

ZONING BOARD OF ADJUSTMENTS
MINUTES OF MEETING
AUGUST 18, 1988

MEMBERS PRESENT: Joyce Bowden, William Colbath and Randy Turner

Also Present: Steve Stancel and Dick Selleck

NEW BUSINESS

Minutes of the last meeting were approved.

Vote U/A

OLD BUSINESS

H88-39A and H88-39B William & Lucille Merrill were contacted and they have not yet received State approval.

H88-45 Paul & Anna Proulx (Applicant: Robert Smith) The Smiths have officially withdrawn.

Joyce Bowden announced to everyone present that since there are only 3 members present they may withdraw and be heard at a later date.

Don Mitchell, who represents Weathervane Seafoods, Inc., (Applicant: Alan Golic) Case #H88-47 and #H88-48 chose to withdraw.

Malcolm McNeil, who represents Seacoast Savings and Rowell & Watson Inc., Case H88-50 took the opportunity to withdraw.

Joyce Bowden asked everyone who withdrew if Monday, August 22 would be good to hear their cases as Thursday, August 25 was not good for everyone.

Ann Thompson representing Prescott Farms Supermarket Inc., Case H88-49 withdrew until Monday, August 22, 1988.

Bill Colbath made a motion to recess until August 22, 1988 for those who withdrew.

Randy Turner seconded.

VOTE U/A

H88-51 Michael & Cathleen Moore, 5 Toftree Lane, A/K/A Map M, Lot 1008, zoned R-40, request a variance from the terms of Article V, Section 170-16, to construct an addition thirty-three (33) ft. from a front property line as it abuts a

street where fifty (50) feet is required and from the terms of Article X, Section 170-41.A to increase a non-conforming structure.

Michael Moore stated he wanted to build a garage with a livingroom and bath upstairs. He will be building 51 feet from the road. Most of the neighborhood is not within the zoning ordinance because zoning was put in after the houses were built.

Randy Turner made a motion to accept the case.

William Colbath seconded.

VOTE U/A

Steve Stancel asked if there was anything in the backyard that prevented them from adding on in that location.

Mr. Moore replied that it slopes off to quite a degree and Randy Turner who had gone to see the property agreed.

Close public Hearing

William Colbath thought Mr. Moore's request was logical and the lot is unique in relationship to the others.

5 Points

1. The applicant does face an unnecessary hardship because the topography of the property makes it unique.
2. The variance will deliver substantial justice because it will allow reasonable use of the property without altering its basic characteristics.
3. The variance will be in harmony with the spirit and intent of the zoning ordinance as they are not changing the single family concept of their zone and the density is not being increased.
4. The variance will not result in a diminution of value of surrounding properties because of no evidence presented.
5. The variance will be of benefit to the public interest because no evidence presented that it would be a detriment.

VOTE U/A

GRANTED with the condition that the placement of the addition will conform to the revised plan submitted.

Mr. Grey, representing McQuade Realty, Inc., Case #H88-52 withdrew until Monday, August 22, 1988.

Joyce Bowden discussed a letter that should be written to all Board Members stressing their responsibility to set aside the third Thursday of the month for the Zoning Board Meetings. Steve Stancel agreed to see that the letter get out tomorrow.

Joyce Bowden made the motion to recess until Monday, August 22, 1988.

Randy Turner seconded.

Meeting recessed at 7:45.