



CITY OF DOVER

ZONING BOARD OF ADJUSTMENT - MINUTES

Meeting Type: Regular Meeting
Meeting Location: **Council Chambers & Council Conference Room, City Hall – 288**
Central Ave., Dover, NH 03820
Meeting Date: **Thursday, June 18, 2020**
Meeting Time: **7:00 pm**

1. ATTENDANCE

Members Present: Chris Prior (Chair), Otis Perry (Vice Chair), Nick Couturier, Anthony Sillitta (Alternate), James Burdin (Alternate)

Members Absent (Excused): Frank Landford, Rich Onufry (Alternate)

Members Absent (Unexcused): George Reagan

Staff Present: Elena Piekut (Assistant City Planner, Zoning Administrator)

The Chair called the meeting to order at 7:02 PM.

2. APPROVAL OF MEETING MINUTES OF MAY 21, 2020

Motion: Otis Perry moved to approve the minutes of May 21, 2020 as submitted. Seconded by James Burdin. **Vote: U/A**

3. HEARINGS

- A. Z19-18 Applicant/Owner R. Craig Williams, 105 Middle Road (Take Map K, Lot 6), located in the Rural Residential (R-40) Zoning District, requests a variance from **Section 170-12.A** of the Zoning Ordinance to permit a two-family dwelling, where two-family dwellings are only permitted as a conversion of a single-family dwelling that existed before May 27, 1964, provided that there is at least 4,000 square feet of lot area per dwelling unit and each unit is a minimum of 500 square feet. The Applicant plans to demolish the existing pre-1964 dwelling.

The applicant, R. Craig Williams gave a summary of the case. Because of its age, the structure is permitted to become a duplex. It has been damaged which will make the renovation much more complicated. He is asking for a variance to build a new duplex structure further back from the road which will meet zoning regulations and be energy efficient and meet all building codes.

When he purchased the property, there was a life estate for the owner. Prior to the owner vacating the property, the home sustained major water damage.

Public hearing was reopened.

No public was present to make any comments in person.

The Chair stated two additional email comments were received to the office regarding this case. Elena Piekut summarized the concerns which were that there would be a precedent set and a number of duplexes would be added to the neighborhood.

The applicant also submitted a letter by email and summarized it that if the variance is not granted, he will have to renovate the current structure in its current location which will involve applying for permits for additions.



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James Burdin wondered could it be renovated rather than demolished? It's not economically feasible because so much work would have to be done. The foundation is an undesirable stone foundation so it would be much better to start with a new foundation.

STAFF RECOMMENDATION:

Elena Piekut stated the Planning Department recommends granting the variance with the following proposed condition: The new principal structure shall be located in the same general vicinity as the existing single-family dwelling, but this condition should not be construed as granting relief from the front setback requirements.

The applicant had suggested a front setback of 200' but she would prefer the home go onto the same already disturbed area.

The public hearing was closed.

Motion: Otis Perry moved to grant the variance with staff recommended condition and that the applicant continue to use the same entrance off Middle Rd, meet the 40' setback and work with the Planning Department staff to finalize placement of the structure within the same general area of the current structure.

The applicant noted he might take the barn down and if there are two garages, he might need two different driveways.

Otis Perry withdrew his motion.

Motion: James Burdin moved to grant the variance with staff recommended condition. Seconded by Nick Couturier.

James Burdin noted the Board has made clear their opinions through discussion that they don't want the home to be on the other side of the street and they don't want it set back too far. He does not want the motion for approval to be so specific, but that the applicant should work with the department staff to finalize the details.

Otis Perry said it's a wise use of the variance because of the situation. The rationale for allowing two units in older buildings is because older buildings are generally large. He supports what the applicant wants to do with this property. Granting this variance will not allow additional duplexes on that property. Further development of the property will require the applicant to follow standards and come back before the board.

Chair Prior agreed that the applicant has met the criteria for variance.

Vote: U/A

4. OTHER BUSINESS

Elena Piekut noted all boards are starting to meet in person. City Hall is opening to the public for normal hours and public can enter without the need of a scheduled appointment beginning Monday June 22nd.



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5. ADJOURN

Motion: Otis Perry moved to adjourn at 7:25pm. Anthony Sillitta seconded.

Vote: U/A