

**TOWN OF EPPING, NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT MEETING**

Wednesday December 19, 2018

PRESENT: Don MacLaren, Charlie Goodspeed, Kim Sullivan, Joe Bodge; Alternate John Dold and Rob Eldridge; Planner Brittany Howard; Secretary Phyllis McDonough.

CALL TO ORDER: Chairman MacLaren called the meeting to order at 6:00 P.M., appoint to John Dold to sit in Bodge's seat.

PLEDGE OF ALLEGIANCE TO THE FLAG

REQUEST FOR REHEARING BY SANDRA JOHNSON – a request for a rehearing on a decision made by the Board of Adjustment on October 30, 2018 to allow a Home Occupation for the sale of firearms at 10 Sydney Lane, Tax Map 016 – Lot 061-009 located in the Rural Residential Zone in accordance with RSA 677:2.

Chairman MacLaren opened the discussion regarding a request for rehearing, by Sandra Johnson, on a decision made by the Board in relation to the sale and transfer of firearms where she states it is not a permitted use according to Article 6, Section 6.7.3.

Bodge explained he viewed this as nothing more than a sales office which does fit in with the allowable uses for a home occupation. Bodge stated he feels the Board made the right decision and stands behind the rule made by the Board.

Goodspeed explained he does not support the Board's decision giving permission to sell and transfer firearms and is in favor of a rehearing. He explained his reason after reviewing Article 6 Section 6.7.3 it lists what is permitted for a home occupation and went through the 8 criteria and noted it does not state the sale of a commodity and in his opinion, guns are a commodity and sets precedent for sales of many other items from a residential unit. Goodspeed stated he feels the Board should take a more serious look at it.

Sullivan stated his position at the last meeting this type of business is not compatible for what is listed and that the Board of Selectmen made their decision.

MacLaren stated the Selectmen didn't go through any of the criteria. Because others didn't like it that's how he made his decision and the other selectman that showed up made a decision in error.

Sullivan referred to Howard's synopsis from that meeting. He stated he agrees with Goodspeed on having a rehearing.

Chairman MacLaren stated he backs up with what Bodge stated. He stated he looks at this business as it offers a service and with that service it offers a product and looking at #7, he sees

the same thing and Section 8 speaks to what can be taken into consideration if it fits within that category.

Goodspeed stated looking at #7 is a service in which the service requires a commodity and that's what he objects to.

Howard explained, at the original meeting when the board went through the criteria it was determined if it wasn't consistent the vote would have supported the Selectmen's vote. She explained the meeting tonight is to see if the Board is going to overturn the granting for the applicant to operate his business.

Sullivan asked if the board should address the criteria in the application by Johnson questioning if the Board addressed those points at the previous meeting. Howard stated the Board did address the criteria at that meeting. Chairman MacLaren noted the Board of Selectmen made an error in not going through the criteria, not the Zoning Board. Howard concurred the Selectmen did not fully review the application.

Sullivan questioned the request for rehearing should show new evidence. Bodge noted there is nothing new or compelling only that the board made an error, other than it didn't vote in Johnson's favor.

Goodspeed stated he doesn't think he looked at the application as thoroughly as he is now, and doesn't know anything else in town that sells commodities. One of their services is to sell one of their services to an out of state person or in state.

Howard reminded the Board there was an antique shop on Route 27 where you could go in and buy product. The Board had a brief discussion on buy and selling products out of a home.

Goodspeed stated before anything like this application comes before the Board, the Selectmen have put more effort in the request. He also stated he feels the Planning Board should look at the ordinances more clearly.

Goodspeed explained he should have looked into this more thoroughly in the beginning and stated he will vote in favor of a rehearing.

Bodge motion Dold seconded the motion to deny a rehearing. The motion carried to deny the rehearing 3-to-2. Goodspeed and Sullivan voted in favor of rehearing the request.

MINUTES OF DECEMBER 5, 2018 FOR APPROVAL – Goodspeed moved Sullivan seconded the motion to approved the minutes.

MINUTES OF OCTOBER 30, 2018 FOR SIGNATURE – The minutes were duly signed.

ADJOURNMENT – Bodge moved, Dold seconded the motion to adjourn at 6:30pm. The motion carried unanimously.

APPROVAL NOTIFICATION: December 19, 2018 - Minutes of December 5, 2018 were approved. Minutes of October 30, 2018 were duly signed.

Respectfully submitted,

Phyllis McDonough,
Zoning Board of Adjustment Secretary

Don MacLaren

Kim Sullivan

Charlie Goodspeed

John Dold

Joe Bodge