

ZONING BOARD OF ADJUSTMENT
268B MAMMOTH ROAD
LONDONDERRY, NH 03053

DATE: SEPTEMBER 19, 2012

CASE NO.: 9/19/2012-1

APPLICANT: ADAM S + SUZANNE L DEWOLF
33 HARDY ROAD
LONDONDERRY, NH 03053

LOCATION: 33 HARDY ROAD; 9-68-2; AR-I

BOARD MEMBERS PRESENT: LARRY O'SULLIVAN, ACTING CHAIR
JAY HOOLEY, VOTING MEMBER
NEIL DUNN, CLERK

ALSO PRESENT: RICHARD CANUEL, SENIOR BUILDING INSPECTOR/ZONING OFFICER

REQUEST: SPECIAL EXCEPTION TO ALLOW VIDEO PRODUCTION SERVICES AS A
HOME OCCUPATION IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 3.12.

PRESENTATION: Case No. 9/19/2012-1 was read into the record with no previous cases listed.

LARRY O'SULLIVAN: Do we have Adam and Suzanne DeWolf?

SUZANNE DEWOLF: I'm here. I'm Suzanne and my husband's not here.

LARRY O'SULLIVAN: Okay, Suzanne. Did you prefer to have us hear your case tonight or would you prefer to wait?

SUZANNE DEWOLF: I guess I could have you hear it.

LARRY O'SULLIVAN: Okay. You need to understand, though, that...

SUZANNE DEWOLF: Mm-hmm.

LARRY O'SULLIVAN: ...regardless, if you've made that decision, regardless of our decision, your appeal is not going to be able to be heard if you have been denied if you don't received three (3) positive votes. Okay? So your recourse, if you've only got two (2) is over. Correct, Richard?

RICHARD CANUEL: That's correct.

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LARRY O'SULLIVAN: So you have to have all three of us. Your choice.

SUZANNE DEWOLF: I guess I'll try it. I guess.

LARRY O'SULLIVAN: Sure. That's fine. Most people who have the option will choose to have their case heard and if, for some reason, there's a glitch or what have you, try it again with a different flavor, maybe, next time, so that's all we can do. But this is a home occupation, so it's just a special exception.

SUZANNE DEWOLF: Mm-hmm.

LARRY O'SULLIVAN: Go ahead, Suzanne.

SUZANNE DEWOLF: Okay, my name...

LARRY O'SULLIVAN: What are you trying to do?

SUZANNE DEWOLF: I do videotaping service. Masterpiece Video Productions. I video tape functions, events, I do video transfers and I wanted to have my business in the house and be able to put up a sign. I'm not sure what size, whatever is acceptable, to get more business...in my house...at my location.

LARRY O'SULLIVAN: Okay. Any questions from the Board?

NEIL DUNN: Not at this point.

LARRY O'SULLIVAN: Well I see in your application, you requested a three (3) foot freestanding sign?

SUZANNE DEWOLF: Yes.

LARRY O'SULLIVAN: Is that going to be attached to a tree, a pole, a post?

SUZANNE DEWOLF: A post. Yeah.

LARRY O'SULLIVAN: Is it already there?

SUZANNE DEWOLF: No.

LARRY O'SULLIVAN: No? Okay. So you're gonna be putting in a post and a sign.

SUZANNE DEWOLF: Excuse me?

LARRY O'SULLIVAN: A post...

SUZANNE DEWOLF: A post and a sign, yes.

90 LARRY O'SULLIVAN: Okay.
91
92 SUZANNE DEWOLF: And I didn't know what size is allowed and I wanted to find that out, you know, do
93 whatever is acceptable.
94
95 LARRY O'SULLIVAN: Okay, three (3) square feet is what is...
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97 RICHARD CANUEL: Three (3) square feet is the maximum.
98
99 LARRY O'SULLIVAN: ...the maximum that's allowed in a residential area, right?
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101 SUZANNE DEWOLF: Okay, so that, it's like one (1) by two (2), is that...? Like, one (1) by two (2), two (2) by one
102 (1), like that size?
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104 LARRY O'SULLIVAN: Well, you...
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106 SUZANNE DEWOLF: That's...
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108 LARRY O'SULLIVAN: That would be in the ballpark, right? What you do is you multiply the height by the
109 width...or length.
110
111 SUZANNE DEWOLF: Okay.
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113 LARRY O'SULLIVAN: To get the square feet. Has anybody checked the math on the...
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115 NEIL DUNN: I didn't check it, but...
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117 LARRY O'SULLIVAN: ...square footage? No?
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119 NEIL DUNN: ...based on it, it looks like it must be close.
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121 LARRY O'SULLIVAN: Looks like you're using about two hundred (200) square feet out of seventeen hundred
122 (1,700).
123
124 SUZANNE DEWOLF: Yup, it's just one (1) room downstairs on the first level.
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126 LARRY O'SULLIVAN: You say you're gonna have customers coming to the house?
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128 SUZANNE DEWOLF: Yes, I do consultations, like if somebody wants to hire me, I might have a bride and groom
129 come and I meet with them and show them my work and see if they'd like to book me and then if they book
130 me, then I do the videotaping at the other locations, wherever they have their functions and stuff. And then
131 they would come back to pick up their product or they might have other questions for a consultation. And
132 then on picture montages, they would come and we would have a consultation, drop off pictures, tell me what
133 they wanna do, what they want me to do, and then I would edit it and they'd come back and pick it up.
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135 LARRY O'SULLIVAN: How about deliveries?
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137 SUZANNE DEWOLF: I do deliveries, yup. So...
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139 LARRY O'SULLIVAN: Do you have deliveries to your home as well? Will you have materials being sent there?
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141 SUZANNE DEWOLF: Like...
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143 LARRY O'SULLIVAN: Whatever you would use.
144
145 SUZANNE DEWOLF: Like UPS? Stuff like that?
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147 LARRY O'SULLIVAN: Yeah.
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149 SUZANNE DEWOLF: Yeah. Yes. I do...like CDs or, you know media, yes, I might have...
150
151 LARRY O'SULLIVAN: Oh, so from time to time, you'll have a delivery truck, like a UPS or Federal...?
152
153 SUZANNE DEWOLF: How often?
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155 LARRY O'SULLIVAN: Yes.
156
157 SUZANNE DEWOLF: Once every three (3) or six (6) months...
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159 LARRY O'SULLIVAN: Okay.
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161 SUZANNE DEWOLF: I might order some CDs...
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163 LARRY O'SULLIVAN: Okay.
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165 SUZANNE DEWOLF: ...and then something from Walmart.
166
167 JAY HOOLEY: How many customers would you be expecting at the premises on any kind of recurring basis?
168 Assuming that you're successful.
169
170 SUZANNE DEWOLF: Yeah.
171
172 JAY HOOLEY: Daily? Twice a week?
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174 SUZANNE DEWOLF: A couple times a week maybe.
175
176 JAY HOOLEY: Just to get a sense of the scope of what you're looking to...
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178 SUZANNE DEWOLF: Yeah, like how much business and stuff?
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180 JAY HOOLEY: Traffic you would have coming and going.
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182 SUZANNE DEWOLF: Traffic? Yeah. Say, if I do a wedding on the weekend...it's even seasonal. You know? My
183 videotaping is seasonal. Right now I might, you know, get more customers than in the wintertime.
184 Wintertime I don't do a lot of functions. But I might get picture montages more in the wintertime. So maybe
185 once or twice a week.
186
187 JAY HOOLEY: Somebody coming by for a consult or...?
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189 SUZANNE DEWOLF: Somebody...yeah, for a consultation. A pick up or a drop off.
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191 JAY HOOLEY: And you've got plenty of parking off the street to accommodate [indistinct].
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193 SUZANNE DEWOLF: Yup, they come down the driveway and come in front of the garage. I have an area down
194 on the bottom. You saw it on there.
195
196 LARRY O'SULLIVAN: Mm-hmm.
197
198 SUZANNE DEWOLF: Where they can park in front of the garage. So they don't park on the street.
199
200 JAY HOOLEY: And it doesn't look like you're looking for anybody outside as an employee.
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202 SUZANNE DEWOLF: Nope. No, no employees.
203
204 JAY HOOLEY: Okay.
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206 LARRY O'SULLIVAN: Now, in your application, you put "at this time"?
207
208 SUZANNE DEWOLF: At this time. Maybe in the future, I could...I might be able to have like a subcontractor
209 come in and help me, you know, do some editing if I get overloaded with...if I get more picture montages.
210
211 LARRY O'SULLIVAN: But that's not a permanent thing. That's a "from time to time"? One person?
212
213 SUZANNE DEWOLF: Yeah, it could be from time to time in the future if I get extra, like a funeral montage, if I
214 get two (2) and I can't do them and they have to be done right away. I might call somebody and maybe to
215 help me out, to come in. That's like the future. That's not my...I'm not busy like that right now, but I'd like to
216 get more business. That's why I wanted to put a sign out and stuff, to try to get more business. 'Cause right
217 now I'm only maybe doing one (1) or two (2) a month. I'd like to be busy every week with something.
218
219 JAY HOOLEY: But that would be scheduled by appointment only. You won't have overlap and...
220
221 SUZANNE DEWOLF: Yeah, appointment only. Yeah.
222
223 JAY HOOLEY: Okay.
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225 LARRY O'SULLIVAN: Any other questions?

226
227 NEIL DUNN: Not at this time.

228
229 LARRY O'SULLIVAN: Okay. Alright. We'd like to bring it to the public. If anybody has any questions,
230 comments? Yes, sir.

231
232 MICHAEL MARKS: My name is Michael Marks. I live at 32 Hardy Road, directly across. My concern is basically
233 just signage and how she intends to advertise. The size of the sign. The signage there right now is just a small
234 temporary real estate sign just stuck in the dirt and that's not really the kind of sign I wanted to see. So I was
235 wondering what the limitations were on signage that she would have. That's my biggest concern.

236
237 LARRY O'SULLIVAN: Again, as we mentioned, it's three (3) square feet.

238
239 MICHAEL MARKS: Three (3) square feet. Is it a nice permanent sign? Is it an illuminated sign? Is it just a
240 wooden sign? Is there anything...? The sign she has there right now is just a cardboard sign. Is that gonna be
241 acceptable and can just leave that there all the time?

242
243 NEIL DUNN: Richard?

244
245 RICHARD CANUEL: That's something you should probably address with the applicant.

246
247 SUZANNE DEWOLF: Oh. No, I was talking to him. I had ordered some new business cards at Vista and they
248 said, you know, for twelve bucks, you could just order this little sign like a real estate sign, so I just got it for
249 twelve bucks and I go, "Oh, I'll just stick this in the ground for a little while." And so that's what I did with the
250 sign that I have there. And he thought that was gonna be my permanent sign, but that's just a, you know, a
251 stick in the ground thing. And he was concerned. I guess he's concerned at what kind of sign, what size and
252 everything. He just wants it to look professional, look nice, right?

253
254 MICHAEL MARKS: Absolutely.

255
256 SUZANNE DEWOLF: Yeah.

257
258 LARRY O'SULLIVAN: As we all do. Right.

259
260 SUZANNE DEWOLF: Yeah.

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262 MICHAEL MARKS: Not a pole ten (10) feet high with a sign hanging on it? Something I don't wanna see.

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264 NEIL DUNN: Richard, so we have limitations on height for a freestanding sign?

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266 RICHARD CANUEL: Well, yes. Ten (10) feet is the maximum height. Yup, that's allowed [indistinct].

267
268 NEIL DUNN: I don't imagine it would be that height. And if it was to be illuminated, that would be...

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270 RICHARD CANUEL: It's not allowed to be illuminated.
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272 NEIL DUNN: Exactly. It's not allowed to be illuminated.
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274 RICHARD CANUEL: Nope.
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276 LARRY O'SULLIVAN: Answer your questions?
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278 MICHAEL MARKS: Would she have to present that she's gonna hang out there for approval? Is there an
279 approval process...
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281 LARRY O'SULLIVAN: If it's three (3) square feet...
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283 MICHAEL MARKS: ...or just three (3) square feet, whatever she wants?
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285 LARRY O'SULLIVAN: ...and it's not illuminated and it's less than ten (10) feet tall, no.
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287 MICHAEL MARKS: Okay.
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289 RICHARD CANUEL: Yeah, no permit required.
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291 LARRY O'SULLIVAN: Anybody else? Okay. Anything you'd like to add, Suzanne?
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293 SUZANNE DEWOLF: I don't think so.
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295 LARRY O'SULLIVAN: Okay. I'll close the public part of the hearing and bring it back to the Board.
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297 SUZANNE DEWOLF: Okay.
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299 DELIBERATIONS:
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301 LARRY O'SULLIVAN: Okay. This is a special exception. Our Master Plan provides for, as a matter of fact,
302 practically promotes home occupations. I think that this is...falls within the bailiwick of...frankly, I don't know
303 why someone would even need to know, other than the sign, other than the sign, why someone would come
304 to the Board for something like this. But, at the same time, because of the sign, I would suspect the neighbors
305 would say something, as they should. And I don't see any issue at all, being that anyone, whether they have a
306 business or not in this town, can put a three (3) square foot sign in front of their home for any purpose.
307 Forever. So, I don't see any issues with the application. I don't see any issues with the use or the location.
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309 JAY HOOLEY: I can't think of anything that it would on; smell, light, traffic, or noise. Getting an occasional one
310 car by appointment.
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312 NEIL DUNN: Yup. Within the...the application itself kind of spells out the limitations and she falls within all
313 those and with the square footage, with the, you know, impact and the look of the property and sufficient off
314 street parking, you know, percent of living area used, the no storage of outdoor materials, et cetera, so, I see

315 nothing wrong with that. And no impact on the neighborhood in any way. I guess the only thing we could
316 hope for was good taste in the sign so the neighbors are happy.

317
318 JAY HOOLEY: The aesthetics, I guess, are the only concern.

319
320 NEIL DUNN: Yeah, which I would imagine it would be.

321
322 LARRY O'SULLIVAN: Funny thing about that is, they probably...those signs would probably disappear faster
323 than the politician's signs, so...and probably look better anyway. Anything else?

324
325 NEIL DUNN: I'm good.

326
327 LARRY O'SULLIVAN: Okay, I'm willing to take a motion if we're ready.

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329 NEIL DUNN: Mr. Chairman, I'd like to make a motion to grant case 9/19/2012-1 per the application.

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331 LARRY O'SULLIVAN: Second?

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333 JAY HOOLEY: I'll second.

334
335 LARRY O'SULLIVAN: Okay, we have a motion and a second. All in favor of granting the special exception as
336 presented?

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338 NEIL DUNN: Aye.

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340 JAY HOOLEY: Aye.

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342 LARRY O'SULLIVAN: Aye. Those opposed? The special exception is granted.

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344 RESULT: THE MOTION TO GRANT CASE NO. 9/19/2012-1 PER THE APPLICATION WAS APPROVED, 3-0-0.

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347 RESPECTFULLY SUBMITTED,

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352 NEIL DUNN, CLERK

353 TYPED AND TRANSCRIBED BY JAYE A TROTTIER, SECRETARY

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355 **APPROVED OCTOBER 17, 2012** WITH A MOTION MADE BY LARRY O'SULLIVAN SECONDED BY JAY HOOLEY AND
356 APPROVED 3-0-2 WITH MATT NEUMAN AND JIM SMITH ABSTAINING AS THEY HAD NOT ATTENDED THE
357 MEETING.