

Town of New Boston  
Zoning Board of Adjustment

Meeting Minutes  
05/15/12

Approved 12/18/12

Members present: Chairman David Craig, Phil Consolini, Robert Todd, Laura Todd, clerk.

2012-2, "**Variance**", application by Nathan & Connie St. Clair, for property located at 664 North Mast Road, Map/Lot 3/66. This property is owned by Richard Renshaw and a portion is leased by Nathan St. Clair. (Mr. Renshaw wrote a letter giving Mr. St. Clair permission to speak for the property).

Chairman David Craig opened the meeting @ 7:15 pm., and reviewed the application. He clarified that there was existing signs on the property and Ed Hunter (code officer) asked that they be taken down.

Mr. St. Clair explained that the signs are not in compliance, but he leased the space thinking the signs were okay. He repainted existing signs and replaced them, then was told they were not allowed. He is asking the board to allow the signs to stay. The applicant explained photos that he had provided and clarified the location of his business. (BIGGDAWG LANDSCAPING & SERVICES, LLC)

Ed Hunter explained that even though the town has made changes to our sign ordinance and it is more generous, these signs are still not in compliance. He went on to explain property with 2 businesses is allowed 100 sq. ft. total. If a third business is there the total amount would go up. A permit was issued in 1995 for one sign by the road and one sign on the building, these permits go with the land. No other permits have been issued for this property. There is now a 70 sq. ft. sign by the road and 30 sq. ft. sign on the building for this one business, with additional signage for the other business.

Chairman Craig clarified that the owner of the property is responsible for the sign permits and this whole building is way out of compliance.

Chairman Craig then asked the applicant to support his variance application.

Mr. St. Clair read from his application the criteria he stated as support. (See file for criteria). Mr. St. Clair said he felt his signs were grandfathered because they had been there a long time. He did not understand why he had to take them down.

Chairman Craig asked the applicant if his lease addressed signage. No was the answer.

Robert Todd reviewed the criteria to support this variance. He explained that the town needs to regulate signs, so people can't put up any kind of sign they want wherever they want. Everyone has to comply with the sign ordinance. Robert then referred to Section L-318...on page 47.

Chairman Craig said if properly permitted these signs would be grandfathered, but they weren't and this is out of compliance in a whole bunch of ways. It's unfortunate that the land lord allowed people to put

up illegal signs and now this applicant is taking the brunt of it. This board didn't write the law, but this is out of our hands and we can't re-write the ordinance.

Chairman Craig complimented the applicant on a good job at presenting his case.

Robert Todd moved that the ZBA deny this application because, the criteria were not satisfied regarding contrary to the public interest, the spirit of the ordinance would be maintained and hasn't shown unnecessary hardship. Phil Consolini 2<sup>nd</sup>. Passed unanimously.

This portion of the hearing closed @ 8:07pm.

Respectfully Submitted

Laura Todd, clerk

05/17/12

Approved 12/18/12