



RINDGE BOARD OF ADJUSTMENT
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September 26, 2023 Meeting Minutes

Date: September 26, 2023 **Time:** 7:00 PM **Location:** Rindge Town Office

Vice Chair: Marcia Breckenridge **Pledge of Allegiance:** Led by Vice Chair, Marcia Breckenridge

Members and Alternates Present:

- Marcia Breckenridge, Vice-Chair
- Marty Kulla, Member
- Phil Stenersen, Member
- Terrence Fogg, Alternate

Members Absent: George Carmichael, Chair, Ross Thermos, Member

Others present: Jonathan Gauvette, MaryLynn McPhie, Roberta Letourneau, Tyler DeRuosi, Karl Pruter

Vice-Chair Breckenridge provided the following information on how the meeting would proceed: The ZBA has five voting members. Alternates participate in the testimony phase and can ask questions, as can anyone from the audience. Once the testimony is closed, only the voting members participate in deliberation. When a regular member is either absent or recuses, the Chairman appoints one of the alternates to sit on the case. Once the testimony is closed, only the five voting members will participate, and there will be no more input from the public.

Breckenridge announced that Terrence Fogg would be replacing Ross Thermos.

ZBA Clerk, Kim McCummings, announced that notices of the Public Hearing were posted in the Ledger/Transcript, Town of Rindge Website, Rindge Post Office, Rindge Town Office, and the Ingalls Memorial Library.

Breckenridge, as acting chair, reminded the audience that they must be recognized by the Chair before speaking and identify themselves by stating their name and address for the Clerk.

The Board entered deliberative session and determined that:

The variance would not be contrary to the public interest because it would not alter the character of vegetated land and doesn't affect public safety, health, or welfare. **Motion:** by Stenersen, **Second:** by Kulla. **Vote: 4-0-0**

Granting the variance would do substantial justice because there is no gain from her independence and minimal if any injustice to the public, and it's a safety issue for the homeowner. **Motion:** by Stenersen, **Second** by Kulla. **Vote: 4-0-0**

Granting the variance would be consistent with the spirit and intent of the Rindge Zoning Ordinance because it would be consistent with the spirit of promoting health, safety, and welfare. Motion by Breckenridge, seconded by Stenersen. Vote: 4-0-0

Granting the variance would not diminish surrounding property values because no evidence has been presented to demonstrate that it would. **Motion:** by Breckenridge, **Second:** by Fogg **Vote: 4-0-0**

5. a. Special conditions do exist on the property that distinguish it from other properties in the area, such that literal enforcement of the ordinance results in unnecessary hardship: With the tree screen and the contour of the land, it makes sense to put it there. **Motion:** by Stenersen, **Second:** by Kulla. **Vote: 4-0-0**

5. .b The proposed variance would be reasonable because it is in keeping with public safety and other regulations. **Motion:** by Kulla, **Second:** by Thermos. **Vote: 4-0-0**

Motion: by Kulla to grant the Variance because all criteria have been met. **Vote: 4-0-0**
The Variance is approved.

Breckenridge reminded the applicant that he had 30 days before acting on the decision in case there was an appeal.

Breckenridge: opened the hearing for Case 2015.

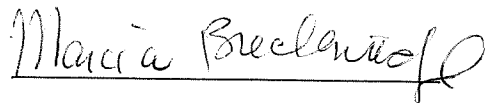
Stenersen read the case into the record: Case 2015 Tyler DeRuosi – DTS Automotive, 788 US Route 202, Rindge NH 03461 for property located at 788 US Route 202 in the Business-Light Industry District for a variance from Article 6 Section D, 3-a of the Sign Ordinance to permit a 56 sq ft building sign. Marty Kulla read the ordinance into the record. Breckenridge announced that in addition to herself, Kulla, Thermos, Stenersen, and Fogg would also be seated for the case.

Breckenridge asked Mr. DeRuosi to present his case. DeRuosi said that he was before the Board to request a variance from the current sign ordinance that allows for a single business, in a single building to have one sign per entrance from a public road, and the sign can be no larger than 15 sq. ft. Mr. DeRuosi showed photos of the building, which is set back from US 202N and the wetlands on the property that are beyond the setback.

Breckenridge announced the approval of the 8/22/23 minutes, and rules of procedure would be held for the next meeting. Breckenridge asked if there was any other business to come before the Board, and there was none.

Motion: to adjourn: by Stenersen, **Second:** by Breckenridge.

Meeting adjourned at 8:30pm

A handwritten signature in cursive script that reads "Marcia Breckenridge". The signature is written in dark ink and is positioned above the printed name.

Marcia Breckenridge

ZBA Vice Chair