



## RINDGE BOARD OF ADJUSTMENT

30 PAYSON HILL ROAD, PO BOX 163

RINDGE, NH 03461

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**APPROVED**

### Zoning Board of Adjustment Public Hearing Minutes February 24, 2009

**Regular members present:** Chairman Joseph C. Hill, George Carmichael, and David Drouin.

**Alternate members present:** William Thomas and Charlie Eicher.

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

Hill stated Mrs. Breckenridge, Mrs. Goodrich and Mr. Feldman were excused and appointed Mr. Thomas and Mr. Eicher to sit for Mrs. Breckenridge and Mrs. Goodrich. Hill asked if there were any recusals; there were none. He stated the rules for the hearing and that it would end by 10:30 pm.

The Clerk announced that the notice of Public Hearing was posted in the Town Office, Police Station, Fire Station, Library, Transfer Station, Post Office, and the Monadnock Ledger-Transcript.

Case #998: Paula M. AuCoin, 80 Hunt Hill Road, Jaffrey, NH 03452, property address 29 Commercial Lane, Rindge, NH 03461, Map 6 Lot 99-4 for an Application for an Area Variance from Article V Section A and Article VI Section C of the Rindge Sign Ordinance to permit a sign placed inadvertently on Navian Development Co., LLC property.

Hill stated that he, Carmichael, Eicher, Thomas and Drouin would sit on this case.

Thomas read the case before the Board; Eicher summarized the ordinance(s).

Carmichael asked the applicant what relief he was seeking since a special exception had already been granted for the sign in question in March of 2005. Mr. AuCoin stated the original special exception was granted for the size of the sign only, and that it was later put on the wrong property. He stated he spoke to Navian Development and they agreed to let him keep the sign in its present place as long as he owned the property; however now he is negotiating with a potential buyer for the property and that party wanted assurance that the current sign will not interfere with any sign they may want to put up if they purchase it. Carmichael stated he thought there was no need for this variance because the issue is between AuCoin and the potential buyer. Extensive discussion ensued regarding whether this Board or the Planning Board is the proper authority to hear this. Drouin made a motion to continue this until the applicant could go to the Planning Board and get a letter stating that they would not use the present sign in any calculations if and when the new owner applied for a sign. Carmichael felt the Board had no right to issue a letter to that effect; Thomas agreed. After discussion, Drouin proposed an addendum be added to the Special Exception granted in May of 2005. Hill proceeded with other business while Drouin drafted wording for the addendum, having withdrawn his original motion.



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Hill and Eicher were designated reviewers for March. Hill distributed CD's of the Board's business in 2008.

Hill stated the current Board is still in power until the first of April and that a date needed to be set for an organizational meeting. The Board set April 2<sup>nd</sup> as the date for the meeting.

Drouin moved, seconded by Carmichael to add the following addendum to the Notice of Decision for case #910: "The Board believes the applicant has all the relief they need for the sign and is grandfathered as an off-premises sign from the Special Exception of March 22, 2005. The Board of Adjustment suggests that the Planning Board not use this directional sign as part of its calculations in the future development plans." The motion passed unanimously.

Carmichael stated Mr. DuVernay had information to distribute regarding this case but was prohibited from doing so until the hearing took place. He said he would like to have all information relevant before a case was heard. Discussion was held. Carmichael moved, seconded by Hill to change Section j, Page 5 of the Rules of Procedure to read "Any written report on the merits of the case will be presented before or at the hearing, with a copy to the applicant." The motion passed unanimously.

Drouin submitted changes to the Minutes of January 27, 2009. Carmichael moved, Thomas seconded to approve the Minutes of the January Public Hearing as amended and the motion passed unanimously.

Drouin asked that if any changes were made to the zoning ordinance in the March election that the Board be given a copy before the March meeting. He stated also that the Board's hours had not been reported to payroll since June. He requested the Clerk to submit the hours to payroll and asked that the Board be given quarterly reports of hours worked by the members.

Hill stated that not knowing what would transpire in the March elections, he wanted to express his thanks to the Board and that he has enjoyed working with everyone.

Carmichael moved, seconded by Drouin to adjourn at 8:05 pm and the motion passed unanimously.

Respectfully submitted,  
Kathy Strasser, Clerk

George Carmichael

Vice Chairman