

MINUTES
PEMBROKE ZONING BOARD OF ADJUSTMENT
August 3, 2010 Approved 8/30/10

MEMBERS PRESENT: William Bonney, Chair; Bruce Kudrick, Vice Chair; Dana Carlucci, Tom Hebert, Tom LoPizzo

ALTERNATES PRESENT: Mark Simard, Paul Paradis, Mick Pinard

EXCUSED:

STAFF PRESENT: Everett Hodge, Code Enforcement Officer; Susan Gifford, Recording Secretary

Chairman Bonney called the meeting to order at 7:02 p.m.

PUBLIC MEETING

Case #10-16-Z

Applicant: Project Launch 13
Mark Ballard, President
130 Pembroke Road, Suite 250
Concord, NH 03301

Property Owner(s): PPG Development LLC
Route 3 across from Route 106
Pembroke, NH 03275

Agent: James Doherty III
Director of Sustainability and Architectural Design
H L Turner Group
Concord NH 033012

Attorney Timothy Chevalier
J Miller and Associates
100 Hall Street
Concord NH 03301

Property Address: 612-644 Pembroke Street
Pembroke, NH 03275
Tax Map 634 Lot 47 located in the SR Suncook River Development District,
and the AC Aquifer Conservation Zoning Districts

Variance under *Article IXA Soucook River Development SR District, Section 143- 72.6 (Permitted Uses)* of the Zoning Ordinance to construct a 4-year, accredited Baptist College at 612 to 644 Pembroke Street, Route 3. The property is owned by PPG Development LLC. A Variance is required for this use in the Suncook River Development District.

Chairman Bonney opened the public meeting at 7:05 p.m. At the July 26, 2010 ZBA meeting, the Zoning Board of Adjustment voted to continue Case 10-16-Z to a public meeting on August 3, 2010 at 7:00 p.m. The public hearing and summarization of the case were closed 7/26/10.

There were 5 regular members and 3 alternate members; therefore, there was a full five member board present for this hearing. Chairman Bonney explained the rules of the meeting. The Board makes its

decision based on the facts presented by the applicant. If any of these facts are subsequently found to be different, the Board reserves the right to revisit its decision.

The clerk read into the record a letter dated July 28, 2010 from Mark Ballard, President Project Launch 13, 130 Pembroke Road, Suite 250, Concord NH to William Bonney, Chair, and Board Members. In the letter, Mr. Ballard thanked the board for their time and efforts, as well as the kind spirit with which they heard the request of Project 13 on 7/26/10 for a variance on the parcel of land located at Rt. 3/Rt.106 intersection, Map 634, Lot 47. Mr. Ballard's letter also stated that, having heard the community concerns for loss of tax revenue and having learned more about the history of the SRD District, they have determined it to be in the best interest of the community to withdraw their application for a zoning variance at this time.

Motion: Bruce Kudrick moved to accept the letter from Mark Ballard dated July 28, 2010 withdrawing the application for Case 10-16-Z regarding Project Launch 13. Dana Carlucci seconded.

VOTE: TOM L- Y DANA - Y BRUCE- Y
TOM H Y BILL - Y

MOTION TO ACCEPT WITHDRAWAL OF CASE 10-16-Z APPROVED ON A 5-0 VOTE

Chairman Bonney directed Everett Hodge to draft a letter over his signature to Mark Ballard informing him of the decision.

MINUTES OF PREVIOUS MEETINGS

Motion: Bruce Kudrick moved to approve the minutes of July 26, 2010 as presented. Tom Hebert seconded.

VOTE: BRUCE - Y TOM L - Y DANA -Y
TOM H - Y BILL - Y

MINUTES OF JULY 26 APPROVED AS PRESENTED ON A 5-0 VOTE.

OTHER

Copy of Zoning Board of Adjustment Rules of Procedure - Everett Hodge provided ZBA members with a copy of the Rules of Procedure adopted July 26, 2010.

Date of next ZBA meeting - The August 2010 meeting will be on Monday, August 30, 2010. The first item will be the hearing of a Development of Regional Impact

ADJOURN Motion: Bruce Kudrick moved to adjourn. Tom Hebert seconded. Vote was unanimous in favor of motion. Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Susan P. Gifford
Recording Secretary