

TOWN OF WEBSTER, NEW HAMPSHIRE
Zoning Board of Adjustment
945 Battle Street/Rte. 127
Webster, NH 03303
Tel. (603) 648-2272

Zoning Board of Adjustment
Minutes September 12, 2017

PUBLIC HEARING

ZBA Case No. 17-01:

Petition of Sarah Kimball, property located at 390 White Plains Road, Webster, NH, wherein a Special Exception per Article V. Section 2, is requested to permit a home business for a hair salon. Said property is shown on tax map 2 lot 25-1 and lies within the residential/agricultural zone.

Present: Chairman Martin Bender, Barbara Corliss and Dee Blake.

Applicant: Sarah Kimball, 390 White Plains Road, Webster, NH

Public: George & Nancy Cummings (abutters), Michele Derby (abutter), Linda Clark (town resident) and Paul King (Planning Board member and town resident).

7:10 PM: Chairman Bender opened the public hearing. In the absence of Secretary Jaye Bowe, Member Corliss took attendance and read the application. Chairman Bender explained the public hearing and appeal procedures. He informed the applicant that because there were only three ZBA members present, she would need to have a unanimous vote of approval for granting her petition; she had the option of waiting to present her petition when there would be a full five member board. Mrs. Kimball declined the offer to wait. Chairman Bender requested Mrs. Kimball to tell the Board exactly what she wanted to do.

Mrs. Kimball stated her intentions were to have a hair salon in the basement of her home. She stated she had been a hairstylist for over 17 years. She would like to be her own boss and to bring a needed service to the Town of Webster as hair salons in the area are scarce and people work odd hours. She feels working from home will also give her more time with her family.

Chairman Bender asked where this would take place. Mrs. Kimball stated in the spare room in the basement of her house. She informed the Board that she had been in contact with the State licensing board of barbering and cosmetology (Office of Professional Licensure and Certification, Board of Barbering, Cosmetology and Esthetics). The basement room meets their requirements of 144 square feet. They also require an accessible public bathroom, which there is; there has to be two means of exit, which there are. Mrs. Kimball stated she will have to purchase an air purifier for noxious fumes. She will also need to install a shampoo sink. She stated the Board of Licensure's main concern is with sanitation. The state would come out twice a year to inspect the business in order to license the salon and renew Mrs. Kimball's individual license as well.

Member Blake asked about the Licensing Board doing an inspection before the opening of the business. Mrs. Kimball stated she would be inspected 1-2 weeks prior to opening.

Mrs. Kimball stated she currently works five days a week so for a while she would like to operate Monday through Friday from 4:00 pm to 8:00 pm until such time that she could leave her other job and work from home full-time like 7:00 am to noon and then 4:00 pm to 8:00 pm. She wasn't quite sure how she would split the day, but she would do appointments any earlier than 7:00 am and not later than 8:00 pm to accommodate people before and after work.

Chairman Bender asked about traffic; how many customers would there be; would she make appointments? Mrs. Kimball stated yes she would make appointments as opposed to walk-ins and would probably have no more than two appointments at a time. She stated her driveway turnaround in front of her house can fit 4 pick-up trucks. Her actual driveway is over 2000 feet from White Plains Road to the house, which is not visible from the road.

Member Blake asked about where the bathroom was. Mrs. Kimball stated it was at the top of the stairs from the basement.

Member Corliss asked about ADA accessibility because of the stairs. Mrs. Kimball did ask about handicapped accessibility at the Licensure Board and the woman she spoke with told her she did not have to meet those types of requirements. Mrs. Kimball stated the woman did not provide an explanation as to why not.

At this time, Chairman Bender opened up the hearing for public comments in favor of the proposal.

George Cummings of White Plains Road stated he was in favor of the proposal. He stated that as far as ADA he thought it probably did not apply to private residences. He stated he felt it was a good thing to have businesses like this in town; low impact and as abutters they are familiar with the property specifically the driveway sightlines which pose no problems. It would also be an advantage for Mr. Cummings to not have to travel to Concord for a haircut!

Michele Derby of White Plains road stated she was in favor. She asked about employees; Mrs. Kimball stated she would not have employees – just herself. Mrs. Derby asked about the hair coloring chemicals affecting the septic system and groundwater. Mrs. Kimball stated the only part that would go into the septic system would be what would be rinsing off the client. She stated water dilutes those chemicals and neutralizes the toxicity. She added that if she had any chemicals left over she would dispose of them separately as hazardous waste.

Linda Clark of Lake Road was in favor because she felt Webster could really use a business like this. She stated there are a lot of little businesses in town anyhow, why can't we have another? She stated she could not see any negative impact to the neighborhood.

Nancy Cummings of White Plains Road stated she was in favor. She asked if Mrs. Kimball would put a sign out. Mrs. Kimball stated probably not right away. She wasn't sure about the size yet. Chairman Bender stated that the maximum size would be 4 feet by 8 feet.

No one wished to speak in opposition.

7:33 PM: Chairman Bender closed the hearing and opened up discussion by the Board. Member Blake stated all the questions had been answered for her; Member Corliss and Chairman Bender agreed. Chairman Bender moved to take a vote: Chairman Bender – in favor; Member Blake – in favor; Member Corliss – in favor; unanimous vote to grant special exception to Sarah Kimball for a home business of a hair salon with the following conditions:

1. Hours of Operation: 7:00 am to 8:00 pm;
2. Signage: no larger than 4 feet by 8 feet;
3. Traffic: no more than 3 clients' vehicles;
4. Conform to State Fire and Life Safety Codes.

Chairman Bender reminded Mrs. Kimball the next step is the Planning Board Site Plan Review Thursday, September 21, 2017 at 6:30pm.

7:40 PM: Meeting adjourned.

These draft minutes were prepared by Therese E. Larson, Land Use Coordinator.