

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

Public Hearing Meeting Town Hall
Wednesday, February 11, 2015

Members Present
Glenn Saba, Chair
Dick Paquin
David Farris

Others Present
Sue Killam, Planning and Zoning Admin

Workshop - 7:00 PM

Call to Order: Chairman Saba called the meeting to order at 7:30 PM.

Correspondence: See below

Approval of Minutes: January 21, 2015

Member Dick Paquin made a Motion to accept the minutes of the January 21, 2015 meeting of the Town of Atkinson Zoning Board of Adjustment with no corrections. Member Dave Farris seconded the Motion. All members present at the January 21, 2015 meeting, Chairman Glenn Saba, Member Dick Paquin, and Member David Farris voted in favor. Vote: 3/0.

Public Hearing – none

New/Old Business

1) Home Business Renewal: John and Katherine Valvanis, Therapeutic Massage, 4 Indian Ridge, Map 5 Lot 53

There are no changes to the property or business in the last 2 years, the space used in the home is 10%, the sign dimensions are 3 feet by 2 feet, no chemicals or physical equipment are used. Nothing is noticeable to abutters. The only person working in the home is the owner for approximately 36 hours per week. There are only 2 customers at any time with ample parking, 3 customers per day at the most so there will be no increased traffic. No off street parking is necessary.

The applicant is not present.

Chair Saba reviewed the criteria under Section 450, home occupations:

- a) A proposed occupation shall be incidental and secondary to the use of the property as a dwelling and shall not consume more than 20% of the gross residential building space, and not change the residential character of the premises thereof. (1992).

The Atkinson Zoning Board of Adjustment agreed unanimously that the application is incidental to the use, does not consume more than 20% of the gross residential building space, and does not change the residential character of the premises.

- b) Unless exempted by Section 450:4-a, no home occupation shall take place in a multi-family dwelling.

The Atkinson Zoning Board of Adjustment agreed unanimously that the application is a single family home.

- c) The occupation may be carried on by the occupant's immediate family residing at that location and by one or more additional employees whose aggregate hours of work at that location do not exceed eighty hours per week (80 hours/week).

The Atkinson Zoning Board of Adjustment agreed unanimously that the application meets this criteria. The only employee is the home owner who works approximately 36 hours per week.

- d) There shall be no physical evidence of equipment or materials outside the dwelling.

The Atkinson Zoning Board of Adjustment agreed unanimously that the application meets this criteria.

- e) Adequate off-street parking areas must be provided. Parking areas in excess of those necessary for normal residential purposes may be allowed in side and rear yards only provided the residential character of the environment is preserved. (1992)

The Atkinson Zoning Board of Adjustment agreed unanimously that the application meets this criteria.

- f) When necessary, further restrictions shall be placed on the occupation in order to comply fully with Article IV, Section 400:2 of this ordinance.

The Atkinson Zoning Board of Adjustment agreed unanimously that the application meets this criteria.

- g) A permit to operate a home occupation shall be issued to the owner/occupant only and is not transferable to a subsequent owner.

The Atkinson Zoning Board of Adjustment agreed unanimously that the application meets this criteria.

- h) The applicant shall complete and sign a form that sets forth the nature of the home occupation and provides details of the business and its scope of operation.

The Atkinson Zoning Board of Adjustment agreed unanimously that the application has met this criteria.

- i) No home occupation that will result in heavy truck use in excess of 20,000 lbs. Gross vehicle weight shall be allowed. (1992)

The Atkinson Zoning Board of Adjustment agreed unanimously that the application meets this criteria.

- j) Vehicles registered to a home business or occupation must comply with the provisions of Section 480:1. (1992)

The Atkinson Zoning Board of Adjustment agreed unanimously that the application meets this criteria.

Chair Saba requested a motion.

Member Dick Paquin made a motion to renew the application for Home Business Renewal: to the owners John and Katherine Valvanis, to operate a business in their home, Therapeutic Massage, at 4 Indian Ridge, Map 5 Lot 53 and that all conditions have been approved. Member Dave Farris seconded the motion. All members of the Atkinson Zoning Board of Adjustment present voted in favor. Vote: 3/0. Renewed for two years.

Chairman Saba requested a motion to adjourn.

Member Dave Farris made a motion to adjourn the Wednesday, February 11, 2015 meeting of the Atkinson Zoning Board of Adjustment. Member Dick Paquin seconded the motion. All members present voted in favor to adjourn. Vote: 3/0.

The next regular Zoning Board Meeting is scheduled March 11, 2015.