

Approved

Zoning Board of Adjustment

MONT VERNON
ZONING BOARD OF ADJUSTMENT
Mont Vernon, NH 03057
MEETING MINUTES – Tuesday, March 20, 2018

AGENDA

7:00 PM Case 1-2018 Leo Maniace
Application for a Special Exception

Seated: Alan **MacGillivray**, Acting Chair; Steve **Workman**; Tony **Immorlica****Absent:** Sheila **Sturm****7:00PM**

Meeting called to order by **MacGillivray**. **MacGillivray** took the roll call and 3 board members were present.

7:05PM

MacGillivray opened the public hearing for Leo Maniace. **MacGillivray** noted from return receipts that all but one abutter had been notified. The one certified letter had been returned after three attempts to deliver. Present for the hearing were abutters Ann Marie Hayden, 11 Bear Brook Way and Jeremy Beamer, 10 Bear Brook Way. Maniace explained that he is seeking a Special Exception in order to operate an Internet Firearms business. He furnished a copy of his FFL (Federal Firearms License). He has run this business since 2012 at five other locations. He stated that said business would be solely conducted as an online business. There would be no signage or advertising of the location. The business would not attract customers to the location. All business would be conducted anonymously online using only an avatar/ID name. He would maintain no inventory and only order products as he receives online requests from the website. He would not sell or store any munitions, gun powder or other hazardous material related to the business. He would sell to individuals through other licensed FFL dealers and mail any sold items to other stores. He would never personally meet any of his potential customers at his location. The business would be unidentifiable to anyone in the community and would have zero impact to his neighbors, their property or the community. The ATF requires him to keep a log book showing his purchases through to the final disposition.

Jeremy Beamer spoke against the application. He has children and has concerns with the safety of this kind of operation, with ammunition being on the property. **Workman** pointed out that ammunition is not regulated; there is no ammunition restriction to any private property owner. Ann Marie Hayden spoke of her concerns with internet safety. She is concerned that people may show up at the premise. Maniace stated that what comes in to his house is locked in a safe until it is reshipped and that his identity is unknown to anyone.

- **7:35 PM Closed Deliberative Session**

Workman motioned to accept the application with conditions. **Immorlica** read from our regulations that if the exception is allowed by our ordinance and there are specified conditions present under which the exception may be granted then we must grant the exception. Maniace meets the definition of a Home Business under I-406.4.3.1. The Board discussed what conditions they would want applied to this Home Business. There was a unanimous vote on all factors of the Special Exception criteria. **Workman** motioned to accept the application and grant the Special Exception seconded by **Immorlica**. All were in favor, the motion passed.

8:15 PM

The Board reviewed the minutes from December 20, 2016 and October 17, 2017. **Immorlica** motioned to accept the minutes from 12/20/16 and 10/17/17 as written seconded by **Workman**. All were in favor, the motion passed.

8:23 PM

As there was no further business before the Board, **MacGillivray** motioned to adjourn seconded by **Workman**. All were in favor, the motion passed.

Respectfully submitted,
Joan Cleary, Administrative Assistant