

ZONING BOARD OF ADJUSTMENT
DOVER, N. H.

Hannigan - Bickford
H77-12

Time: 7:36 p.m.
Place: Municipal Courtroom
Present: John P. Gintautas, Chairman
Anthony Hartnett
Harold Bowen
Albert McFadden - Alternate
Howard MacDonald - Alternate
Date: July 14, 1977

The Zoning Board of Adjustment met on July 14, 1977 to hear the appeal for a variance by Messrs. C. E. Bickford and W. E. Hannigan.

Mr. Bickford presented the following statements. He has had the property on the market as of January 1977. Mr. Hannigan would buy the property if he could conduct an automotive electrical business there. There would be no traffic increase as the work would be picked up elsewhere and there would be no vehicles left overnight. Mr. Hannigan offered the following information. He would live on the property and conduct the business there. He would build a 20' x 30' wooded structure to house the equipment and the area where work is to be accomplished. All lot line requirements would be obeyed. The work would be repair of alternators, small motors and generators. He did not intend to do tune-ups of automobiles. He stated that there was commercial activity across the street. Did not know nature of business there.

Several people spoke in opposition to the granting of a variance; Mr. Sam David represented his mother who is an immediate abutter. He feared an increase in traffic and noise. He stated that there are areas available for business enterprises. The business in the immediate area has been there for more than 50 years and cooperates with the neighborhood by parking employees behind the building and maintaining a clean street front. Mr. Philippe Morrissette, resident of Maple St., offered the following statement. The neighborhood has been a residential area at all times. Another request for an auto shop was denied several years back. There is no hardship in the use of the land. It could be sold for residential purposes only. Present tenants unaware of intended use

if sold. The business would require venting of degreasing liquids due to the nature of intended business. Thought the appellant was trying to circumvent the ordinance. Pointed out the neighborhood was not transient type. Mr. James McShane, 88 Grove St. an abutter on the east side stated that he feared the degreasing fumes would be vented in the direction of his home due to the proposed location of the work shop. He thought the business would be more than a small repair shop for motors but would develop into an automobile repair facility.

Irene Roussel, Mary Catsoulis, Raymond Richard and Mrs. Nye, all abutters or residents of the area, spoke in opposition with the same sentiments; that other areas suitably zoned are available, property values would diminish and there is no hardship in the use of the land.

In rebuttal, both Mr. Bickford and Mr. Hannigan stated that they had no intent to disturb or upset the neighbors. They noted that the neighborhood was united in their opposition. Mr. Hannigan clarified a point about the type of equipment he would use such as a lathe and drill and arbor press.

The Board denied the petition for variance for the following reasons,

- Resolved:
- (1) there is no hardship in the use of the land,
 - (2) the spirit and intent of the ordinance would be violated,
 - (3) there is some evidence that the property values of the abutters could possibly diminish.

Meeting Adjourned at 8:25 p.m.

Report Prepared by John P. Gintautas

JPG:am