

**PEMBROKE ZONING BOARD OF ADJUSTMENT**  
**MEETING MINUTES**  
**September 25, 2023**  
**(ADOPTED)**

**MEMBERS PRESENT:** Bruce Kudrick, Chairman, Thomas Hebert, Vice Chairman, Dana Carlucci, Paul Paradis

**ALTERNATES PRESENT:** Wendy Chase

**EXCUSED:** Natalie Glisson, Robert Bourque, Blakely Miner III

**STAFF PRESENT:** Paul Bacon, Code Enforcement Officer, Jocelyn Carlucci, Reporting Secretary

Chairman Kudrick called the public hearing to order at 7:02 p.m.

Chairman Kudrick appointed Alternate Member Chase as a voting member.

Roll call was taken by the Reporting Secretary.

**CONTINUED PUBLIC HEARING FROM AUGUST 28, 2023:**

**Case 23-13-Z** A request has been made for a **Variance under Article VIII Signs, § 143-62 Dimensional Table of Signs**. The applicant, Pembroke Pines Country Club of 42 Whittemore Rd., Pembroke NH 03275 is requesting a **Variance** to construct an Electronic Changing sign in the LO Zoning District. A **Variance** is required because Electronic Changing Signs are not allowed in the LO district. The property is located at 470 Pembroke St., Pembroke, NH, 03275, Map 634 Lot 24, in the LO-Limited Office, Zoning District.

**Applicant:** Pembroke Pines Country Club

**Property Owner(s):** Pembroke Golf, LLC

**Property Address:** 470 Pembroke Street  
Tax Map 634, Lot 24 in the LO District

**Included in the Member Packets:** Fee Schedule Worksheet, Tax Map, Plot Map, Sign A Option 1, Sign A Option 2, Sign B Option 1, Sign B Option 2, Sign C Restaurant Wall Sign, Sign D Rear Restaurant Wall Sign, Sign E Pro Shop Wall Sign, Quitclaim Deed, Abutters List, and Sign Permit.

**Present:** Tim Peloquin of Promised Land Survey, LLC, Attorney Charles Cleary, and Robert MacCormack, owner of Pembroke Pines Country Club

Chairman Kudrick said that there were a few changes that had to be made to the original application for Case 23-13-Z and 23-14-Z before proceeding.

Attorney Cleary said that he would like to clarify a few things in the submittal for Cases 23-13-Z and 23-14-Z and would also like to submit additional information. Part of the information includes a variance request for the 200' space between the residence and the electronic imaging sign.

Attorney Cleary said that it would be very helpful to have a site walk with the Board.

Chairman Kudrick agreed.

Attorney Cleary requested a continuance of Cases 23-13-Z and 23-14-Z until after the scheduled site walk.

Mr. Peloquin said that, in the interim, the Applicant will file an application for the 200' separation to buildings with that criteria filled out as an amended application, renote abutters if necessary, and be heard at the next meeting.

Chairman Kudrick asked Mr. Bacon if the Applicant would have to renote the abutters.

Mr. Bacon said that, for the Variance for the 200', the abutters would have to be notified because it would be a whole new variance.

Chairman Kudrick asked if the abutters were notified the first time.

Mr. Bacon said no. He said that he was advised that he should include a separate variance for one of the parameters of the electronically changing sign which was the 200' rule. Everything else they would be in compliance.

Attorney Cleary said that the abutters were noticed on the underlying variance.

Mr. Bacon said that the Applicant will not have to renote the abutters for their changes.

Chairman Kudrick said that the Applicant should make the changes to the initial application, and initial and date the changes.

The Board agreed to meet at the new Clubhouse parking lot for a site walk on Wednesday, September 27, 2023 at 4 pm. Mr. MacCormack agreed to have stakes showing the perimeter of the sign to show its size and height.

Chairman Kudrick said, with regard to Cases 23-16-Z and 23-17-Z, the Applicant's application requested a free-standing sign on the Clubhouse lot but the attached information indicates that they are requesting a monument-type sign. Chairman Kudrick gave the example of a monument-type sign i.e. Associated Grocers of New England's sign and Pembroke Academy's sign. He said that there is a definition of a monument-type sign in the Soucook River District. The picture of the sign that was submitted by the Applicant is a free-standing sign.

Chairman Kudrick asked the Applicant to make the corrections (free standing sign or monument sign) on the Applications submitted to the Town. The Board would accept having the incorrect wording

crossed out, the correct wording written in, and initialed on the original applications which Mr. Bacon has on file. Chairman Kudrick said he would like the information and the applications to be consistent.

Attorney Cleary agreed to do so.

**MOTION:** Vice Chairman Hebert moved to continue Cases 23-13-Z and 23-14-Z to the October 23, 2023 meeting. Seconded by Member Carlucci.

**VOTE:**            B. Kudrick – Y                      T. Hebert –    Y            D. Carlucci – Y  
                      W. Chase –    Y                      P. Paradis –    Y

**MOTION TO CONTINUE CASES 23-13-Z AND 23-14-Z TO THE OCTOBER 23, 2023 MEETING PASSED ON A 5-0 VOTE.**

### **NEW PUBLIC HEARINGS:**

**Case 23-16-Z** A request has been made for a **Special Exception under Article VIII Signs, § 143-62 Dimensional Table of Signs**. The applicant, Pembroke Pines Country Club of 42 Whittemore Rd., Pembroke NH 03275 is requesting a **Special Exception** to place a Free Standing sign on their clubhouse lot. A **Special Exception** is required because free standing signs require a special exception in the R-1 District. The property is located at 45 A&B Whittemore Rd., Pembroke, NH, 03275, Map 634 Lot 2, in the R-1 Medium Density-Residential District.

**Applicant:**                                      Pembroke Pines Country Club

**Property Owner(s):**                      Pembroke Golf, LLC

**Property Address:**                      45A & 45B Whittemore Road  
   Tax Map 634, Lot 2 in the R-1 Medium Density-Residential District

**Included in the Member Packets:** Fee Schedule Worksheet, Sign B: Entrance Sign Option 2; Sign C: Restaurant Wall Sign; Sign D: Rear Restaurant Wall Sign; Sign E: Pro Shop Wall Sign; Pembroke Pines Non-Residential Site Plan revised 10/27/2020.

**Present:** Tim Peloquin of Promised Land Survey, LLC, Attorney Charles Cleary, and Robert MacCormack, owner of Pembroke Pines Country Club

Chairman Kudrick called the meeting to order at 7:17 p.m.

Attorney Cleary said that this is a Special Exception Application for a free-standing sign proposed down by the Clubhouse, the location of which was shown on the site plan application approved by the Planning Board. The Clubhouse use and the building exists by a Special Exception granted by the Board in October 2020. All the conditions were met with a special exception for signage.

As requested by Chairman Kudrick, Attorney Cleary read the application aloud:

**Please give a detailed description of your proposal below:**

We request to place a monument type sign at the entrance of driveway to new Clubhouse/Function Facility/Restaurant/Golf Pro-Shop and locate sign in area of approved site plans of the same (see attached). The proposed sign is not allowed in the R-1 District, but is necessary for our approved commercial use. The proposed sign will be 42 Sq. ft. in area and 12 ft. in height and is necessary to steer traffic appropriately. See attached details of said proposed sign.

**Has this property received a Special Exception or Variance in the past? Yes - TAP**

**1. Please describe how the requested use is essential or desirable to the public convenience or general welfare.** Because the proposed sign is intended to promote safety, comfort, and well being of the users of the street and will further promote traffic safety by directing travelers to the Country Club, restaurant, function hall, weddings, outings, etc. and not create potential hazards of turn-arounds, cut-throughs, or the like.

Attorney Cleary said that the area has become a mixed-use area of buildings, parking, and events and it is very important that people find the facility on their first try. The signs are sized, located and lit based on those goals.

**2. Please state how the requested use will not impair the integrity or character of the district or adjoining zones, nor be detrimental to the health, morals or general welfare.** The Town of Pembroke has granted a new Clubhouse and Function Facility which is under construction and near completion. The intention is to enhance the new Clubhouse and Facility/s with appropriate signage for traffic and the like to properly access the facility. Further, with the new sign, guests of the new facility/s who may be unfamiliar with the area, will be able to appropriately navigate to the facility/s particularly at night when lit (during business hours).

Attorney Cleary said that the sign is of a material and design to fit the character of Pembroke. It is placed in a location appropriate for its use. The sign is important to the use itself. It has no immoral or anti-general welfare character, it is a very beneficial sign to all guests attending the facility.

**3. Please describe how the specific site is an appropriate location for the proposed use and that the character of adjoining uses will not be affected adversely.** The location was, and is per approved site plans of the Town of Pembroke.

Attorney Cleary said that in this location, the Planning Board approved it and thought it was a proper spot for the sign – at the driveway entrance to the clubhouse. He pointed out that there are 2 access points at that location – Nadine Road and the driveway. He said that they want guests to see the sign as they enter. The sign does nothing to harm the character or use of the adjoining area.

**4. Please show that no factual evidence is found that the property value in the district will be adversely affected by such use.** With our development of the area, the neighborhoods within our locus have seen an increase in their property values that other areas in Pembroke likely have not. Having these new amenities, and a new walkable restaurant and its grandeur, we believe this new sign will help residents in this area, and continue to increase their property values.

Attorney Cleary said that the entire project has been a general benefit to everyone living in the area. It has improved property value, but the signage does not have any affect on property values.

**5. Will undue traffic, nuisance or unreasonable hazard result from your proposed use? Yes or no and please explain your answer.** No. In fact, this sign will be of beneficial use, allowing better traffic flow and reducing traffic mistakes and nuisances.

**6. Please explain how adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.** This sign, within the R-1 zoning district, is for an approved commercial building.

Attorney Cleary said that the sign will be lighted for nighttime visibility. The sign will be of quality construction. It is appropriate for its location and use.

An error was made by the sign designer – the sign will be externally illuminated, not internally illuminated.

Mr. MacCormack said that they plan on having lights under the roof overhang that will splash directly down on the sign and to the ground.

Attorney Clearly said that the lighting will be downward cast and the sign will be externally lit.

**7. Please show that there are no valid objections from abutting property owners based on demonstrable facts.** Per approved site plan, the abutters were and are aware of this proposed sign.

Attorney Cleary said that there are no abutters.

**8. Please show that the proposed use has an adequate water supply and sewerage system and meets applicable requirements of the State.** Not relevant to this application.

**9. If the proposed use is for multi-family dwellings, will it be served by the Town water system and by the Town sewerage system.** Not relevant to this application.

Attorney Cleary said that they believe that the Special Exception and the project as a whole was appropriate and the Board agreed. They feel that the proposed free-standing sign is appropriate for the building and ask that the Board approve it.

Having noticed that the rules governing the hearing were not read, Chairman Kudrick read them aloud: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed to the application will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak.

He stated that anyone wishing to speak must first give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider its approval.

Chairman Kudrick asked what time the sign will be lit.

Mr. MacCormack said that they were going to wait and see what the Board suggests. He would like the Clubhouse sign lit during the events and that they would follow the guidelines in the zoning regulations which state that the sign cannot be lit after 11 pm or after the closing of the property. For example, if the event closed at 10 pm, the sign would be shut off at 10 pm. They would follow the guidelines written in the Zoning Regulations.

Member Carlucci asked how close the sign was from somebody not occupying one of Mr. MacCormack's buildings.

Mr. Peloquin showed a map to Member Carlucci and pointed to the sign location which was approximately 120' from the nearest property.

Chairman Kudrick clarified that the sign will be located at the entrance to the road going to the clubhouse, labeled as Sign B: Entrance Sign Option 1.

Mr. Peloquin agreed. He said that the sign would not increase in size or height but there might be some moderations pertaining to the indirect lighting portion.

Chairman Kudrick said the size and height should stay basically like Sign B: Entrance Sign, Option 1, which is 41.1 sf.

Chairman Kudrick said that the Board is presently only looking at the free standing portion of the sign and not the square footage (which is Case 23-17-Z). He asked the Applicant to revise Page 1 of the Special Exception application by striking out the sentence: "The proposed sign will be 42 sq.ft. in area and 12' in height and is necessary to steer traffic appropriately." and to initialize the change.

Chairman Kudrick summarized the case as follows: **Case 23-16-Z**, the applicant is asking for a Special Exception for a free-standing sign at the clubhouse entrance. He has gone through the criteria. The sign will be lit. Said light will come from above the sign and will shine downward. The light will be shut off at 11 pm or at closing. There is a house to the right of the sign. It has a buffer of trees. The Applicant spoke to the owner and the owner does not have any problem with the sign.

Chairman Kudrick announced that the Board will decide all cases within 30 days. Notice of decision will be posted for public inspection within 5 business days of the decision and will be sent to the applicant. This hearing is officially closed at 7:39 p.m. The Board will approve, deny or continue the deliberation. No comments will be taken from the audience.

Chairman Kudrick said that the sign is located on the right hand side of Nadine Drive and on the left hand side of the driveway going to the clubhouse. It is set back from the road.

**Deliberations:** The Zoning Board of Adjustment reviewed the Special Exception criteria:

1. **Please describe how the requested use is essential or desirable to the public convenience or general welfare.** Chairman Kudrick said that the way that the property is set, the Applicant needs a sign directing people to the clubhouse. He did not feel that it would be problematic. All Board members agreed.
2. **Please state how the requested use will not impair the integrity or character of the district or adjoining zones, nor be detrimental to the health, morals or general welfare.** Chairman Kudrick said that he did not think that the sign would bother anyone in the apartments. All Board members agreed.
3. **Please describe how the specific site is an appropriate location for the proposed use and that the character of adjoining uses will not be affected adversely.** Chairman Kudrick felt that it was the proper site for the sign and should not bother anyone. All Board members agreed. Vice Chairman Hebert said that the Planning Board agreed that it was an appropriate location for the sign. All Board members agreed.
4. **Please show that no factual evidence is found that the property value in the district will be adversely affected by such use.** Chairman Kudrick said that no one came forward to prove that the sign would affect property values. All Board members agreed.
5. **Will undue traffic, nuisance or unreasonable hazard result from your proposed use? Yes or no and please explain your answer.** Chairman Kudrick said that the sign will not cause any traffic issues. All Board members agreed.
6. **Please explain how adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.** Chairman Kudrick said that it needs a Special Exception in R-1 and the Applicant will maintain the sign. All Board members agreed.
7. **Please show that there are no valid objections from abutting property owners based on demonstrable facts.** Chairman Kudrick said that no one complained. All Board members agreed.
8. **Please show that the proposed use has an adequate water supply and sewerage system and meets applicable requirements of the State.** Chairman Kudrick said it was not applicable. All Board members agreed.

9. **If the proposed use is for multi-family dwellings, will it be served by the Town water system and by the Town sewerage system.** Chairman Kudrick said it was not applicable. All Board members agreed.

Vice Chairman Hebert said that, in reference to **Case 23-16-Z** a request for a **Special Exception** having been presented to the Board for consideration. A Special Exception is required for free-standing signs in the R-1 District.

**MOTION:** Vice Chairman Hebert moved to approve the application (**Case 23-16-Z** A request for a **Special Exception under Article VIII Signs, § 143-62 Dimensional Table of Signs**) as presented with the following conditions: (1) The Applicant must follow all State and local regulations except those that pertain to the conditions being addressed through this hearing; (2) Construction to comply with the submitted plan labeled Sign B: Entrance Sign, Option 1. (3) Minor modifications to allow for placement of external lighting is allowed. Seconded by Member Carlucci.

**VOTE:**            B. Kudrick – Y                            T. Hebert – Y                            D. Carlucci – Y  
                      W. Chase – Y                            P. Paradis – Y

**MOTION TO APPROVE THE APPLICATION (CASE 23-16-Z A REQUEST FOR A SPECIAL EXCEPTION UNDER ARTICLE VIII SIGNS, § 143-62 DIMENSIONAL TABLE OF SIGNS) AS PRESENTED WITH THE FOLLOWING CONDITIONS: (1) THE APPLICANT MUST FOLLOW ALL STATE AND LOCAL REGULATIONS EXCEPT THOSE THAT PERTAIN TO THE CONDITIONS BEING ADDRESSED THROUGH THIS HEARING; (2) CONSTRUCTION TO COMPLY WITH THE SUBMITTED PLAN LABELED SIGN B: ENTRANCE SIGN, OPTION 1. (3) MINOR MODIFICATIONS TO ALLOW FOR PLACEMENT OF EXTERNAL LIGHTING IS ALLOWED PASSED ON A 5-0 VOTE**

Chairman Kudrick called the meeting to order at 7:47 p.m.

**Case 23-17-Z** A request has been made for a **Variance under Article VIII Signs, § 143-62 Dimensional Table of Signs**. The applicant, Pembroke Pines Country Club of 42 Whittemore Rd., Pembroke NH 03275 is requesting a **Variance** to place a 42 square foot, Free Standing sign on their clubhouse lot. A **Variance** is required because free standing signs in the R-1 District can be 6 square feet maximum. The property is located at 45 A&B Whittemore Rd., Pembroke, NH, 03275, Map 634 Lot 2, in the R-1 Medium Density-Residential District.

**Applicant:**                            Pembroke Pines Country Club

**Property Owner(s):**            Pembroke Golf, LLC

**Property Address:**            470 Pembroke Street  
   Tax Map 634, Lot 24 in the LO District



**Included in the Member Packets:** None

**Present:** Tim Peloquin of Promised Land Survey, LLC and Robert MacCormack, owner of Pembroke Pines Country Club, and Attorney Charles Cleary

The Reporting Secretary read the case aloud.

Chairman Kudrick asked the Applicant to make the appropriate change on the application from “monument-type sign” to “free-standing sign”.

Chairman Kudrick read aloud the rules governing the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed to the application will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak.

He stated that anyone wishing to speak must first give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider its approval.

As requested by Chairman Kudrick, Attorney Cleary read the application aloud:

**Please give a detailed description of your proposal below.** We request to place a monument type sign at the entrance of driveway to new Clubhouse/Function Facility/Restaurant/Golf Proshop and locate sign in area of approved site plans of the same (see attached). The proposed sign is 42 Sq. ft. where 6 sq. ft. is allowed in the R-1 district (by Special Exception). This sign is necessary to steer traffic appropriately per our approved commercial use of the property. See attached details of said proposed sign.

**Has the property received a Special Exception or Variance in the past?** Yes

Attorney Cleary said that only 6 sf is allowed in the R-1 District and the Applicant is asking for 41.4 sq. ft. This sign is for a residential use and not a clubhouse building containing various uses that was approved by the Board by Special Exception. The sign is intended to promote safety and the well-being of the users of the streets coming to and from the golf, restaurant, functions, etc. The sign, in size, is proportionate with the scope of the approved clubhouse and will fit within the existing neighborhood.

1. **The variance will not be contrary to the public interest.** Because the proposed sign is intended to promote safety, comfort, and well being of the users of the street and will further promote traffic safety by directing travelers to the Country Club, Restaurant, Function Hall, weddings, outings, etc. and not create potential hazards of turn-arounds, cut-throughs, or the like.

2. **The spirit of the ordinance is observed.** The Town of Pembroke has granted a new Clubhouse and Function Facility which is under construction and near completion. The intention is to enhance the new

Clubhouse and Facility/s with appropriate signage for traffic and the like to properly access the facility. Further, with the new sign, guests of the new facility/s who may be unfamiliar with the area, will be able to appropriately navigate to the facility/s, particularly at night when lit (during business hours).

Attorney Cleary said that the clubhouse is completed. Mr. MacCormack's intention was to create this clubhouse for the longevity of the golf course. The purpose is to proportion signs to their intended uses in the existing zones. While in the R-1 District a Special Exception has allowed the clubhouse to go in as a non-residential use so a non-residential type sign is appropriate for that use. A 6 sf sign would not be appropriate. He noted that in a commercial zone, an 85 sf sign is permitted and, therefore, felt that a 41.1 sf sign is reasonable.

**3. Substantial justice is done.** We are asking to place the proposed sign in location of approved site plan. This new sign will best direct guests to the facility/s. Further, we believe this new sign will lesson traffic congestion which may occur as drivers may pass the entrance and into nearby neighborhood, only to have to turn around. Justice is done in that the new facility, as approved by Town, will be able to properly navigate its guests to the facility/s.

**4. The values of surrounding properties are not diminished.** With our development of the area, the neighborhoods within our locus have seen an increase in their property values that other areas in Pembroke likely have not. Having these new amenities, and a new walkable restaurant and its grandeur, we believe this new sign will help residents in this area, and continue to increase their property values.

**5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.** (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one. This property (Pembroke Pines) is unique and of special significance in the area. This new sign, as proposed and per existing site plan, will help direct travelers, some from faraway areas, appropriately to the facility/s intended. Events here may include corporate, weddings, large parties, graduations, etc. This sign is important to direct said travelers to these events, golf course activities, and the new "1759 Grille". In order for our substantial investment to this facility to be fully sustainable, both short and long-term, a new up-to-date sign is imperative.

**(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.** As stated, Pembroke Pines, as a whole, has special significance to the area as well as the Town of Pembroke. The substantial recent investments in this property, short and long-term, is a true betterment to the community at large. By not granting this reasonable request of sign relief, both in this R-1 zone and its size requested, the facility and its associated recreation will be limited, and cause various hardships to owner, and the community, both short and long-term as stated.

No one spoke in favor or in opposition to the Case. There was no rebuttal by the applicant and those in favor or opposed to the case.

Alternate Member Chase asked for the size of the driveway and the size of the clubhouse compared to the 42 sf sign.

Mr. Peloquin referred to Sheet 5 of 30, labeled as a 24 ft. wide driveway (looks like a road because 24' is a standard road width). The clubhouse first floor is 11,809 sf, clubhouse second floor is 2607 sf, basement floor is 10,316 sf. Approximate total building size is 25,000 sf.

Mr. Peloquin said that the clubhouse sign is approximately 40' off the road.

Mr. MacCormack said that all the landscaping is done. No additional trees will be planted. The sign will be facing upward toward the road. They have power in the area.

There were no questions from the Board and no one spoke in favor or in opposition to the case.

Chairman Kudrick summarized the case as follows: **Case 23-17-Z, a Variance under Article VIII Signs, §143-62 Dimensional Table of Signs.** The Applicant is requesting a 41.4 sf sign where a 6 sf sign is allowed. The sign, labeled Sign B: Entrance Sign, Option 1, is a free-standing sign. The sign will direct traffic to the clubhouse. The clubhouse driveway is 24 ft. wide, the clubhouse is approximately 25,000 sf. The sign will face Whittemore Road (on the left). No bushes will be placed around the sign. There is power in that area.

Mr. Peloquin said that the sign will be 40 ft. from Whittemore Road per the approved Planning Board site plan.

Attorney Cleary said that the Option 1 sign will identify 2 locations – the Clubhouse and the 759 Grille.

Chairman Kudrick said that the total sign measures 41.4 sf.

Chairman Kudrick stated that the Board will decide all cases within 30 days. The Notice of Decision will be posted for public inspection within 5 business days of the decision and will be sent to the applicant. The Board will either approve, deny, or continue deliberation on the case. No comments will be taken from the audience.

Chairman Kudrick officially closed the hearing at 8:02 p.m.

#### **ZONING BOARD MEMBER DELIBERATIONS:**

Chairman Kudrick said that Case 23-17-Z is for a variance for a free-standing sign where 6 sf is allowed in the R-1 District and the Applicant is requesting 41.4 sf.

1. **The variance will not be contrary to the public interest.** Alternate Member Chase said that the sign fits in with the overall esthetics of what they are doing. All Board members agreed.

2. **The spirit of the ordinance is observed.** Chairman Kudrick pointed out that the sign is large but the Applicant is attempting to direct the public to the facility. Alternate Member Chase said that the building itself is quite large and having a sizable sign helps deter traffic from other places which complies with the spirit of the ordinance.

3. **Substantial justice is done.** Chairman Kudrick said that the sign was placed in the location per the site plan which was approved by the Planning Board. Vice Chairman Hebert said that there is no harm to the public by placing a sign at that location.

4. **Property values are not diminished.** Chairman Kudrick said that this sign will not diminish property values. It is merely to direct people to the facility.

5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.** (A) For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one. Chairman Kudrick said that the purpose of the sign is to direct people to the clubhouse once they are on Whittemore Road. Vice Chairman Hebert said that limiting the Applicant to 6 sf would not be appropriate.

(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

Vice Chairman Hebert said that this is in reference to **Case 23-17-Z**, which is a request for a variance having been presented to the Board for consideration. A variance is required because the proposed sign is larger than what is allowed by regulation.

**MOTION:** Vice Chairman Hebert moved to approve the Variance (**Case 23-17-Z** A request has been made for a **Variance under Article VIII Signs, §143-62, Dimensional Table of Signs**), as presented with the following conditions: (1) The applicant must follow all state and local regulations except those that pertain to specific conditions being addressed through this hearing; (2) Construction to comply with the submitted plan labeled Sign B: Entrance Sign Option 1; (3) Minor modifications to allow for placement of external lighting are allowed. Seconded by Member Carlucci.

<b>VOTE:</b>	B. Kudrick – Y	T. Hebert – Y	D. Carlucci – Y
	W. Chase – Y	P. Paradis – Y	

**MOTION TO APPROVE THE VARIANCE (CASE 23-17-Z A REQUEST HAS BEEN MADE FOR A VARIANCE UNDER ARTICLE VIII SIGNS, §143-62, DIMENSIONAL TABLE OF SIGNS), AS PRESENTED WITH THE FOLLOWING CONDITIONS: (1) THE APPLICANT MUST FOLLOW ALL STATE AND LOCAL REGULATIONS EXCEPT THOSE THAT PERTAIN TO SPECIFIC CONDITIONS BEING ADDRESSED THROUGH THIS HEARING; (2) CONSTRUCTION TO COMPLY WITH THE SUBMITTED PLAN LABELED SIGN B: ENTRANCE SIGN OPTION 1; (3) MINOR MODIFICATIONS TO ALLOW FOR PLACEMENT OF EXTERNAL LIGHTING ARE ALLOWED PASSED ON A 5-0 VOTE.**

**Case 23-18-Z** A request has been made for a **Variance under Article VIII Signs, § 143-62 Dimensional Table of Signs**. The applicant, Pembroke Pines Country Club of 42 Whittemore Rd., Pembroke NH 03275 is requesting a **Variance** to place wall signs on their clubhouse building to direct visitors. A **Variance** is required because wall signs, in the R-1 district, are not permitted. The property is located at 45 A&B Whittemore Rd., Pembroke, NH, 03275, Map 634 Lot 2, in the R-1 Medium Density-Residential district.

**Applicant:** Pembroke Pines Country Club

**Property Owner(s):** Pembroke Golf, LLC

**Property Address:** 45A&B Whittemore Road  
Tax Map 634, Lot 2 in the R-1 Medium Density-Residential District

**Included in the Member Packets:** None

**Present:** Tim Peloquin of Promised Land Survey, LLC, Attorney Charles Cleary, and Robert MacCormack, owner of Pembroke Pines Country Club

Chairman Kudrick called the meeting to order at 8:10 p.m.

The Reporting Secretary read the case aloud.

Chairman Kudrick read aloud the rules governing the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed to the application will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak.

He stated that anyone wishing to speak must first give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider its approval.

As requested by Chairman Kudrick, the Attorney Cleary read the application aloud:

**Please give a detailed description of your proposal below.** We request to place “wall signs” at the new Clubhouse/Function Facility/Restaurant/Golf Proshop where this is not allowed in the R-1 District. Our approved commercial building per approved site plans (see attached) will require these signs to properly navigate visitors to the appropriate venue or place sought. The signs are attractive and not visible to neighbors, but very necessary to visitors. See attached details of said proposed wall signs.

Attorney Cleary reminded the Board that the reason the clubhouse is in the R-1 Zoning District is because Mr. MacCormack had a vision in 2019 to subdivide a piece of his residential land and merge it with the golf course of 5 acres to place the clubhouse on that location. They went forward with the Special Exception for the clubhouse and it was approved by the Zoning and Planning Boards. Wall signs, which are not allowed in the R-1 District, are appropriate for a 25,000 sf clubhouse/restaurant.

Chairman Kudrick asked for clarification on the entrances of the 1759 Grille.

Mr. MacCormack said that there are 3 entrances to the 1759 Grille – from the common area, the front driveway, and an entrance where the golfers would return their golf carts.

Mr. MacCormack said that Sign E is for the center main entrance which has the portico. Sign C will be located at the door to the left of the center portico which will lead the public directly to the restaurant without going through the clubhouse.

There is an external entrance from the left rear corner of the building where golfers would return their carts and proceed up to the back of the restaurant.

The door on the South side of the building leads to the Pro Shop which is one level below the front entrances.

Sign D: Restaurant Wall Sign, 1759 Grille sign, will be placed at the rear of the building at the southwest corner furthest away from the residential area. It will be externally lit with a downward facing light.

Sign C: Restaurant Wall Sign will hang approximately 12 feet over the double doors which will go directly into the restaurant without going through the clubhouse.

Sign F (a picture is not available): Pro Shop Wall Sign is a small sign in the rear of the building, looking at the 18<sup>th</sup> green. It will not be lit.

Sign E: The Markey Room sign is for the function room. The sign will be in the front center of the building under the portico. It will be externally lit with a downward facing light.

**Has the property received a Special Exception or Variance in the past? Yes**

1. **The variance will not be contrary to the public interest.** Because the proposed signs are intended to promote safety, comfort, and well being of the users of the site and will further promote traffic safety by directing travelers to the Country Club, Restaurant, Function Hall, weddings, outings, etc. and will allow guests to know where to appropriately park their vehicles.

2. **The spirit of the ordinance is observed.** The Town of Pembroke has granted a new Clubhouse and Function Facility which is now complete. The intention is to enhance the new Clubhouse and Facility/s with appropriate signage for traffic and the like to properly access the facility. Further, with the new wall signs, guests of the new facility/s who may be unfamiliar with the area, will be able to appropriately navigate to the facility/s, particularly at night when lit (during business hours). The 2 lit signs in the front will help direct the public to the clubhouse vs. the restaurant.

3. **Substantial justice is done.** These new signs will best direct guests to the facility/s. Further, we believe these new signs will lesson traffic congestion within the parking lot and allow guests to the facility to navigate and be directed appropriately.

Attorney Clearly said that the wall signs are appropriate to the scope of the project and it will cause no loss to Pembroke.

4. **The values of surrounding properties are not diminished.** With our development of the area, the neighborhoods within our locus have seen an increase in their property values that other areas in Pembroke likely have not. Having these new amenities, and a new walkable restaurant and its grandeur, we believe these new signs will help residents in this area, and continue to increase their property values.

Attorney Clearly said that the signage will have no impact on values.

5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. (A) For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one.** This property (Pembroke Pines) is unique and of special significance in the area. This wall signs, as proposed and per existing site plan, will help direct travelers, some from faraway areas, appropriately to the facility/s intended. Events here may include corporate, weddings, large parties, graduations, etc. This sign is important to direct said travelers to these events, golf course activities, and the new “1759 Grille”. In order for our substantial investment to this facility to be fully sustainable, both short and long-term, these wall signs are seen as imperative.

Attorney Clearly said that the clubhouse was approved in the R-1 Zone but is not a residential use so it needed a special exception. The R-1 Zone does not allow signage of this size.

**(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.** As stated, Pembroke Pines, as a whole, has special significance to the area as well as the Town of Pembroke. The substantial recent investments in this property, short and long-term, is a true betterment to the community at large. By not granting this reasonable request of sign relief, both in this R-1 zone and per attached renderings, the facility and its associated recreation will be limited, and cause various hardships to the owner, and the community, both short and long-term as stated.

There were no questions from the Board and no one spoke in favor or in opposition to the case. No rebuttal by applicant and those in favor or opposition. Applicant had nothing to add.

Chairman Kudrick clarified:

Sign C: Restaurant Wall Sign is 13.5 sf.

Sign D: Rear Restaurant Wall Sign – 1759 Grille is 11.25 sf

Sign E: Pro Shop Sign is 13.5 sf.

Sign F: Pro Shop Wall Sign 6 sf.

Chairman Kudrick summarized the case as follows: **Case 23-18-Z, a Variance under Article VIII Signs, §143-62 Dimensional Table of Signs.** Wall signs in the R-1 District are not permitted and no square footage is designated. The Applicant is proposing 4 signs: The 1759 Grille sign will be downstairs for the golfers to use, and an egg-shaped 1759 Grille sign will be upstairs and externally lit. The Markey Room sign will be upstairs facing the parking lot and the apartments. They also have a 6 sf sign at the rear of the building facing the 18<sup>th</sup> hole.

Chairman Kudrick stated that the Board will decide all cases within 30 days. The Notice of Decision will be posted for public inspection within 5 business days of the decision and will be sent to the applicant. The Board will either approve, deny, or continue deliberation on the case. No comments will be taken from the audience.

Chairman Kudrick officially closed the hearing at 8:35 p.m.

## **ZONING BOARD MEMBER DELIBERATIONS:**

Chairman Kudrick said that . . .

1. **The variance will not be contrary to the public interest.** Alternate Member Chase said that the property is unique and signage will only help increase the safety of those attending and is not contrary to public interest. Member Carlucci said that the signage would eliminate confusion by the patrons. Chairman Kudrick noted that, with regard to safety, an ambulance would be properly directed to where it is needed. The Board agreed.



2. **The spirit of the ordinance is observed.** Alternate Member Chase said that the ordinance does not allow signs so it is tough. She said that the Board is trying to make the right decision based on the uniqueness of the property. Vice Chairman said that it is a benefit to the public. The Board agreed.

3. **Substantial justice is done.** Member Carlucci said that people will know where things are. The Board agreed.

4. **Property values are not diminished.** Chairman Kudrick said that no one has come forward to prove that the signs would diminish property values. The lit signs will be pointed at the sign and not the apartments. Vice Chairman Hebert said that illumination is just as much to light up the doorway, and access ways. The Board agreed.

5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.** (A) For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one. Vice Chairman Hebert said that the Applicant needs signage for functionality of the building and safety. The Board agreed.

(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

Vice Chairman Hebert said that this is in reference to Case 23-18-Z, a request for a variance having been presented to the Board for consideration. A variance is required because the wall signs are not permitted in the R-1 District.

**MOTION:** Vice Chairman Hebert moved to approve the application (**Case 23-18-Z a Variance under Article VIII Signs, §143-62, Dimensional Table of Signs**), as presented with the following conditions: (1) The Applicant must follow all State and local regulations except those that pertain to the specific conditions being addressed through this hearing; (2) Construction to comply with the submitted sign package with plans labeled Sign C: Restaurant Wall Sign at 13.5 sf; Sign D: Rear Restaurant Wall Sign at 11.25 sf; Sign E: Markey Room Wall Sign at 13.5 sf.; Sign F: Pro Shop Wall Sign at 6 sf. Sign E and Sign C will be externally illuminated. Seconded by Member Carlucci.

<b>VOTE:</b>	T. Hebert – Y	B. Kudrick – Y	D. Carlucci – Y
	W. Chase – Y	P. Paradis – Y	

**MOTION TO APPROVE THE APPLICATION (CASE 23-18-Z A VARIANCE UNDER ARTICLE VIII SIGNS, §143-62, DIMENSIONAL TABLE OF SIGNS), AS PRESENTED WITH THE FOLLOWING CONDITIONS: (1) THE APPLICANT MUST FOLLOW ALL**

**STATE AND LOCAL REGULATIONS EXCEPT THOSE THAT PERTAIN TO THE SPECIFIC CONDITIONS BEING ADDRESSED THROUGH THIS HEARING; (2) CONSTRUCTION TO COMPLY WITH THE SUBMITTED SIGN PACKAGE WITH PLANS LABELED SIGN C: RESTAURANT WALL SIGN AT 13.5 SF; SIGN D: REAR RESTAURANT WALL SIGN AT 11.25 SF; SIGN E: MARKEY ROOM WALL SIGN AT 13.5 SF.; SIGN F: PRO SHOP WALL SIGN AT 6 SF. SIGN E AND SIGN C WILL BE EXTERNALLY ILLUMINATED PASSED ON A 5-0 VOTE.**

With regard to changing the narrative on Cases 23-13-Z and 23-14-Z, Mr. Bacon and Chairman Kudrick agreed that the sentence that reads “The proposed new sign would exceed the 6-foot height requirement limit and the 32 sq. ft. area allowed” would be changed as follows: Cross out “6-foot height requirement” because the height requirement is as tall as any building; and, in place of “32 sq. ft.”, 12 sq. ft. would be inserted. All changes to be initialed and dated.

**Case 23-19-Z** A request has been made for a **Variance under Article V, Dimensional and Density Regulations, §143-21, Table of Setbacks**. The applicant, Paulette Malo, of 13 Bridge St., is requesting a **Variance** to place a 15’ x 18’ shed within the side and rear setbacks. The shed will be 4’ from the side setback where 15’ is required and 7’ from the rear setback where 15’ is required. The property is located at 13 Bridge St., Map VW, Lot 209, in the B-1, Business/Residential district, and is owned by the applicant.

**Applicant:** Paulette Malo

**Property Owner(s):** Henry and Paulette Malo

**Property Address:** 13 Bridge Street  
Tax Map VW, Lot 209 in the B-1, Business/Residential District

**Included in the Member Packets:** Fee Schedule Worksheet, Tax Map and Tax Card

**Present:** Henry and Paulette Malo

Chairman Kudrick called the meeting to order at 8:47 p.m.

The Reporting Secretary read the case aloud.

Chairman Kudrick read aloud the rules governing the hearing: (1) Applicant will present its case; (2) Those in favor of the application will speak; (3) Those opposed to the application will speak; (4) Rebuttal by the applicant and those in favor of the application will speak; (5) Rebuttal by those in opposition to the application will speak.

He stated that anyone wishing to speak must first give their name, address, and interest in the case. All questions and comments will be directed to the Chairman. The Board will base their decisions on facts

presented by the applicant. If any of the presented facts are found to be different than what was presented, the Board reserves the right to reconsider its approval.

Ms. Malo said that she and her husband own 13 Bridge Street. They are asking for a variance to place a shed within the setbacks of the North and back of their property. The property is 100' x 120'. The shed would be 4' from the North side where 15' is required and 7' from the rear setback where 15' is required.

She said that they purchased their home in 1990 with the help of Farmers Home mortgage. At the time of the purchase, they had a garage that was 20' x 60' with 6 doors. Farmers Home said that they were only allowed a two-stall garage and due to the size of the stalls being 20' x 10', they allowed them to keep 3 of the 6 stalls with a regular door in the middle in order to conform to their regulations. When they came to inspect the removal that they requested, they were informed that the number of stalls would not make a difference to Farmers Home in the future and they would not need their permission to do any additions to the property.

In the Fall of 1991, they began construction to replace one 20' x 10' section to the garage, and completed it the following year. Since 1992, the garage is 20' x 40'. The frostwall that the original garage was built on is still visible – even the section where the garage was removed. They are proposing to place the shed within the remaining frostwall on the East side of the garage. The frostwall is 2' from the North side and 5' from the rear setback. The original garage was built in the 1900s from old railroad shipping grates that were dismantled as part of the walls. They have looked at various places on their property to put this shed and no matter where they place it, they would be within the setbacks and blocking their snow storage area. The location that they are proposing is the only logical place to put the shed.

Ms. Malo marked Chairman Kudrick's map showing where the shed would be placed. She distributed photos to the Board. Picture 1 is the actual garage. Picture 2 shows a utility trailer which is where the shed would be placed. Picture 3 shows the location of the frostwall. Picture 4 shows the frostwall and a white post in the background which is the boundary.

Chairman Kudrick asked if there was anyone to the East of her property, near the property line.

Ms. Malo said that East of her property is the yard of 2-4 Middle Street, a 6-unit apartment building. The apartment building is on the Front Street side, not toward her property. The property is a "huge" hill. She said that her property is the low area for the surrounding properties.

Alternate Member Chase reiterated that there was a structure there before they made them take it down. Ms. Malo said yes.

As requested by Chairman Kudrick, the Applicant read the application aloud:

**Please give a detailed description of your proposal below.** Want to place a 15 x 18 shed, 3 feet from existing garage, 4 feet from side setback and 7 feet from rear setback.

**Has the property received a Special Exception or Variance in the past?** No

1. **The variance will not be contrary to the public interest.** Due to the lot being only 125 feet deep by 100 feet wide next to the garage would be the logical place for the shed.
2. **The spirit of the ordinance is observed.** Due to the size of the lot it is very difficult to have the shed in any other area.
3. **Substantial justice is done.** The shed is needed for storage of personal property.
4. **The values of surrounding properties are not diminished.** This shed would add value to the existing house.
5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.** (A) For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one. Due to the lot being on the smaller size and where the house and garage are placed, the only place to put the shed would be to the east of the garage.

**(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.** Without the variance, there isn't any other place to put the shed due to the configuration of the driveway.

No one spoke in favor or in opposition to the case. There was no rebuttal by the Applicant or those in favor or in opposition.

Chairman Kudrick asked what the shed would be made of.

Ms. Malo said it was a prefabricated wooden shed that will be placed directly on the asphalt. No power will be run to it.

Chairman Kudrick summarized the case as follows: **Case 23-19-Z, a Variance under Article V, Dimensional and Density Regulations, §143-21, Table of Setbacks.** The Applicant is asking for a shed to be put on their property. They have a 125' x 100' village lot. They presently have a three-stall garage and have a paved area on the East side of the garage where they would like to place the 15' x 18' shed. There is a wooded/field area to the East of the lot. They are on the low end of it. The house on the property to the East of them is on Front Street and not directly behind their property. They are looking to be 3' from the existing garage and 4' from the side setback where 15' is required from both.

Chairman Kudrick stated that the Board will decide all cases within 30 days. The Notice of Decision will be posted for public inspection within 5 business days of the decision and will be sent to the applicant. The Board will either approve, deny, or continue deliberation on the case. No comments will be taken from the audience.

Chairman Kudrick officially closed the hearing at 8:58 p.m.

### **ZONING BOARD MEMBER DELIBERATIONS:**

Chairman Kudrick said that they have a very small lot. They would like to place personal property in a shed which they would like to set on a paved area.

1. **The variance will not be contrary to the public interest.** Alternate Member Chase agreed and said that the property initially had more garage stalls. In her mind, they are merely replacing one of the stalls that was torn down. The Board agreed.

2. **The spirit of the ordinance is observed.** Chairman Kudrick said that because the lot is very small, no matter what they do, they would be in someone's setback. It is a difficult area to work with and this is the best that they can do. The Board agreed.

3. **Substantial justice is done.** Member Carlucci said that he felt that they located the shed in a good place and it will benefit them. Chairman Kudrick said that they were placing the shed where they were originally approved. Vice Chairman Hebert said it was the best use of the property. The Board agreed.

4. **Property values are not diminished.** Chairman Kudrick said that there was no evidence of values being diminished. The Board agreed.

5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area: (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and (ii) the proposed use is a reasonable one.** Chairman Kudrick said that they have a hardship of the land. It would be a hardship to them if the Board tried to enforce the ordinance because of the conditions of the property.

**(B) If the criteria in subparagraph (A) are not established, and unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.**

Vice Chairman Hebert said that in reference to **Case 23-19-Z**, an application for a variance having been presented to the Board for consideration. A variance is required because the proposed shed would be closer to the side and rear setbacks than is allowed by regulations.

**MOTION:** Vice Chairman Hebert moved to approve the application as presented with the following conditions: (1) The Applicant must follow all State and local regulations except those that pertain to specific conditions being addressed through this hearing; (2) Prior to construction, the Applicant must coordinate for a site inspection with the Code Enforcement Officer. The purpose of this inspection is to verify the exact location of the proposed construction as it relates to the side and rear lot lines; (3) The actions of this Board allow for the proposed shed to be no closer than 4' from the side lot line and 7' from the rear lot line. Seconded by Member Carlucci

**VOTE:**            T. Hebert – Y                    B. Kudrick – Y                    D. Carlucci – Y  
                      W. Chase – Y                    P. Paradis – Y

**MOTION TO APPROVE THE APPLICATION AS PRESENTED WITH THE FOLLOWING CONDITIONS: (1) THE APPLICANT MUST FOLLOW ALL STATE AND LOCAL REGULATIONS EXCEPT THOSE THAT PERTAIN TO SPECIFIC CONDITIONS BEING ADDRESSED THROUGH THIS HEARING; (2) PRIOR TO CONSTRUCTION, THE APPLICANT MUST COORDINATE FOR A SITE INSPECTION WITH THE CODE ENFORCEMENT OFFICER. THE PURPOSE OF THIS INSPECTION IS TO VERIFY THE EXACT LOCATION OF THE PROPOSED CONSTRUCTION AS IT RELATES TO THE SIDE AND REAR LOT LINES; (3) THE ACTIONS OF THIS BOARD ALLOW FOR THE PROPOSED SHED TO BE NO CLOSER THAN 4' FROM THE SIDE LOT LINE AND 7' FROM THE REAR LOT LINE PASSED ON A 5-0 VOTE.**

Chairman Kudrick asked the Applicant to mark the area where the shed will be placed.

#### **Approval of Minutes – August 28, 2023**

**MOTION: VICE CHAIRMAN HEBERT MOVED TO APPROVE THE MINUTES OF AUGUST 28, 2023 AS AMENDED. SECONDED BY MEMBER CARLUCCI. UNANIMOUSLY APPROVED.**

#### **V. Other Business / Correspondence - None**

#### **VI. Adjournment**

**MOTION: VICE CHAIRMAN HEBERT MOVED TO ADJOURN THE MEETING AT 9:07 PM. SECONDED BY MEMBER CARLUCCI. UNANIMOUSLY APPROVED.**

Respectfully submitted,  
Jocelyn Carlucci  
Recording Secretary