

DOVER ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING

Held: Thursday, March 18, 1982
Municipal Building
Dover, New Hampshire

Members Present: G. Lamoureux, H. Wersosky, R. Keefe, A. Turner, A. MacVane, A. Souther.
Also present was Building Inspector R. Selleck.

Minutes of meetings held on January 21, 1982 and February 18, 1982 were accepted as written.
U.A.

It was suggested that a note be written to City Manager Steele that the Board needed a non-voting note-taker. The Zoning Board resents the imposition on itself to divide its attention between taking notes and listening to testimony. They feel that they lose valuable input from both applicants and abutters, and request that the City Manager authorize the use of ZBA monies to pay a person to take notes at the hearings and meetings, or if this is not possible, they request comp time be given to Lillian so she may attend the meetings.

H82-4 Request for rehearing brought by Hutchins, that the variance be reversed.

REQUEST FOR REHEARING DENIED: 3-0 Shortill (proxy), MacVane, Souther.

Members sitting on the following cases were: Lamoureux, Wersosky, Keefe, MacVane & Souther.

PUBLIC HEARINGS

H82-5 HELEN ROBERTS SNOOK, Assessor's Map L, Lot 95, zoned R-20 petitions for a variance from Article 21:5.4 to subdivide her property with one lot having no frontage on Dover Point Road.

Abutters list read; no omissions or deletions. No opposition to members voting.

-Ed Hoginski, speaking for Ms. Snook, read letter stating her wishes to sell a back (river frontage) lot on the easterly part of the larger lot. Access would be by right-of-way, deeded perpetuity. Remainder would remain one lot.

-Question raised as to future habitability of cottages and/or future buildings with present water and sewer lines on the remaining of the back lot. Further questions on whether the remainder of the land would be land-locked.

-Ann Schultz, abuttor, spoke in favor.

-No opposition.

VARIANCE GRANTED: 5-0 as plan presented, as it met all requirements.

H82-6 ALICE A. PURINGTON, Assessor's Map C, Lot 42, zoned R-40, petitions for a variance from Article 21:5.4 to subdivide her property with one lot having no frontage on Tolend Road.

Abutters list read; no omissions or deletions. No opposition to members voting.

-Kirk Purington, son of applicant, stated that he wanted 3 acres of a 9+ acra parcel. This parcel has no frontage and would require a right-of-way from Tolend Road (right-of-way would be 50' wide and 25' from the property line.

-No opposition.

VARIANCE GRANTED: 5-0 as plan presented as request met all requirements. Applicant present.

H82-7 PUBLIC SERVICE COMPANY of NEW HAMPSHIRE, Assessor's Map K, Lot 25A, zoned B-3, petitions for a variance from Article 21:5.4 to subdivide their property with one lot having insufficient frontage on Dover Point Road.

Abutters list read; no omissions or deletions. No opposition to members voting.

-Barry Williams, Elliott Rose Co. of Dover, stated that Elliott Rose had an option to purchase the larger section of the Public Service Company's parcel. The proposed lot, having 125' frontage (with 106' remaining with the Public Service Co.) would be combined with adjacent property owned by Elliott Rose.

-Charles Clement, divisional Electrical Engineer for Public Service stated he would answer any questions put to him but it was the policy of Public Service to let the directly involved individuals speak to the issues.

-Questions were raised as to the authenticity of the sketch. The one in the folder, as viewed originally was, incorrect (sketch A). Discussion as to when the correct sketch was inserted (sketch B). Resolved satisfactorily.

-William Hoginski, direct business abuttor, spoke against stating that the Zoning laws were designed for general public, not specific individuals. If the variance was granted, the smaller piece would not be viable as a separate lot, and would be subject to sale, at a later date, at a reduced rate as a sub-standard lot.

-Edward Hoginski, direct business abuttor, stated that the Board would be creating a sub-standard lot by leaving only 106' frontage with Public Service Co. and that this would create a problem in the future.

Mr. Clement noted that transmission lines need 50' easement either side of the high voltage lines. These lines extend into the rear of the property. There is a change the substation might be eliminated, but the lines would then go through to the street. There still would be a need for the 100' right-of-way; therefore, Public Service would retain an easement.

VARIANCE GRANTED: 3-2 as plan presented. Applicant's representative present.
For: Wersosky, MacVane, Keefe. Against: Souther, Lamoureux.

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