

MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT

Held: April 18, 1985  
Municipal Building  
Dover, NH

BUSINESS MEETING

MEMBERS PRESENT: Chairman Peter Greenwood; Vice Chairman Alden Joy; Dennis Ciotti; David Bertrand;

ALTERNATES PRESENT: Mardean Frazer; Ann Turner; Bill Hunt

OTHER: Dick Selleck, Building Inspector

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Mr. Joy called the meeting to order at 7:00 PM. Minutes of previous meeting were approved on the motion of Dennis Ciotti and the second of David Bertrand.

Discussion of cases followed.

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REGULAR MEETING WITH PUBLIC HEARINGS

H85-11 Philip and Mary Crosier, 68 & 70 Fourth Street, known as Assessor's Map 32, Lot 35, zoned R-12, petition for a variance from Article IV, Section 170-12, to convert an existing two-unit dwelling into a four-unit dwelling in an R-12 zone.

Mr. Wilfred Boudreau, representing Mr. Crosier, requested that this case be tabled until the next meeting due to the absence of the person who was to make the presentation.

The Board voted 5-0 to table this case until the next meeting.

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H85-12 Charles and Rosemary Seachrist, (115) 117 Spur Road, known as Assessor's Map L, Lot 117, zoned R-20, petition for a variance from Article II, Section 170-6, for relief from the definition of a lot, and a special exception from Article VII, Section 170-27C(2), to construct a dwelling unit within the Conservation District.

Mr. Seachrist presented the case to the Board. He stated that he is unable to sub-divide his lot due to Conservation Commission restrictions. Since he cannot sub-divide, he is seeking a variance to put a second home on a lot that is large enough to accommodate two homes. He stated they have sewer and water hookups. He stated there is also a special exception required to do this and that the Conservation Commission did not seem to have any objection to this. Their only objection was to sub-dividing the lot.

(over)

Mr. Seachrist passed out plans to the Board members for their review and answered questions regarding property lines.

Mr. Hunt had a question regarding the limitations of the Conservation District regarding the use of this land to which Mr. Joy replied that no building can be over 75' without a special exception.

It was ascertained by Mr. Greenwood that Mr. Seachrist had received required state approval for his plans.

No one spoke in favor or in opposition to the request.

Mr. Greenwood closed the public hearing at this time and the Board discussed the case.

Mr. Joy made a motion to approve the variance and the special exception as requested stating it is in the spirit and intent of the ordinance and there is hardship in the land.

Mr. Bertrand seconded the motion stating there would be no delictorious effect on the Conservation District.

Variance Granted 4-1 (Greenwood)

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H85-13 Elizabeth Fischer, Fairview Ave., known as Assessor's Map 25, Lot 24, zoned R-12, petitions for a variance from Article V, Section 170-16, for relief from setback requirements.

Mr. Joy stated that before the case was opened, he wished to inform the Chairman that he does not think this lot is defined legally as he reads the zoning laws - Chapter 170-14B states that two non-conforming lots that are adjacent shall be combined. He stated that until this problem is clarified he believes the Board cannot act upon this application.

Ms. Fischer stated that she was led to believe that what she was requesting was correct.

After some discussion, Mr. Bertrand made a motion to table this case until the Board consulted with the City Attorney. Mr. Joy seconded the motion on the grounds that it would be an illegal presentation.

Board voted to table the case indefinitely until there is a ruling from the City Attorney - 4-1 (Greenwood).

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H85-14 Nancy Phillips Berkowitz, Tolend Road, known as Assessor's Map F, Lot 3, zoned R-40, petitions for a variance from Article V, Section 170-16, for relief from frontage requirements.

Nancy Phillips Berkowitz explained the petition and presented plans to the Board.

She stated they had purchased a 56 acre parcel and are requesting a variance on frontage because they would like to sub-divide the property into two building lots. She feels the request is in the spirit and intent of the ordinance and would cause no hardship to any abutters.

Mr. Greenwood requested whether they would build on lot one now. The reply was yes.

No one spoke in favor or in opposition to the request.

Mr. Bertrand made a motion to grant the variance as requested. Mr. Joy seconded the motion.

Variance Granted 4-1 (Ciotti)

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The meeting adjourned at 8:45.