

Town of New Boston
Zoning Board of Adjustment

Meeting Minutes
11/19/13

Members Present: Vice Chairman Harry Piper, Robert Todd, Phil Consolini, Greg Mattison, Ken Clinton, all voting, Christine Fowler, Laura Todd, clerk, not voting.

2013-8, VARIANCE application by Scott Whitney for 636 North Mast Road, Unit A, (owned by Doug Cook), to add an additional retail use allowing purchase and sales of firearms, in addition to the current automotive repair use.

Vice Chairman Harry Piper opened the hearing @ 7PM, explaining his meeting procedure to be followed.

Laura Todd did roll call and read the application.

Scott Whitney spoke to his application. He said firearms are his side business where he sells to friends and family firearms only, no ammunition. He sells maybe 10 to 20 guns a year. There is no shooting involved.

V.C. Piper asked if this would be an additional use. Mr. Whitney said yes.

Mr. Whitney then read the criteria from his application (see application). Ending his statement saying he needs the variance to have his FFL (Federal Firearms License). He needs to be present when the firearms are delivered.

Lynn Strong, abutter as the owner of Educational Ventures, LLC, 643 North Mast Road, spoke to the board saying she has concerns regarding safety with guns on site or firing of weapons. She is also worried about the impact that this might have on her business if parents are concerned. Her daycare hours are M-F, 6:30am to 6:00pm.

V.P. Piper reaffirmed there would be no ammunition on site and no firing on site.

Robert Todd said he has a different picture of this application. To run a business you need a display, this doesn't sound like a business, there is not stock and no display. Not really retail.

Mr. Whitney stated sometimes the firearms would be picked up at his home and sometimes at the facility.

Ken Clinton asked Nicola (Planning Board) if the site plan would need to be amended.

Nicola, gave the history of this application which she had provided to the ZBA., also saying a note will be put on the site plan.

Ken Clinton then asked the applicant if he had a safe at his facility.

Mr. Whitney said he used the lock box in his tool box. This will be a registered drop off area.

Motion was made by Phil Consolini to "Grant the Variance", 2nd by Robert Todd.

Robert Todd spoke to the motion saying that from the explanation provided by Nicola and the applicant, that this is not more than a transfer point of buying and it doesn't break out of the envelope of convenience.

Nicola Strong asked if the zba could put a stipulation on the variance.

Ken Clinton said he didn't think the criteria for granting the variance had been met. He also voiced concern that there is a possibility that a customer could bring ammunition to the site. He asked if there was a federal law regarding firearms sales near a daycare center.

Christine Fowler said Shooters Outpost is right next to a daycare center in Hooksett.

Vice Chairman Piper said the stipulation for the variance would be: "Variance is granted for transfer of previously purchased firearms, exclusive of ammunition.

Phil Consolini yielded to the change in motion, Robert Todd 2nd.

Motion passed with 4 ayes votes and 1 no vote.

Minutes from previous meeting were approved by Greg Mattison, 2nd by Phil Consolini
Motion to adjourn at 7:35, by Harry Piper, 2nd by Ken Clinton.

Respectfully Submitted

Laura Todd
Approved 12/17/13