highway and at approximately 40ft. elevation.
  - b. **The proposed use is a reasonable one because:**  
On this issue the board found that: the proposed sign is in keeping with the practice in the area.

**Vote on 2b; In favor of language: Breckenridge, Goodrich, Drouin, Stenersen; opposed: Eicher**

**Vote 4-1**

3. **The variance is consistent with the spirit and intent of the Rindge Zoning Ordinance:**  
On this issue the board found that: the proposed sign does preserve the values and character of the town, in its reasonable uniformity in the size, treatment and presentation of signs in each zoning district.
4. **Substantial justice is done by granting the variance:**  
On this issue the board found that: This will allow these businesses to be on equal footing with other surrounding businesses.
5. **Granting the variance will not diminish the value of surrounding properties:**  
On this issue the board found that: The proposed signs will be consistent with surrounding signs.

**Motion to grant variance made by Drouin, seconded by Stenersen vote 4-1:**

**Stenersen, Breckenridge, Goodrich and Drouin in favor**

**Eicher opposed.**

Respectfully submitted

Carol Olesen/clerk

George Carmichael

Chairman

Janet Goodrich

Vice-Chairman