

**KENSINGTON BOARD OF ADJUSTMENT  
KENSINGTON, NEW HAMPSHIRE Public  
Meeting  
June 5, 2018  
KENSINGTON TOWN HALL  
95 AMESBURY ROAD  
AT 7:30PM  
Meeting Minutes - Approved 09/04/2018**

**In Attendance:** Bill Ford, Janet Bunnell, Joan Skewes, John Andreasse

**Others in Attendance:** Skip Heal, Cindy Heal and Briana Grieco

John called the meeting to order at 7:38pm and informed the board and all those present that it is a public meeting with discussion among the board members. An appeal can be granted for the following reasons:

- To discuss if there was a technical error made by the board.
- Or if there was any new information given to the board that was not available at the last meeting.

The board reviewed the application submitted by the Heals asking the board to appeal the previous approval of the yoga studio. John asked for the letter previously submitted by the Heals, which was in the applicants file case 18-03.

Janet stated that from what she is reading the abutters are requesting a rehearing for the board to consider this venture commercial. John stated that they need to be careful, even though there are a lot of points brought up they are looking for new information or a technical error made by the board. There is a lot in the Heal's letter that is tough to not consider, but there is some of the same content that was in the last letter to the board. John drove by the property and reported that you can't see the home from the road. In the instance of child care, there are more cars coming in. This seems to be somewhat of the same entity. Joan stated that there some of the previously approved applications were for cake companies, massage business, and child care which were approved for home occupations.

Joan's concern was the traffic and added that the board put limitations on the cars and classes, and hours of operation. Bill stated that there will be no visible cars on the street. They did discuss how far back the dwelling was from the street and that you could not see the home from the street.

Janet is trying to figure out what happened from the first of May through the 25<sup>th</sup> of May that would be different.

Bill stated that they also made a point in the decision to limit the business and they defaulted on anything that they were not aware of. John asked if there was a question of possible diminution of value, he wanted to address that because there was no proof of that. Janet explained that the board approved that there would not be any sales of products. If the property is sold, and there was someone that would be doing something else, then the new owners would have to come back to the board.

Joan made a motion to deny the request for rehearing, Bill seconded, all in favor. The vote was unanimous.

Cindy Heal asked to speak and the board granted it. She stated that she has not heard any legal opinions, on if the board made the right decision. The board responded that they are not lawyers. John reminded them that the reasons to grant an appeal are restricted. No one has pointed out to them that they had made a mistake.

Janet explained that the zoning laws are on the website and that is what they go by. In the book there is exactly what they have to ask. For them to make a different decision there would have to be one of the two reasons to rehear. Ms. Heal feels that they have not made the correct decision to allow this business on a residential road.

John stated that there were things in the second letter that they considered as well, and they did consider the letter that was submitted to the board during the first hearing in May.

Bill made a motion to adjourn the meeting at 8:10pm, John seconded, all in favor.

Respectfully submitted,

Kathleen T Felch