

A regularly scheduled meeting of the ZBA was opened by Chairman Steve Thomson at 7 p.m.

Attending Board – Ian Gardner, Vice Chairman & Charles Estes, Secretary

Public Audience - Diane Craig, Keith Hemmingway, Mike Brady, Jerry Desrochers, Carol Asher, Lucy Natkeil, Carl Rider, Bob Dupuis, Joe Mahoney, Desiree Mahurin, Gerry Weinert, Brian Connelly, December Forntin, Niki Mahoney, Natalie Mills and Jill Reiss.

Given the considerable turnout for public hearings, the board opted to push regular business to the end.

Two applications previously submitted for Variance are on the ZBA Agenda. Hill Village Bible Church of Crescent Street, and Diane Craig of 270 Murray Hill Rd. both seek Variance of the Ordinance related to site set backs.

#### **Hill Village Bible Church Lot - Village (V) Center - VTT 4**

The Chairman called to order and opened a Public Hearing on the matter of an Application for Variance at 7:05 pm. Hill Village Bible Church seeks Variance of the Zoning Ordinance of 20' side yards and boundary line set-back in order to construct a 24' x 48' entryway with recessed steps, modern offices and restrooms. The Church seeks relief from the regulations in allowance of utilizing 24 of 29 feet of the existing set back leaving a remaining 5' from the public street, leaving no side yard, with street level access to the entry. Presenting on behalf of the Church was Mr. Keith Hemmingway. Abutters present were, Hill Selectmen Mike Brady and Bob Dupuis and Joseph and Niki Mahoney. There was no other representative in attendance on behalf of the Church.

Mr. Hemmingway approached the board with two drawings. (1) Exterior dimensional draft, and (2) A combined lot overview diagram. Mr. Hemmingway asserts the application seeking Variance from Town regulations is for the following:

- An approx. \$200,000.00 “Minor” renovation to the entryway and interior to accommodate for inside stairs, a lobby area, a lift for the elderly/handicapped and shall provide for updated office spaces and restrooms. The scale is 24 ft x 48 ft.
- Mr. Hemmingway asserts the renovation shall provide for the main entry to be closer to the nursery level. Mr. Hemmingway asserts the renovation poses no effect to neighboring property values and that it meets the requirements of the application. He asserts it provides benefit to the Church and benefits the town, however did not articulate any examples of benefit to the town.

After being questioned, it was determined the renovation would not increase occupancy or change any of the current services. The Church is utilized Wednesdays and Sundays for Services and Bible Study. There is currently handicap access and the church currently has restrooms and office space.

**Abutters Comments -**

- Abutters expressed concern for the “secretive” manner in which the Church “piece-meal” discloses its intentions of expansion in the Village. It’s believed that whatever actual drawings and/or site plans there may be, are currently being withheld opposed to a spirit of full disclosure or transparency. Abutters expressed concern that the Church leaders have unknown plans of sizable development that is not being disclosed. Abutters assert the Church doesn’t share the same small community village setting the property owners in the village have. Joseph and Nike Mahoney expressed objection to the approval of a Variance.

**Community Comments –**

- The Selectmen commented that they had not seen the drawings presented at the hearing because they were not previously required. The Denial of application by the Selectmen was not “building permit” related. The denial was Zoning Ordinance related. The Selectmen’s office also expressed concern of plans being released in a “Piece-meal” fashion without full disclosure. The Selectmen expressed concern for the aesthetic value of the town common area. There was expression of concern of a building being constructed within an unsafe and unmanageable distance from the public street. (snow removal, maintenance...etc.) There was concern for the way the renovation would alter forever the appearance of the building and that the current steps have been there since 1940’s without change. The Selectmen wish to uphold the Ordinance and object to the approval of the Variance.
- The Hill Historical Society Director expressed concern that the renovation to the Church would jeopardize the Town’s preservation status. According to the New Hampshire Preservation Alliance, the Town of Hill is a Historic District in N.H. and any significant change could jeopardize current and future Grants the town currently receives as a Historical Community. A second representative of the Hill Historical Society asserted that Mr. Hemmingway’s claim that there was no potential financial impact to the community was not wholly accurate. Additionally, it was commented that the designer of the Hill Town Common relied on a “Balance” of presentation in the Town’s design and that the designer has been accredited as “Ground Breaking” in vision and design of the community.
- Additional Community comment included – “There is no possible way the plan meets a safe means of exit by the kids that come running out of the building...” <and> The proposed plan presents significant problems with maintenance of a public way..., Others want to see a Finished Plan before approval, <and> A Variance of 15 ft set back (actually 5ft) is too far to grant approval as it sets a significant precedent for any future applicants.

**Applicant Rebuttal:** “I guess people are going to disapprove if they just don’t want it..” <and> The primary concern is the safety issue that is addressed with renovation to the existing entryway.

**Community Re-Assertions:**

- The proposed entry way is on a main thoroughfare (Driveway) and the proposal is unsafe.
- There remains a safe Handicapped access via ramp on the parking lot side of the building.

The overwhelming assertion is that the community at large objects to the approval of a variance.

With no other remarks – the Public Hearing concluded at 7:56 PM.

**The Second Application for Variance is Diane Craig at 270 Murray Hill Rd. R6 Lot 20.**

Mrs. Craig joined the Zoning Board Members at the table. The Public Hearing was opened at 8:00 PM. It was explained very briefly to Mrs. Craig that proper notice via certified letters could not be performed in a timely manner where not all the current addresses of the abutters was obtained in order to send notice prior to the hearing date. It was explained that the Public Hearing would be Recessed at this time until proper notice of all the abutters could be performed. At which time, a hearing would be reconvened and the merits of her proposal could be addressed. She was in agreement. The Hearing entered Recess at 8:05 PM. (\* The next hearing will reconvene on November 14<sup>th</sup>, 2019 at 7:00 at the same location and public notice shall be posted.)

The Board then took a 10-minute recess.

The Board reconvened at 8:15 PM to attend regular business;

The Minutes from the previous meeting were accepted as presented.

**Old Business:**

Deliberation ensued on the Application for Variance of the Hill Village Bible Church. A Motion was made and seconded to deny the application on the grounds that the Church did not meet the burden of proof of the 5 Variance criteria. The Motion did not carry by a unanimous vote. The Chairman asserted the vote must carry by 3 or more which means the results must be unanimous. A second Motion was made to table further deliberation until the next regular meeting or special meeting, whichever occurred first. That Motion passed unanimously.

**New Business:**

The Board received an application for Variance by Carl Rider of 58 Patten Rd, Hill. Mr. Rider, working with the Town Executive Asst., shall provide an abutters list for the Secretary to Post Notice and if Notice is timely posted, the Public Hearing shall occur on November 14<sup>th</sup>, at 7:00 PM at the Carolyn Robie Meeting Room.

The Meeting was adjourned at 8:45 PM.

Respectfully Submitted,

Charles Estes, Secretary