

ZONING BOARD OF ADJUSTMENT
424 White Mountain Highway
Milton, NH 03851
Meeting Minutes
January 22, 2015

Members in attendance: Chairman Michael Tabory, Larry Brown, Stan Nadeau, Mike Beaulieu and Lue Snyder. Also in attendance Kimberly Ladisheff Land Use Clerk.

Public in attendance: Jayme Thyng, Jeff Barry and Brian Tutt.

Chairman Tabory called the meeting to order at 6:00pm.

Approval of Minutes

M. Tabory stated there were a few places Cumberland Farms was cited as just Cumberland. He would like it to be consistent throughout showing Cumberland Farms. On page 2, first paragraph add “illuminated” to pump toppers. Motion by S. Nadeau to accept the November 19, 2014 minutes with the changes. Motion seconded by M. Tabory. Motion carried.

Case #2015-1; Request for a Special Exception from Article III, Section 3.5 D, to utilize site for Retail Sales. Site located at Map 42 Lot 104, 6 Dawson Street, Milton, NH in the Commercial/Residential Zone.

Jayme Thyng gave a general overview of his business. He stated he has been in business for over a year designing t-shirts currently in Rollinsford. He has recently purchased his own equipment and the old hardware store at 6 Dawson Street has the ideal space that he needs. He doesn't plan on doing a lot of custom work but will be taking it on at some point. Typically he will sell online but will take walk in orders. He is not likely to have merchandise for sale. S. Nadeau asked what his hours of operation will be. Jayme stated he will be open 10 – 7 or maybe 9 – 6 and maybe till noon on Saturdays, depending on his hours of his regular job.

1. That the specific site is an appropriate is an appropriate location for the proposed use or structure.

L. Snyder stated it was always a hardware store so it is definitely a good place for this, it is nonpolluting and it is a process she is familiar with and feels this is appropriate. Jayme said he works with environmental ink, all septic safe, even the cleaning solutions are environmentally safe. L. Brown stated the zoning is Commercial/Residential and the comments from L. Snyder document the history are correct and also feel it fits in with the spirit of the ordinance.

Public Comment

Jeff Barry stated the location use to be a card trading store.

Straw poll vote
5 – yes; 0 – no

2. That the use will not be injurious, noxious, offensive or detrimental to the neighborhood.

1.22.15 ZBA

M. Tabory stated injurious and noxious have been addressed by the nature of the ink and solvents he is using, but asked Jayme to explain how it would not be offensive or detrimental to the neighborhood. Jayme stated he did not see how it could be. The only thing in the window eventually will be a sign. L. Brown asked about ventilation. Jayme said he will have some form of ventilation. M. Beaulieu asked if there will be any illumination on the sign. Jayme stated no there would not be.

Public Comment - none

Straw pole vote

5 – yes; 0 – no

3. That there will be no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking.

S. Nadeau stated we've proven the history of retail and the hardware store and he would assume there was probably a lot more foot traffic when it was a hardware store than there will ever be for this type of business so due to the nature of what was there before he feels it is fine. L. Snyder stated there is a railing outside and that is important. L. Brown asked what the parking rights are. Jayme answered it is only public parking. The owners of the building own the 2 buildings next door also. M. Tabory asked about delivery trucks and parking. Jayme stated he has one designated spot.

Public Comment - none

Straw poll vote

5 – yes; 0 – no

4. That adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use and structure so that the use will not be contrary to the public health, safety or welfare.

M. Tabory asked if there is anything toxic. Jayme stated there are no fumes, the inks are all citrus and lemon based, which air dries but he will still be doing venting to be on the safe side. Also no flammability. L. Brown said issues would be noise, fumes, and hours of operation, all of which have been addressed and would not be contrary to the public health, safety or welfare.

Public Comment - none

Straw poll vote

5 – yes; 0 – no

5. That the proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan.

L. Snyder stated it definitely is with the spirit of the ordinance, this is good and brings new business to Milton and she thinks it's fabulous and she wished Jayme luck. M. Tabory also agreed it fits with the Master Plan.

Public comment - none

1.22.15 ZBA

Straw pole vote
5 – 0 passed.

All in favor of granting this Special Exception
5 – yes; 0 – no. The special exception was granted.

Chairman Tabory informed Jayme Thyng he has 2 years to start or the special exception is null and void.

Other Business

M. Beaulieu asked if the board would consider changing the agenda to have the approval of minutes come after the case before the Board.

L. Brown asked for Chairman Tabory to check with council for the actuality of straw votes. S. Nadeau stated the Board uses it as a tool. M. Tabory will check into it.

M. Beaulieu motioned to adjourn. Motion seconded by L. Brown. Meeting adjourned at 7:47 pm.

Respectfully submitted,

Kimberly Ladisheff
Land Use Clerk