

Zoning Board of Adjustment
Dover, N. H.

Minutes of Meeting
October 19, 1978

The Board met in the Building Inspector's office at 7 p.m. Present were Anthony Hartnett, Chairman, Helen Smith, Helen Wersosky, Alicia MacVane, Gerard Lamoureaux and Anita Munroe, Acting Clerk.

A regular business meeting was convened and it was decided that the minutes of the previous meeting would not be accepted at this time as there were a few minor changes that were necessary.

In a letter dated 9/27/78, Mrs. Helen Smith submitted her resignation to the City Council. Mr. Hartnett praised Mrs. Smith for so ably serving the City as a Zoning Board member for the past four years. At this time, he indicated the need for the City Council to make new appointments to fill those vacancies that now exist.

The Public Hearing was called to order at 7:41 p.m. by Chairman Hartnett who welcomed those present and also by an introduction of the Board members. He then explained the procedure of presenting evidence and how the opposition may enter its evidence with rebuttals by both sides following.

The first case numbered H78-22, Wecohammet Lodge #3, I.O.O.F (Independent Order of Odd Fellows), was announced with the Clerk reading the particulars of the case. Mr. Lawrence Towne, a member of the Building Committee offered the Board some background information on how their former headquarters had been lost through Urban Renewal and that they have been and are still temporarily located in the American Legion Hall on Upper Central Avenue. He announced that the Lodge proposes to construct a split level house to be used as a meeting place. The property in question is currently owned by John Davey and is located on Cataract Avenue as shown on Assessor's Map 15, Lot 13, and is located in an R-2B Zone. Said vacant lot has a frontage of 197' with an equal footage along the back lot and 164' more or less on each side and is accessible to city water and sewer lines. The design of the building would conform to other houses in the neighborhood and would have one large open room and two bathrooms on the main level and a banquet room in the basement for use at such time as perhaps a state meeting. Because of the dwindling membership of this fraternal order, the number of people to attend such functions would probably not exceed 40 at any given time. There will

be plenty of room for off-street parking and they do not plan on renting the facility for weddings, etc. Mr. Towne added that this is a convenient location in that it is within walking distance of downtown.

Mr. Bernard Sears, also a member of approximately 40 years, added that the organization had been in existence for 135 years and that they currently meet twice a month and that no alcoholic beverages will be served.

Mr. Herman Gitschier, 7 Cataract Ave., an abutter was not opposed to the organization itself but did express his concerns for his neighborhood. He stated that the area is not "down" that it had been able to maintain its integrity and dignity through many changes. He suggested that restrictions be placed should the variance be granted to include, 1) extensive parking, 2) that the building look like a home and not just another hall, 3) concerned as to whether the lot would be permanently changed to allow some other organization to locate there should the I.O.O.F. change their minds on this location once the variance was granted.

Nick & Kay Chiano, 4 Cataract Ave., abutters expressed their feelings adding that their main concern was alcoholic beverages being consumed in cars outside of the proposed building.

In rebuttal, both Mr. Towne and Mr. Sears emphasized that there would be no alcohol on the premises and that the lodge had no plans on renting or selling the proposed building.

In a 4-1 public decision, the Board voted to grant the variance with Mr. Hartnett casting the dissenting vote.

The next case was numbered H78-23 and was a variance requested by Edward A. LaRoche, 8 Arbor Drive. Mrs. LaRoche was present and informed the Board of her desire to have a 24' x 24' 2-car garage constructed on her property which is shown on Assessor's Map I, Lot 74K and is located in an R-1 Zone, said proposed garage would be placed within 8 feet of the lot line. She told of being made aware by a neighbor of a discrepancy in the lot line which, if surveyed, would possibly alleviate the problem of building too close to the lot line and neither the LaRoches' nor the neighbor wanted to go through the expense of having their lots surveyed. It was suggested that she should go to the Registry of Deeds office and review her deed and any Plans that would be on file as it may not be necessary for her to secure a variance. There was no opposition and in view of the fact that no hardship exists, the Board denied the variance request on a 3-2 vote with Smith and

MacVane voting to grant.

The Board went into executive session at 8:50 p.m. and the Public Hearing reconvened at 9:29 p.m. with adjournment at 9:35 p.m. following the public decision.

Report Prepared by
Anita Munroe, Acting Clerk
11-1-78