

DOVER ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING

Held: May 22, 1986
Council Chambers
Municipal Bldg.

Members Present: Alden Joy-Chairman, William Hunt-Vice Chairman, Dave Bertrand, Mardean Frazer, Ann Turner.

Also Present: Tom Clark-Assistant Building Inspector and Kathy Munson-Recording Secretary.

Minutes of the May 15, 1986 Zoning Board of Adjustment Meeting were approved as corrected.

Mr. Joy called the meeting to order at 7:31 P.M.

H86-28 Hanscom's Truck Stop, Inc. (Paul Rose, Applicant 72 Littleworth Road, also known as Assessor's Map G, Lot 35A, Article VI, Section 170-23, to operate an auto service facility in an I-1 Zone. (Special Exception).

Mr. Rose explained that it has taken him 18 months to find this ideal spot (16 George St.) - 6,000 square feet, 6.6 square acres - 300 feet of road frontage, 25% of area is open - has temporary signs until larger signs can be put up.

Public Hearing opened:

Alden Langlois stated that he would like to make sure that the garage would not become a salvage dump.

Dave McCoolle spoke against granting the special exception feeling that the area is already too noisy. Afraid there would be too many unregistered cars in the yard - doesn't want a junkyard.

Mr. Rose stated that his property was not a junkyard. He stated that there was only one unregistered car in the yard and that many cars drive in and out daily - but his garage is far enough off the road.

Mr. Joy inquired if Mr. Rose owned the property.

Mr. Rose stated no that he does have the option to buy.

Public Hearing closed.

William Hunt asked if the exception was granted would it stay with the land.

Tom Clark stated no the exception was only for the business.

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Dave Bertrand asked if Mr. Rose intended to store car parts.

Mr. Rose replied that he would be removing shocks, engines, etc., and could not always make daily trips to Madbury Metals. He also mentioned that he would have the waste oil stored indoors in drums to be taken away.

Mr. Joy inquired if Mr. Rose intended on selling used cars.

Mr. Rose stated that he may sell an occasional car - but does not intend to have a used car business.

William Hunt asked if Mr. Rose had plans for gasoline tanks.

Mr. Rose replied no.

Dave Bertrand motioned to grant the exception - strictly stating that gasoline should not be sold.

Mr. Joy added the granting of the variance should meet the requirements of that of a junkyard.

Mardean Frazer added that it should be stated clearly to Mr. Rose that if he intended to sell used cars he would have to apply for a variance.

Mr. Clark stated that the State of New Hampshire does set a limit (6) cars to be sold a year.

Mr. Rose stated that he was planning on building a security fence or having a small blinder to hide the scrape metal in back. He mentioned that it would be difficult to hide cars - he would work on them on schedule as to not have them out front of the business for too long a period - he does not wish for an eyesore - will keep the business area as clean as possible.

William Hunt voted in favor of the motion.

VOTE: 5-0. Special Exception Granted with above mentioned stipulations.

H86-29 Vassilios A. & Nina Gatzoulis, 5 School Street, also known as Assessor's Map 3, Lot 13, Zoned B-2, requests a variance from the terms of Article XI, Section 170-44G & H to seek relief from parking requirements in an B-2 Zone.

Mr. Vassilios stated that his home on 5 School Street is vacant. He has applied to the Rehab Program, but has to wait until fall. He is trying to renovate. Since his home is vacant in a B-2 Zone he needs to meet the requirements. He stated that he was asking for relief from these requirements.

Public Hearing opened: no comment.
Public Hearing closed:

Mr. Vassilios stated that where the City is planning on building a municipal parking lot - tenants could use this for parking.

Mr. Joy added that the ordinance reads "Shall not use municipal parking" - if waiver the requirements - doesn't mean City has to grant.

Mardean Frazer stated that judgement could not be made by what was read in the paper.

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

VOTE: 4-1. Variance granted. Mardean Frazer opposed.

H86-31 Muriel McDuffee (Donald & Susan Sirois), County Farm Road, also known as Assessor's Map B, Lot 23C, requests a variance from Article V, Section 170-16 to subdivide a lot having no frontage on a public right-of-way.

Donald Sirois stated that the lot contains 7.9 acres of land - present owner is Muriel McDuffee - there would be no further plans for subdivision.

Public Hearing opened.
Public Hearing closed.

Mr. Joy inquired if the acreage included the river.

Donald Sirois answered yes.

Mardean Frazer motioned to grant the variance. William Hunt seconded the motion.

VOTE: 5-0. Variance granted.

H86-32 Donald & Janet Lasell, 14 Preble Street, also known as Assessor's Map 4, Lot 41, Zoned RM-8, requests a variance from the terms of Article IV, Section 170-12 to have a professional office in an RM Zone.

Don Lasell stated that he was a civil engineer and wished to open an office.

Public Hearing opened: No comment.

Dick Cullen spoke out against granting the variance. He stated that this was a very crowded area and that he worries about parking - area is a residential one - neighbors use their neighbor's land for parking - questions if there would be enough parking space available for an office - stated there is too much hot top.

Don Lasell stated that he presently has a very large lawn and that he would widen his driveway. There would be less traffic than if it was used for a two apartment dwelling.

Public Hearing closed.

David Bertrand inquired how many employees would be working in the office.

Don Lassell answered that it would just be himself and did not have plans for expansion as of yet.

Mr. Joy stated that under 176 B - going from RM-8 to office would be spot zoning.

Mardean Frazer stated she saw no hardship involved - granting the variance would reduce the property value - case of spot zoning - the area should be protected from encroaching commercialism and moved to deny granting the variance.

Ann Turner seconded the denial.

VOTE: 5-0. Variance denied.

H86-30 Dean Fournier, Portland Street, also known as Assessor's Map 3, Lot 4, 5, & 6, Zoned B-2, requests a variance from the terms of Article 12, Section 170-12, & 170-16 to construct two 3-unit and 4-unit condo buildings in a B-2 Zone permitting only five more units per building; building having insufficient rear set-backs.

John Nolan
~~Malcolm McNeil~~ spoke for Dean Fournier stating that his client wished to construct (4)four (2)two bedroom townhouse,condcs. He stated that there was hardship involved as his client could have a more intense use without the variance and could construct 22-23 units. This area would not be a good area for this - heavy traffic, unsafe and contrary to public interest.

Public Hearing opened:

Bill Gatzoulis spoke in favor - he felt that Dean Fournier has done great work in the past and would continue.

Robert Bayer agreed, Gatzoulis.

Public Hearing closed.

~~Malcolm McNeil~~ reminded the board members of their function and again stated that his client was just asking for a certain number of units.

Mr. Ccollins stated that the request for (4) four units was exempt from Planning Board approval - but not exempt from city ordinance.

~~Malcolm McNeil~~ stated that adjustments on lot lines will meet all requirements.

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

VOTE: 4-1. Variance granted. Ann Turner opposed.

With regards to Lot #2 setback requirements, ~~Malcolm McNeil~~ agreed to go no closer than five feet.

William Hunt questioned if all initial work could be checked or called upon by the Building Inspector.

Tom Clark stated yes all initial information could be called upon as well as any other information.

VOTE: 4-1. Variance granted. Ann Turner opposed.

Meeting Adjourned 8:57 P.M.