

A meeting of the Zoning Board of Appeals was held August 4, 2014 for the purpose of reviewing applications.

**MEMBERS PRESENT**

William Truesdell, Chair  
Bruce Goodwin  
Eleanor Holland  
Pam Murray  
Thomas Watson  
Albert Ferguson

**MEMBERS ABSENT**

Joe Marchetti

**STAFF PRESENT**

Scott Davis, Codes Enforcement Officer  
Marsha Hinton, Recording Secretary

Chair William Truesdell called the meeting to order in the Zoning and Planning Room at 7:00 p.m.

Mr. Truesdell stated the following: "Welcome. The August 4, 2014 meeting of the Bath Zoning Board of Appeals will come to order. I appreciate your presence here and your recognition of the authority of this board. This is a public proceeding and, unless the Board specifically votes to go into executive session, you have the right to hear everything that is being said and to look at all of the exhibits that are offered. Please notify me if you are unable to hear or see. The Board works from a prepared agenda and will be considering tonight's items in the following order." Mr. Truesdell read the agenda.

"Generally speaking, appeals from adverse decisions must be filed with the appropriate Appeals Board or Superior Court as otherwise provided by law, within 45 days of this Board's decision. Also, to be certain that you preserve your individual right to file any such appeal, you must be certain that this Board's record evidences your appearance this evening in opposition and the basis for your opposition. Are there any questions?"

Hearing no questions, Mr. Truesdell requested the applicant present the appeal.

**Appeal Number 1027**

Request from Bath Church of the New Jerusalem, for a sign code waiver at 876 Middle Street (Map 26, Lot 101).

Mr. Truesdell informed the Zoning Board of Appeals of a potential conflict of interest in that Mr. Truesdell had interacted with the Pastor of the New Jerusalem Church during a prayer meeting.

Mr. Goodwin called for a vote.

**MS. MURRAY MOVED, SECONDED BY MR. WATSON TO ALLOW MR. TRUESDELL TO HEAR THE REQUEST FROM THE BATH CHURCH OF THE NEW**

**JERUSALEM FOR A SIGN CODE WAIVER AT 876 MIDDLE STREET (MAP 26 LOT 101).**

**UNANIMOUS APPROVAL**

Mr. Rob Lawson, President of the Board of Trustees of the Church of the New Jerusalem, described the uniqueness of the lot and the need for signage to identify the building as well as signage to direct people to the parking area. Mr. Lawson described signage used by other churches in the area.

The Zoning Board of Appeals held discussion on the allowed signage in the R1 zone, the definition of bulletin showcase, the exiting sign on the site, future needs for lighting on the signs and the number of bulletin showcases allowed by the ordinance. Mr. Lawson amended his application to request only one 16 square foot freestanding sign that is not a bulletin showcase, to be located near the intersection of High and Winter Streets.

Mr. Truesdell read the waiver requirements of the Sign Ordinance and polled the Board regarding the following criteria:

- A. That the need for the waiver is due to the unique circumstances of the property, its location or unusual configuration of structure or property boundaries, and is not due to the general characteristics of the neighborhood;

**The Board unanimously agreed that this application meets standard A**

- B. That the granting of the waiver will not alter the essential character of the neighborhood or impact in a negative fashion surrounding properties particularly as relates to lighting, additional pedestrian and vehicle traffic as a result of signing, screening of the pedestrian or vehicle traffic, noise or similar types of impact;

**The Board unanimously agreed that this application meets standard B**

- C. That the hardship is not the result of action taken by the applicant or prior owner on their own to create the hardship;

**The Board unanimously agreed that this application meets standard C**

- D. That the design of the sign is generally consistent with the sign design standards for the district in which the sign is to be located.

**The Board unanimously agreed that this application meets standard D**

There being no further discussion from the Board, **MS. MURRAY MOVED, SECONDED BY MS. HOLLAND, TO GRANT THE WAIVER FOR APPEAL NUMBER 1027 - A**

**REQUEST FROM BATH CHURCH OF THE NEW JERUSALEM FOR A SIGN CODE WAIVER AT 876 MIDDLE STREET (MAP 26, LOT 101) WITH THE CONDITION THAT ANY FUTURE LIGHTING OF THE SIGNAGE AT THE CHURCH OF THE NEW JERUSALEM BE IN ACCORDANCE WITH ORDINANCE REQUIREMENTS AND WITH THE APPROVAL OF THE CODE ENFORCEMENT OFFICER.**

**UNANIMOUS APPROVAL**

Mr. Truesdell explained that members of the public objecting to the decision of the Board of Appeals would be able to file a suit with the Superior Court for the next 45 days.

**Minutes of June 18, 2012**

Mr. Davis pointed out that Granville was incorrectly spelled as Grandville.

**MS. MURRAY MOVED SECONDED BY MR. WATSON TO APPROVE THE MINUTES OF THE JUNE 18, 2012 MEETING AS CORRECTED.**

**UNANIMOUS APPROVAL**

**ELECTION OF OFFICERS**

**MS. MURRAY MOVED, WITHOUT SECOND TO ACCEPT AS OFFICERS MR. TRUESDELL – CHAIR, MR. GOODWIN – VICE CHAIR.**

Mr. Goodwin stated that he wished to remove his name from consideration.

**MR. GOODWIN MOVED, SECONDED BY MS. HOLLAND TO ACCEPT AS OFFICERS MR. TRUESDELL AS CHAIR AND MR. WATSON AS VICE CHAIR.**

**UNANIMOUS APPROVAL**

There being no further business before the Board, **MR. WATSON MOVED, SECONDED BY MR. TRUESDELL TO ADJOURN**

**UNANIMOUS APPROVAL**

Meeting adjourned 7:26 p.m.

Minutes prepared by Marsha Hinton, Recording Secretary  
Amended by Scott Davis 8-6-14