

ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING

Held: Thursday, January 22, 1981
City Council Chambers,
Dover, New Hampshire

Members Present: Chairperson Proulx, A. MacVane, H. Wersosky, G. Lamoureux and R. Shortill. Also present was alternate R. Keefe and Building Inspector R. Selleck.

Moved by MacVane, seconded by Wersosky to approve minutes of December 18, 1980 meeting as written. U.A.

Chairperson Proulx submitted to the Board the financial report for year ending 1980. The Board then reviewed the proposed Budget for 1981. Both reports were accepted by the Board and placed on file.

Informal hearing of H80-16 O'Day case in reference to Abuttor James Kageliery.

-Attorney Hinchey, representing Mr. Kageliery, stated that his client was concerned with the drainage problem caused by snow and the removal of the same. Mr. Kageliery requested that curbing be placed around the perimeter parking lot to prevent snow from being placed on his property.

-Attorney Willoughby, representing O'Day, stated that the drainage problem had already been taken care of. He further stated that to place curbing around the the parking lot would hinder snow plowing etc. There will be a grass strip between the two properties.

The Zoning Board of Adjustment took the position that the drainage problem was previously resolved by the Board with the stipulation that was attached to the granting of the variance on 7/31/80, whether it be drainage from rain and/or snow.

It was noted, however, that any complaint that developed could be brought to the attention of the Building Inspector, and he would, in turn, if the problem was related to drainage, see that the stipulation of adequate drainage was strictly enforced.

Business meeting adjourned.

H81-1 Nicholas Skaltsis, 22 Broadway Street, Assessor's Map 4, Lot 7, zoned RM-8 petitions for a variance from Article 21:4.8 to be able to have office space along with residential in a residentially zoned area.

Nicholas Skaltsis stated his intentions and noted that a general type of office use was intended (such as a CPA) for the lower section of the house. A use that would be low-traffic. He stated that there would be no privacy for a family if they lived on the lower floor due to the proximation of the building to the sidewalk and the amount of windows looking out. He further stated that the barn and shed at the back of the property were to be removed. A review had been done by the Planning Department in reference to the parking availability and it was decided that Mr. Skaltsis had enough room for the required seven spaces. Mr. Skaltsis noted that the hardship was in the location of the property and that with his proposed renovations, the property would enhance the surrounding area.

VARIANCE GRANTED: 5-0 (Applicant not present) No stipulations attached.

H81-2 Wendy Walker, 126 Sixth Street, Assessor's Map 34, Lot 18, zoned RM-12, petitions for an Administrative Decision from Article 21:2.1 to be able to open a dance supply shop in her home.

Mrs. Walker spoke of her intentions of building an addition to her home and would like to run a dance supply shop from there. She stated that her type of business was a very low traffic, demand type. She further noted that she was willing to put in a turn-around so that vehicles leaving the premises would not have to back onto Sixth Street. Hours open would be between 10:00 and 5:00. There would be no renting of the addition section to boarders, etc.

Mr. Keith Robinson spoke in favor of Mrs. Walker's intentions.

ADMINISTRATIVE DECISION OVER-RULED: 3-2 (Applicant present) Against: Wersosky, Lamoureux. Administrative decision by the Zoning Board of Adjustment to over-rule the Building Inspector's decision not to issue a Certificate of Occupancy for the operation of a dance supply shop in a residential zone. Said shop may be operated as proposed to the Board with no stipulations.

H81-3 Everett K. Robinson, 176-178 Central Avenue, Assessor's Map 12, Lot 21, zoned RM-10, petitions for a variance from Article 21:4.8 to convert an additional unit to an existing four unit residential complex.

Mr. Robinson presented his proposed plan to increase the number of units in his dwelling by one. He stated that the improvements planned would be kept with the era of the house and that planned to restore the house as much as possible to its original condition. Discussion ensued with reference to the access/egress to said property, and the historic value of the house.

Romet Aring, architect, stated that it was financially impossible to restore a dwelling of this size to its original condition without the revenue of the proposed unit.

VARIANCE GRANTED: 4-1 (applicant present) Denied: Lamoureux. With the stipulation that the applicant appear before the Planning Department for a site review for access and egress and that the applicant emphasize the aesthetics of the renovations to keep with the historic mode.

Moved by Lamoureux, seconded by MacVane to adjourn. U.A.