

DOVER ZONING BOARD OF ADJUSTMENT  
MINUTES OF MEETING

Held: April 17, 1986  
Council Chambers  
Municipal Building

Members Present: William Hunt-Acting Chairman, Ann Turner,  
Mardean Frazer, Dave Bertrand, and Barry Hager-Alternate.

Also Present: Dick Selleck-Building Inspector and Kathy Munson-  
Recording Secretary.

Public Hearings:

William Hunt called the meeting to order at 7:30 P.M.

H86-15 Paul Martel, 13 Drew Road, also known as Assessor's Map I,  
Lot 28A (Owner: Lionel Martel), zoned R-40 requests a variance from  
Article V, section 170-16 to subdivide a lot having no frontage on  
a public right-of-way.

Paul Martel explained that he wished to subdivide a lot making it into  
two lots - to have one house on driveway - with a proposed house -  
50' right-of-way has been reserved for the Public Highway.

Public Hearing Opened: no comment  
Public Hearing Closed:

Ann Turner asked Paul Martel to explain the information given to  
the Board Members "to sell 1.5 acre lot in the rear as shown on  
map for dwelling, and to remain road front lots" and asked if  
drainage would be taken care of?

Paul Martel explained that the drainage would be taken care of with  
a culvert.

Mardean Frazer moved to grant the variance. Dave Bertrand seconded  
the motion.

VOTE: 4-0. Variance granted.

H86-16 Jan BJune, RFD 3, Box 255 (Owner: Paul D. and Donna F. Silver),  
81 Littleworth Road) also known as Assessor's Map F, Lot 30, zoned  
P-40, requests a variance from Article IV, section 170-12, to create  
a restaurant in a R-40 zone.

Jan Bjune spoke to the Board Members explaining his wishes to convert a 220 year old colonial home. To establish hardship, he explained that there are needless restrictions - Table I, Part C, R-40 allows just about anything except an eating and drinking establishment. It will allow a country club, drive-in theatres, gravel pits, a recreation camp and even a junkyard. In other words - he could have a country club with a nice lounge and restaurant and and it would be perfectly alright according to the way the variance states. He feels that the land has certain characteristics that make it particularly unattractive for just a single family to purchase. Where it is a very old house it requires a great deal of care. According to the zoning in 7-1-27 - the nature of the zoning ordinance is to keep the water shed natural - Mr. Bjune stated that he intends to do this as well as keeping the remaining acres natural.

Jan Bjune further stated that with regards to the "Spirit" of the ordinance - he would keep it at a low density and agricultural - he intends to keep the lot whole and to take care of the blueberry harvest. Except for the intended parking lot - all will be kept natural.

Public Hearing Opened:

Paul Silver, owner of the property spoke in favor of the proposal. He explained that it has been difficult to pass the property over to a single-family - as no one family can afford to buy the property. Everyone that has been interested has intended to do something different with the land. He excentuated the hardships involved and felt that the only reasonable offer made was by Jan Bjune.

Joel McLeod spoke against the proposal stating that the variance should not be granted on hardship alone. He explained that the property is located in a very dangerous spct. It exists on a very sharp corner - neighbors gotten together to decrease the speed limit - too many accidents have ocured in this area. He further stated that if the variance was granted it would stay with the property and was concerned if the Bjune should sell the property later on.

Joanne Fairchild, Fred Riley also stated their displeasure with the propocal for the restaurant. They both felt that the increase in traffic would only add to the danger already present.

Dave Bertrand noted 179-B-3 "Offensive to Neighborhood"

Mardean noted that this would be a case of spot zoning.

Mardean Frazer moved to deny variance. Dave Bertrand seconded the motion.

VOTE: 4-0. Variance denied.

H-86-17 Daniel Philbrick, 78 Broadway, also known as Assessor's Map 27, Lot 71 (Applicant: Gene Bergeron) zoned B-3, requests a special exception as provided in Article XII, Section 170-52(3) to convert an existing single family dwelling to a two family dwelling.

Above variance tabled at this time.

H-86-18 Kevin A. Clifford (Property owner: Mary Clifford), for 91 Littleworth Road also known as Assessor's Map F, Lot 23, zoned R-40, requests a variance from Article V, section 170-16 to subdivide a lot having no frontage on a public-right-of-way.

Kevin Clifford explained to the Board Members that he wished to use his mom's existing driveway to extend back 25 feet to a parcel of land under two acres.

Dave Bertrand inquired if the use of driveway was written in the deed.

Kevin Clifford answered yes.

Public Hearing Opened: No comment  
Public Hearing Closed:

Ann Turner stated that it cannot be denied - access to parcel, he has legal right.

Dave Bertrand moved to grant the variance. Mardean Frazer seconded the motion.

VOTE: 4-0. Variance granted.

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H86-19 Purnell Ross, 82 Littleworth Road, also known as Assessor's Map G, Lot 35, zoned R-40, requests a variance from the terms of Article IX, section 170-32 E(4) to erect a sign exceeding the allowable square footage in connection with a customary home occupation.

Purnell Ross explained that he needed a permanent sign - that it would be 100 feet off the road and would be seen 1/2 mile away in each direction.

Public Hearings Opened: No comment.  
Public Hearings Closed:

Dave Bertrand stated the sign was good looking - done in good taste.

Ann Turner stated that it blended in well with the surroundings.

Mardean Frazer stated that the sign ordinance should be adhered to. Further stated that there was no hardship involved.

Dave Bertrand moved to grant the variance. Ann Turner seconded the motion.

VOTE: 2-2. Variance denied

H86-20 John & Joanne Bloem, 83 Spur Road, also known as Assessor's Map L, Lot 15B, zoned R-20, requests a variance from terms of Article IV, section 170-12 to erect a barn to house horses closer than the required 100 ft. from any property boundary.

John Bloom expressed to the Board his wishes to construct a 30-20 foot barn to store 2-4 horses. He stated that it was not his intend to have a farm - just store a couple of horses.

Public Hearings Opened: no comment  
Public Hearings Closed:

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Ann Turner inquired on drainage provisions.

John Bloom responded that site work is being done.

Dick Selleck added that residential is exempt from restrictions. Further stating that there were no concerns with State or Conservation District - that the building would be back from the house.

Mardean Frazer moved to grant the variance. Dave Bertrand seconded the motion.

VOTE: 4-0. Variance granted.