

ATKINSON ZONING BOARD OF ADJUSTMENT
21 Academy Avenue
Atkinson, New Hampshire 03811

Public Hearing Meeting Town Hall
Wednesday November 14, 2012

Present: Hank Riehl, Chairman; Glenn Saba; Sam Zannini ; Cathy Blash

Approval of Minutes of October 10, 2012

Motion was made by Mr. Saba to approve the minutes as amended, Ms. Blash seconded and they were approved.

Correspondence:

Incoming:

Outgoing:

Discussion:

Request from Peter and Susan Smith, 57 Walker Road, to continue their Application for Special Exception for Extended Family Accessory Living Unit to the December 12, 2012 meeting.

Mr. Zannini made a motion to accept the request to defer to the next regularly scheduled hearing. Ms. Blash seconded and it was unanimously approved.

Tom and Judith Ross, Dealer License application from Department of Safety. Requires ZBA Advisement on Licensed Dealer activities to be conducted at 12 Industrial Way.

Mr. Riehl explained that the Board needed to review the application and determine if it met the requirements from the State and local ordinances. Mr. Ross explained that he is looking to have a Dealer's License out of this area. He is not looking to have any functionality out of this location because he has a lot in Derry. He may store some cars inside of the space. Mr. Riehl thought that this type of license implied that people would come and go; there could be test drives of vehicles and showcasing of cars, etc. Mr. Ross said that with his lease he does not have any rights to use any outdoor space at this location so nothing will be conducted outside. There is enough space in the building to store three or four cars, which would probably be high end exotic vehicles. There may be one or two customers a month and that would be a best scenario for him. The lot that he has in Derry is where that type of business is conducted. The State of NH is revoking any bonded licenses, which he has, unless there is an office associated with a garage. This is forcing him to rent additional space. Mr. Saba asked if it had to be contiguous and it did not. The garage and office must have 1200 square feet and be commercially zoned.

Mr. Riehl stated that 12 Industrial Way was a multi tenanted combination warehouse and office building. Mr. Ross has leased Unit 5 (E), which is approximately 2200 square feet. Mr. Ross said that two buildings ahead of him is K & K Motor Sport and there is another business that he believes is similar to that one. Sue Killam confirmed that these other similar businesses exist at that location. Mr. Riehl read the description of a Retail Vehicle Dealer. Mr. Zannini asked Mr. Ross if he did any services on these vehicles and he stated that he did not.

The Board reviewed the CI Zone. Mr. Riehl asked Ms. Killam if site planning was done for this and Ms. Killam stated that this site as a whole does have site plan approval which was granted in 2006. Mr. Riehl

said there is a building approved for warehouse and office and this is an applicant looking to use this site. Mr. Riehl asked Ms. Killam for her opinion on the uses of this site. Ms. Killam believed you could presume that many units of this warehouse condominium could house sales activity. Her concern would have been if there were cars being displayed outside. Mr. Ross again confirmed that his lease does not allow any outdoor space. The only car that will be parked outside is his own vehicle. He has one parking space. The Board agreed they are not concerned as there is no outside activity. Mr. Riehl stated that the Board was not acting on any type or Variance but just being asked to answer questions that the State has posed relating to the applicants intended use of the unit and if it complies with local ordinances.

The Board reviewed the questions and voted to recommend that the Division of Motor Vehicles approve the appointment if otherwise qualified.

Motion was made and seconded to adjourn the hearing. Mr. Riehl adjourned the hearing at 7:57 p.m.

Respectfully Submitted

Minutes transcribed from tape

Rebecca Russo