

Board of Adjustment

Minutes September 22, 1987

Case #110 Steve and Kathy Kennedy  
Variance Article V Section D4a

A public hearing was held before the Antrim Board of Adjustment on Tuesday September 22, 1987 to consider a request by Steve and Kathy Kennedy for a Variance concerning Article V Section D.4.a. of the Antrim Zoning Ordinance

The Board sitting for this case is as follows:

Everett Chamberlain  
David Penny  
Harvey Goodwin  
Patricia Hammond-Grant, Clerk  
Mary Allen, Chairman

Mary Allen, Chairman, read the procedure that would be followed. The Clerk then read the application for the Variance. Notices were sent to the applicant and all abutters by certified mail return receipt requested. All receipts were returned. A public notice was published in the Messenger September 8, 1987 and posted in the Town Hall and on the Public Notice Board outside the Town Hall.

Representing the applicant were Steve Kennedy, the owner, and Robert Bennett, the builder. The owner wishes to relocate and rebuild an existing cottage on Franklin Pierce Lake. The cottage is presently 23 feet from the lake and the owner would like to locate it 33 feet from the lake. He is asking for a Variance of the 50 foot setback requirement. Robert Bennett spoke in favor of the plan which is to be for a building the same size as the one located on the lot.

Helen Weymouth, an abutter, stated her concern about the status of the septic system. She said that she believed that it was not a State approved system and that she was concerned about lake pollution.

The builder said that the building would be built to code with a full foundation. The owner said that the previous owner said that he believed that it was a 550 gallon septic tank.

After some discussion, Harvey Goodwin, moved that the Board adjourn until October 1, 1987 at 6:00 P.M. to meet at Harvey Goodwin's to go for a site review. Deliberations to follow.

The Board then discussed a letter made available to the Board of Adjustment by the Department of Environmental Services WSPCC as it regards the Kincaid workshop at the sawmill on Gregg Lake Road.

Respectfully submitted

Patricia Hammond-Grant, Clerk  
Minutes prepared by  
Barbara Elia

Board of Adjustment, Antrim, N.H.

Minutes September 22, 1987

Case # 105 Deliberation  
Kincaid Construction Corp  
Variance Article IV  
Gb1, Gb3, Gb4

Section

A public hearing was held before the Antrim Board of Adjustment on Tuesday, September 22, 1987 to deliberate on testimony heard August 18, 1987, and site review and further testimony and deliberation at an adjourned session September 1, 1987.

The Board sitting on this case was introduced:

Robert B. Flanders  
Everett Chamberlain  
Harvey Goodwin  
Patricia Hammond-Grant, Clerk  
David Penny, Chairman

The Chairm opened the meeting at 7:35 P.M. at which time Harvey Goodwin moved that the Board adjourn to consult with counsel, Jeffrey Crocker, who was also present at this meeting. So moved.

David Penny, Chairman reopened deliberations at 8:30 P.M. A written copy of Mr. Andrew Lemay's presentation (Capitol Appraisal Company) was given to the Board by Mr. Harry Page of Kincaid Construction Corp. The Chairman also made note of the fact that Attorney Silas Little representing Kincaid had made a copy of his legal opinion, as to the validity of viewing the property as one parcel, available to the Board.

The Board based its deliberations on the five criteria for granting a Variance as stated by the N.H. Supreme Court, and took each point through the five steps.

After lengthy deliberations it was moved by Harvey Goodwin and seconded by Patricia Hammond-Grant that the application for a Variance be denied based on the fact that the five conditions for a granting a Variance have not been met. That it has not been clearly demonstrated that the denial of the permit would result in unnecessary hardship to the owner because the property and building in question can be used for other permitted uses in the district.

The vote was as follows:

Everett Chamberlain	No
Robert B. Flanders	No
Harvey Goodwin	Yes
Patricia Hammond-Grant	Yes
David Penny	Ye

The Variance is denied because the five conditions for a Variance were not met. The condition for a hardship was not met.

Respectfully submitted,

Patricia Hammond-Grant, Clerk  
Minutes prepared by  
Barbara Elia