

H-79-12

MINUTES

Zoning Board of Adjustment  
City of Dover, N.H.

Board Meeting and Hearing

DATE: June 21, 1979 - Thursday  
 TIME: 6:45 pm and 7:30 pm  
 PLACE: Rm 09, and Dover District Courtroom, Municipal Bldg.  
 PRESENT: Ann Barr, Alternate member, (voting)  
 Robert Keefe, Alternate mbr., (voting)  
 Gerard Lamoureux, Regular mbr., (voting), Acting Chairman  
 Peter MacDonald, Alternate mbr., (voting)  
 Rita Shortill, Regular mbr., (voting)  
 R. Proulx, Reg. mbr. (declined Chair--still recuperating)

Mr. Lamoureux was asked to chair meetings as Mr. Proulx was ill. Lamoureux had previously received support of Board as Vice Chairman. The Acting Chairman Lamoureux opened the Board meeting at 7:05 pm. The Chair motioned to accept the third Thursday as originally written in By-Laws as ZBA scheduled meeting night, with necessary other meetings at the option of the Chair. Keefe motioned to accept, MacDonald second. All in favor. This is third reading. MacDonald motioned to accept Minutes of 6/7/79 as typed, Keefe second, all in favor except Shortill who declined for not having had time to read minutes. Chair suggested Board may wish to purchase 3-hole punch, Mbrs. did not find sufficient need at this time. Barr motioned to adjourn meeting, MacDonald second. Mtg. adjourned 7:20 pm.

The Chair called hearing meeting to order at 7:30 pm. The Chair stated he was acting in capacity of chairman as Proulx was unable. The Chair introduced voting mbrs.; reviewed procedure for hearing; mentioned Board authority. Clerk read notice and list of abutters for first case.

H79-12 Joseph & Judy Keraghan...petition for variance from...21:5.4...  
 to construct addition to present home...

The Chair asked applicant to state her case. Judy Keraghan gave a history of property as follows: wishes to add 2 rooms w/furniture on side of prop. that borders City land, would leave 12 ft. from house and 4 ft. from lot line. In May 1979 Keraghan requested from Mr. Steele, City Mgr. to buy city-owned land abutting her prop. In 1974 Keraghan had property surveyed, at this point they found deed was incorrect; discusses odd shape of lot; land does not conform to other prop. on the street; house too small for family size; 3 sides of prop. is woods; abutter does not object on side of house want to build on. Chair asked if Board had questions. Barr read letters: 6/6/79 from City Mgr., 5/7/79 to purchase land cc:City Clerk & City Mgr. Mgr. feels best route is to come before ZBA. There being no further questions, the Chair asked if anyone wished to speak in favor. James R. Lang, Evelyn B. Reynolds of 10 Barry St., Mr. & Mrs. Arthur Mace, Maureen Butterfield of 15 Barry St., and Blanche M. Gardner of 13 Barry St. stated they were in favor of application. There were no speakers in opposition. There being no further questions, the Chair closed this case pending executive session.

The clerk read notice and list of abutters for second case. (Notice published in Foster's 6/14/79 and posted as required by law. Corrected copy changed posting date from 5/7 to 6/7; posting was 6/7.)

H79-13 Hubert A. Hardy...petitions for a variance from Art. 21:5.4...to subdivide present lot.

The Chair asked applicant to state his case. Gregory Koutrelakos represented Hardy. Koutrelakos stated: is proposing to subdivide in 3 parcels; concerned parties are Hubert Hardy, Robert Shaw, and Daniel Watson; it is proposed to have Watson\*buy from Shaw; Shaw would like to buy, Hardy would like to sell piece of land, cannot do anything with it; land has no function; sale will not depreciate prop.; referred to a sketch (Chair marked Exhibit A); will be divided in 3 parcels of prop; dimensions: 65' frontage, 60' x 59.10; Shaw has 5,830 sq. ft. of which 16' right of way is 63.20x102.50x49.8 in the back; and 43' on back, 59.5' (Watson), 63.20 depth of prop. located behind Shaw's prop. for one piece. On the other piece of land, corner of Hough & Mt. Vernon is two pieces of prop.: 2 units, 2 apts per unit; want to subdivide these properties; reiterates footage to clarify: 102.47', 59.10' frontage on Hough St., 102.47' on Mt. Vernon. Sale not changing anything, not building, not tearing down, just changing lot lines. The Chair asked if anyone wished to speak in favor. Robert Shaw of 20 Elmwood Circle, owner of prop on 68 Hough St. stated he wants to buy prop. because tenants have no place to park; right of way going in back yard which they cannot block; tenants have to park in front lawn; wants to move cars from front lawn and enhance prop. Keefe and Shaw discuss r.o.w. Shaw states he wishes to tear down the barn, wants place to park cars. Hazel Watson of 22 Hough St. in favor unless Shaw makes a parking lot for students in vicinity. Jean Mott in favor; Chistine Herlighew concerned with parking cars, and where parked; Hubert Hardy of Hough St. in favor because right of way not being used any more; was told city owned r.o.w.; concerned about last time he sold parcel of land to Remington; Galanes did deed on that, as far 'as I know city does not own right of way'. Shaw stated r.o.w. was deeded to him--largest part of it. Koutrelakos stated deed did not show city interest, land still a 'right of way.' Shaw stated his lot dimensions just about includes that whole right of way. Mr. Henry Yancy of 38 Mt. Vernon stated: concern over parking and trash in the area, has junk cars in area. Shaw reiterates his need to clean area and have a place for tenants to park. Watson in favor of petition, will help parking problem. Shortill questioned number of parking spaces, Hardy replied--8. Hardy had land surveyed. Koutrelakos stated Hardy planning to deed right of way to Shaw. Shortill asked for clarification of ownership of right of way. Hardy has 7½ ft. Shaw has most. Shaw to use for tenant parking. The Chair asked if anyone wished to speak in opposition. Christine Herlighew concerned with deed wording. Chr. stated 1 ltr. undeliverable (G.Miller). There being no further speakers, the Chair closed this case pending executive session.

H79-14 City of Dover, owner of prop...Dover Senior Service Ctr...petitions for a variance from Art. 21:5.4..rear yard setback...to construct an addition. The Chair asked the applicant to present his case.

Jack Donald McClain stated building was purchased w/HUD funds, community funds. Mary McGillen succeeded in getting funding from Council on Aging. Proposed addition is 15'x30', 450 sq. ft.; would like 2' allowance; looked at other alternatives, the best place for addition is in back of bldg; increased space will be gift shop; current gift shop is in ctr. of bldg. will be more convenient at back with ramp to door; Dover citizens

\*(H79-13) Watson named in hearing at this point--clerk checked w/Koutrelakos--was in error, should be Hardy sell to Shaw. Koutrelakos error in speech.

have been most encouraging of Ctr., also much clothes sold, many purchases of 50¢, want added space for dressing room, some customers cannot pay, some clothes given to senior citizens. McGillen said 90% of items on consignment, Ctr. gets 20¢ on the dollar. There being no further questions the Chair asked if anyone wished to speak in favor. Gregoria Koutrelakos in favor, would not depreciate area; Dela Norton of 80 Third St. in favor if addition for senior citizens, but against if for Dover Group Home. Shortill questioned parking area. McClain replied addition would diminish some of the parking area, but not considerably. Barr questioned size of addition. McClain replied size adequate for present and future use. Barr questioned who will fund addition. McGillen replied Senior Service Ctr. In past Title V, CDA and federal funds have repaired bldg. This addition is federal money, and Ctr. funds 75-25. The Chair asked if there were any other speakers. The Chair declared this portion of the hearing closed and called the Board to Executive Session at 8:33 pm

The Chair called the meeting back to order at 9:00pm., 6/21/79  
H79-12--Keraghan-- The Board voted as follows: Barr, McDonald, Shortill, Lamoureux, Keefe--granted as plan submitted (5-0). The applicant was absent for decision.

H79-13--Hardy-- The Board voted as follows: Barr, McDonald, Shortill, Lamoureux, Keefe--granted with stipulations (5-0). The stipulations are:  
 (a) that Right of Way be relinquished between said property;  
 (b) make a straight line from Hough Street running between Shaw and Hardy property;  
 (c) transfer land and make one lot with Shaw's lot to forever remain an open space owned by lot #105;  
 (d) will be used for parking by tenants only;  
 (e) and subject to cite review by the Planning Board.

The applicant was present for decision. Board mbrs. clarified above with Koutrelakos and Shaw and Hardy.

H79-14--City of Dover-- The Board voted as follows: Barr, McDonald, Shortill, Lamoureux, Keefe--granted (5-0).

The Chair entertained a motion to adjourn, MacDonald motioned, Keefe second. Meeting was adjourned 9:10 pm.

Respectfully submitted,  
 Elaine Vachon, clerk  
 6/25/79