

Minutes of the Antrim Zoning Board of Adjustment meeting October 13, 1992

Present: Helene Newbold, Chairman; Robert Bryer; A. Fred Anderson; Boyd Quackenbush and Paul Matthes.

The Chairman opened the meeting at 7:00 P.M. and introduced the Board as noted above. She outlined the procedure to be followed for a public hearing and informed the Applicants of their right to appeal.

Richard Morrill concerning a Variance to Article IV, Section C.3.b(1). The Applicant proposes to build an entrance closer than twenty (20) feet from the side setback at his building on Main Street in the Village Business District, tax map 1A lot 196. The Secretary read the Application and noted that the Notice of Hearing was published in the Peterborough Transcript and notices were sent to all abutters, return receipt. All receipts have been returned. There was no correspondence. The Chair asked the Board's pleasure as to a view of the site. Robert Bryer made the motion to adjourn to view the site. Paul Matthes second. So moved unanimously. The Board adjourned at 7:15 P.M. for a site review. Before the Board left, an abutter, Richard Edmunds asked to address the Board. He commented that he is in favor of the Application as it will improve the appearance of the building, provide handicap access, and by directing traffic into the parking lot provide more parking for other businesses on Main Street. He commented further on the non-conformance of other businesses on Main Street.

The public hearing at 7:45 P.M. Richard Morrill presented his proposal addressing the five criteria for granting a Variance.

Morrill maintains that:

1. There will be no diminution in value of surrounding properties as this will improve the present situation and provide more lighting in the area of the entrance to his building.
2. The proposal is in the public interest as it alleviates the problem with parking in the area and provides easy access and exit to the parking lot.
3. The hardship is that there is no other space for a handicap ramp.
4. Substantial justice will be done as it eases the parking congestion and confusion in the area and contributes to the safety of his patrons as it directs traffic into the parking lot.
5. It is not contrary to the spirit and intent of the Ordinance as ample space between the buildings is afforded

by the fact that the parking lot is located between the two buildings.

President of the Chamber of Commerce Greg Goff spoke for the proposal as a positive move for the business community. Tammy Loisel, owner of the Four Seasons restaurant also spoke in favor of the proposal as parking for this business will be off the street thus allowing more parking for other businesses. Board member Boyd Quackenbush commented that the granting of the Variance will produce less crowding as the same conditions exist in the surrounding area. The Public Hearing was closed and the Board went into Deliberations.

Deliberations: The Chair reviewed the testimony and addressed the five criteria for a Variance.

1. Diminution of surrounding property - A. Fred Anderson commented that the use is attractive and logical as it keeps people and traffic off the street. The Board unanimously agreed that there will be no diminution of value.
2. The Board unanimously agreed that the use would be in the public interest.
3. After some discussion the Board unanimously agreed that a hardship does exist as this is the safest and most logical place for the entrance.
4. The Board unanimously agreed that substantial justice would be done by granting the variance.
5. The Board unanimously agreed that the use complies with the spirit and intent of the Ordinance as the use will ease the parking situation and add to the safety of the area.

Helene Newbold moved that: We the Antrim Zoning Board of Adjustment grant the Variance to Article IV, Section C.3.b(1) to allow the entrance and ramp to be built closer than twenty feet from the property sideline on the westerly side of property owned by Richard Morrill in the Village Business District, tax map 1A lot 196. Second Robert Bryer. The vote: Paul Matthes, yes; Robert Bryer, yes; Boyd Quackenbush, yes; A. Fred Anderson, yes; Helene Newbold, yes. So moved unanimously.

Chris Baker-Salmon a public hearing concerning Article XVII, Section B. and C. The Applicant proposes to erect a sign of twenty-eight (28) square feet with supports of seven (7) square feet for a total of thirty-five square feet on property located on Route 9 in the Highway Business District, tax map 9 lot 327-3. The Applicant waived the reading of the procedure and process of appeal. The secretary read the application and noted that notice was published in the Peterborough Transcript and mailed to abutters, return receipt. All receipts have been returned and there was one piece of correspondence in opposition to the

proposal from Richard and Loranne Block which was was read. (copy attached) Chris Baker Salmon presented his proposal addressing the five criteria for granting a Variance. His arguments were:

1. There would be no diminution of surrounding property as the use is located in the Highway Business District and will be fifty feet from the centerline of Route 9.
2. It will be in the public safety as traffic flows by this location at a rate of 55 MPH and more and the sign would be large enough to be visible thus it would not be a safety hazard.
3. There is a hardship as a twenty-five square foot sign is not large enough to be visible from the road when it is located fifty feet back from the centerline. Boyd Quackenbush inquired about the distance the State requires that the sign be placed in back of the right-of-way. It was established that the State Right-of-Way at this point is fifty feet from the centerline.
4. Substantial justice would be done as the location is isolated and it would no infringe on property of others. The property has six hundred feet of frontage and the sign will be located one hundred forty feet from the west boundary.
5. It would not be contrary to the spirit and intent of the Ordinance as it is a modest increase in the size allowed by Special Exception. Robert Bryer questioned the size of the sign pointing out that the size could be reduced to comply with the size allowed by Special Exception. Boyd Quackenbush pointed out that if the size were reduced by three inches in the length and width the sign would be more in compliance. Quackenbush commented on the fact that the Ordinance did not take perspective into consideration. i.e. distance of the sign from the road.

The public hearing was closed and the Board went into deliberations. The Board addressed the five criteria for granting a Variance:

1. The Board unanimously agreed that granting a Variance would not diminish the value of the surrounding property.
2. The Board unanimously agreed that the sign would be in the public interest for reasons of safety and visibility.
3. After some discussion the Board unanimously agreed that there was no hardship to warrant the oversize sign.
4. After discussion the vote for substantial justice was as follows: Paul Matthes, yes; Robert Bryer, yes; Helene Newbold, yes; Boyd Quackenbush, yes and A. Fred Anderson, no.

5. The use is not contrary to the spirit and intent of the Ordinance. The Board unanimously agreed that the use is not contrary to the spirit and intent of the Ordinance.

Helene Newbold moved to deny the Variance to Article XVII, Section B. and C. of the Antrim Zoning Ordinance requested by Chris Baker-Salmon, to erect a sign over twenty five square feet at his property on Route 9 in the Highway Business District, tax map 9 lot 327-3. The Board finds that the sign would be as effective at twenty-five square feet as required for a Special Exception and recommends that the Applicant seek same.

The Applicant, Chris Baker-Salmon protested the Board's decision and for the record stated that he feels that situation denotes a hardship. Boyd Quackenbush stated that he did not intend to vote no on item #3 Hardship and was confused as the discussion progressed. Quackenbush commented on the need to have a more objective way of describing a sign and the distance from the line of vision. There was further discussion of a Special Exception as opposed to a Variance and the Chairman explained the process of appeal.

Meeting adjourned at 9:00 P.M.

Respectfully submitted,
Barbara Elia, Secretary

Rec'd 10-13-92
B. E.

RR1 Box 109
Loveren Mill Road
Antrim, NH 03440
October 13, 1992

To the Antrim Zoning Board of Adjustment:

We are unable to attend tonight's meeting, but wish to express our concern about Chris Baker-Salmon's request for a variance to the sign ordinance for his shop on Route 9. While we are confident that Mr. Baker-Salmon would execute a tasteful and aesthetic sign, we feel that the 25 square-foot limit on signs set forth in the zoning ordinance is very adequate and should be upheld. We fear that allowing a variance for one could open the door for more requests. We live half a mile from the site and have considerable concern for the aesthetic and historical beauty of the Loveren Mill area. There are no businesses on Mr. Baker-Salmon's side of Route 9 for several miles in either direction, so that any well-designed sign would be readily noticed.

Very respectfully,



Richard & Lorraine Carey Block