

DOVER ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING

Held: November 17, 1983
Council Chambers,
Dover, NH

MEMBERS PRESENT

Robert Keefe, Chairman
Helen Wersosky
David Bertrand
Peter Greenwood

ALTERNATES PRESENT

Bill Bickford
Alden Joy
Mardean Frazer
Dennis Ciotti

Dick Selleck, Building Inspector

BUSINESS MEETING

Called to order 7:06 p.m.

Minutes of October 6 (McIntosh rehearing):

Wersosky moved, Bertrand seconded, to approve.

Minutes of October 20 (regular meeting):

Correct KALIVAS, attorney in H83-31, to CALIVAS

Bertrand moved, Wersosky seconded, to approve.

Requests for rehearing have been received on cases H83-31 & H83-42.

New Business

Chairman Keefe stated that he has been asked what you should look for in a request for rehearing. He read from state law in The Board of Adjustment in New Hampshire a Handbook for Local Officials.

A new handbook will be issued January 1, 1984.

Regarding expiration of ZBA terms: Several members' terms expire December 31, 1983. Those members are asked to hold those positions until the new Dover City Council appoints replacements.

Business Meeting adjourned 7:15 p.m.

PUBLIC HEARING

Called to order 7:35 p.m.

Mr. Keefe explained procedures for the meeting.

A petition for rehearing has been received for case H83-31 (Waldron).

Board members who heard that case were Keefe, Wersosky, Frazer, and Ciotti. The Chairman asked those board members if they had read the request for rehearing, they affirmed. Members voted 4-0 to DENY the request for rehearing, citing no new evidence submitted.

Another petition for rehearing has been received for case H83-42 (Janakopoulos). The same board members heard this case.

Request for rehearing DENIED 3-1 (Ciotti granting), citing no new evidence submitted.

Board Members on tonight's cases were Bertrand, Wersosky, Bickford, Greenwood, Keefe.

H83-45 The Pit Stop, owned by Robert Futterer, 47 Broadway, known as Assessor's Map 24, Lot 2H, zoned B-3, petitions for a variance from Article X, 170-41, to reconstruct the rear section of his existing structure on a lot having insufficient frontage and area.

Robert Futterer presented his case:

- Business growing, needs storage
- Existing foundation an eyesore
- Rebuilding will increase value of property

Wersosky: You are building on the same foundation?

Futterer: Yes, I will rebuild walls and ceiling.

No one spoke in favor or in opposition.

VARIANCE GRANTED: 5-0

H83-46 Robert L. Vaccaro, 57 Knox Marsh Road, known as Assessor's Map H, Lot 37, zoned RM-20, petitions for a variance from Article IV, 170-12, to convert a large, single residence into medical offices.

Robert Vaccaro presented his case:

- Cannot convert to residential due to sewerage restrictions.
- Will not violate spirit & intent.
- Would not adversely affect property in the area.
- Injustice not to grant--hardship due to sewerage restrictions.

Bickford: Do you plan four or more offices?

Vaccaro: Plans are to begin with one family physician. I do not foresee more than five physicians total on the property.

Bickford: How many parking spaces have you allocated?

Vaccaro: Sixteen spaces planned for three physicians and extra available for expansion with buffers on each side.

Keefe: Parking will come under site review. Five spaces are required per professional and one per staff member.

No one spoke in favor or in opposition.

VARIANCE DENIED: 3-2 (Wersosky & Keefe granting)

Bertrand: Does not meet with spirit & intent of the ordinance.

Bickford: Same reason

Greenwood: Same. Situation with sewer was not unique to parcel.

Mr. Keefe stated that case H83-45 is subject to site review.

Public Hearing adjourned 8:00 p.m.

Respectfully submitted,

J. Gale Perreault
ZBA Secretary