

DOVER ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING

Held: July 21, 1983
Council Chambers,
Dover, NH

MEMBERS PRESENT

Robert Keefe, Chairman
Francis Menez
David Bertrand
Peter Greenwood
William Scrufutis (attended public meeting only)
Also, Richard Selleck, building inspector

BUSINESS MEETING

Called to order 7:08 pm.

Minutes approved from meeting of June 16.

Regarding special meeting of July:

- R. Keefe suggested that the minutes of this meeting be destroyed due to a misunderstanding in the calling of the meeting.
- F. Menez moved that the Board get a legal opinion on the minutes of the meeting of July 1.
- D. Bertrand seconded; no discussion.
- Vote for a legal opinion passed, 3-1, Keefe dissenting.

Menez moved, Bertrand seconded, to adjourn.

Business Meeting adjourned 7:17 pm.

PUBLIC MEETING

Called to order 7:35 pm.

Chairman Keefe recognized Daniel Williams, who requested a withdrawal of his application for variance, Case H83-29. Ernest Clark, tenant of the property in same case, expressed thanks to Howard Shapiro and Daniel Williams for such withdrawal.

Members of the Zoning Board were introduced and procedures for the meeting were explained.

No objection was made as to Board members sitting on any of the following cases:

H83-17 LORD & KEENAN, CO., INC., acting as agent for George Janetos, 63 Main Street, Assessor's Map 3, Lot 31, zoned B-2, petitions for a rehearing for a Special Exception from Article VI, 170-23 (previously Article 21:6.6), to re-open a gasoline service station which has been closed for over 90 days.

Chairman Keefe advised that no rehearing was necessary as determined by the city attorney.

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H83-22 RONALD PILOTTE, agent for C & P Enterprises, 17-19, 21, 23-25 Pierce Street, Assessor's Map 4, Lots 12,13,14 and 15, zoned RM-8, petitions for a variance from Article V, 170-16, to convert existing dwelling units into a multi-family dwelling unit(s).

Mr. Pilotte presented his case, citing:

- Railroad tracks behind the buildings and a city truck route in front of buildings precludes use of subject sites as single-family dwellings.
- Rehab plans would exceed \$180,000 and bring neighborhood up to area standards.
- Ample parking would be available with the purchase of Lot 15, adjacent to building sites.

Bertrand: Scale model shows side entrances to buildings.

Pilotte: This was proposed due to truck route in front of buildings.

Menez: Is it true that without Lot 15 there would not be the required number of parking spaces?

Pilotte: Confirmed.

No one spoke in favor.

Secretary read letter into the record from IBEW Local Union 490, submitted in favor of request.

No one spoke in opposition.

VARIANCE GRANTED: 5-0

H83-23 WALTER FISCHER, Glen Hill Road, Assessor's Map C, Lot 6G, zoned R-40, petitions for a variance from Article V, 170-16, for relief from the requirement of 25' sideyard setback.

Walter Fischer presented his case, stating that he owns Lots 5, 6, and 7, and variance would affect only his property and its potential resale.

No one spoke in favor.

No one spoke in opposition.

VARIANCE GRANTED: 3-2 (Greenwood & Bertrand dissenting)

H83-24 STEPHEN & DEBORAH RICHTER, 20 Elmwood Avenue, Assessor's Map 25, Lot 41, zoned R-12, petitions for a variance from Article V, 170-17, to construct a garage having insufficient sideyard setback.

Deborah Richter stated that construction of proposed garage is due to the existence of present driveway and location of rear entrance to house.

Allen Foster, neighbor, spoke in favor.

Secretary read into the record letter from Phyllis Howard, a neighbor, who is in favor of variance.

No one spoke in opposition.

VARIANCE GRANTED: 3-2 (Greenwood & Bertrand dissenting)

H83-25 WILLIAM ST. LAURENT, on behalf of Edmond J. O'Brien, Maple Street, Assessor's Map 30, Lot 19A, zoned I-1, petitions for a variance from Article IV, 170-12, to convert an existing unused warehouse into eight apartment units.

Bill St. Laurent cited as support:

- Hardship in maintaining industrial zone use of site would create truck traffic to interrupt residential area.
- A 14 car parking lot is proposed for the rear of the building.
- Landscaping in front of building is proposed for aesthetic blend into neighborhood.

Greenwood: What is nature of request?

St. Laurent: Variance to make residential use of site zoned industrial.

Ed O'Brien, property owner, spoke in favor, claiming inability to dispose of property for industrial use.

Timothy Pierce, neighbor, spoke in favor.

Ron Pilotte, spoke in favor.

No opposition.

VARIANCE GRANTED: 5-0

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H83-26 HAZEL ELGEE & FRANCIS THOMPSON, Old Coloney Road, Assessor's Map M, Lots 20 and 21B, petitions for a variance from Article X, 170-40A, to replace an existing mobile home which is on an individual lot, with a new mobile home.

Christine Scott, who spoke on behalf of her mother, informed the Board that for 30 years a trailer had been on this property and that her mother wished to replace it for more modern conveniences.

Alice Folger spoke in favor.

No opposition.

VARIANCE GRANTED: 5-0

H83-27 GEORGE & HOLLY WHITEHEAD, 85 Fourth Street, Assessor's Map 33, Lot 36, zoned R-12, petitions for a variance from Article II, 170-6B, to be allowed to run an "Profit Educational Institution" (R-40 District only) as a customary home occupation with a maximum of fifteen students.

Holly Whitehead informed the Board of a small play group now meeting in her home and her wish to expand the number of children allowed.

Menez: What about parking?

Whitehead: Ample space along driveway

Suzanne Meadows, neighbor, spoke in favor.

Chris Wyskiel spoke in favor.

No opposition.

VARIANCE GRANTED: 5-0

H83-28 PHILIP & NANCY CHRISTIE, on behalf of Salvatore Bonanno, Intersection of Long Hill Road and Old Rochester Road, Assessor's May A, Lot 9, zoned B-3 and R-12, petitions for a variance from Article IV, 170-12 to extend the B-3 zoning district into the R-12 district to be able to construct a commercial structure using both zones.

Bill Tanguay, attorney representing the Christies, advised the Board that the subject lot has long been a problem for the neighborhood and the city.

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Salvatore Bonanno, property owner, spoke in favor.

Robert Steele spoke in favor.

No opposition.

VARIANCE GRANTED: 5-0

Moved by Menez, seconded by Bertrand, to adjourn.

Public Meeting adjourned 8:47 pm.

GP