

Minutes of the Antrim Board of Adjustment Meeting June 7, 1988

Case #113, McWalters & Byk PA, Special Exception Article XIV, Section C of the Antrim Zoning Ordinance.

The Board sitting for this hearing is as follows: Mary Allen, Chairman, Eb Chamberlain, Joe Timco, Howard Humphrey, Sr., and Patricia Hammond-Grant, Clerk.

The Chairman opened the meeting at 7:30 P.M. and explained the agenda and procedure for the hearing. The abutters have been notified and the certified mail receipts have all been returned. Notice of the hearing has been published in the Messenger. Patricia Hammond-Grant, Clerk, read the Application and the Chairman read the Article in question, XIV, Section C. Joe Byk presented the case for the Special Exception. He displayed the actual sign. The dimensions are 40" x 31.75" dark blue with white colonial design. The sign measures 8.8 square feet. The plan is to erect the sign on the lawn of the Keating Insurance Building on Main Street. Attorney Byk stated that the intent was to make the sign attractive. The question of two signs on one lot was discussed. Elaine Cuddihy, an abutter, raised the question about sight distance as it pertains to traffic on Prospect Street and also asked about an additional business in the building and if it too would put up a sign. The Board answered that it was not aware of any additional signs. Mrs. Cuddihy stated that she had no problem with the Keating sign. Attorney Byk answered that his sign would be hung roughly about the height of the existing sign. Bruce Cuddihy commented that he had no problem with the sign provided it did not obstruct the sight distance. and suggested that it be sighted down Prospect Street. Attorney Byk rebutted that as he reads the Ordinance the sign complies. Mary Allen, Chairman, closed the hearing at 7:55 P.M. Deliberations to be held after the next hearing.

Case #114, Joseph A. Lazar for a Variance concerning Article IV, Section C of the Antrim Zoning Ordinance.

The Board sitting for this hearing will be the same as above.

The Chairman opened the hearing. The Applicant owns property with less than 100 foot frontage on property located on Main Street, Antrim in the Route 202 Business Zone. Notice has been published in the Messenger and abutters have been notified by Certified Mail Return Receipt. All receipts have been returned except for those of Capricon Realty and Continental Telephone. The Chairman read Article XVI, section B, 3 conditions for granting a Variance. Attorney Byk, representing Joseph Lazar explained that essentially Mr. Lazar would like to swap a piece of land on Main Street with Edmunds Hardware for a piece of land owned by Edmunds' on Summer Street which would make better conditions for both parties. This in effect has been done and Edmunds' has been making use of the land to get trucks off of Main Street for the last four years. The Chairman went through the five conditions for granting a Variance and the results were as follows: It would be in the public interest as the right of way improves traffic flow. The consensus of the Board was that substantial justice would be done. The Board agreed that it would not be contrary to the spirit and intent of the Ordinance. Hardship was addressed by the fact that the property on Summer Street was formerly a canal and is substandard. The Board suggested that if the Variance was granted the Applicant should go to the Planning Board for an

Case #114 Continued

Annexation. Brian DeKonning spoke for the Variance by stating that is was a benefit because trucks can back into the driveway and it improves the traffic flow.

Mary Allen, Chairman, summarized both cases and closed the Public Section of the hearing. The Chairman stated that while the Board is in deliberations not public testimony will be taken.

Case #113, Deliberations: Howard Humphrey spoke to allowing a number of signs on a lot and he stated that he would like to see one sign with the businesses listed. Howard Humphrey, Sr., moved that the Board continue deliberations until after it has had an opportunity to visit the site with the sign. Second Everett Chamberlain. So Moved. The date and time for site review will be June 16, 1988 at 7:00 P.M. The Board will meet at the site.

Case #114, Deliberations: The Board again discussed the five conditions for granting a Variance, the problem being with the Lazar lot which would have its lot frontage on Main Street reduced by 8 feet. It was observed that a large number of lots in the neighborhood had substandard frontage. The five points were addressed as follows: Diminution of value, Value would be enhanced; Benefit to public interest, less congestion on Main Street; Denial would create a hardship, traffic flow; Substantial justice, again traffic flow is in the public interest; Contrary to spirit and intent of the Ordinance, agreed with the spirit and intent of the Ordinance as the traffic congestion will be alleviated and it will make the Edmunds' more conforming. Eb Chamberlain moved to grant the request for a Variance to Article IV, Section C be granted. The Board finds that all five conditions necessary for granting a Variance have been met. Second Howard Humphrey, Sr. The Board was polled: Everett Chamberlain, yes; Howard Humphrey, Sr., yes; Joseph Timco, yes; Patricia Hammond-Grant, yes; Mary Allen, yes. So Moved.

The Chairman then opened the Annual Administrative Meeting of the Antrim Board of Adjustment. David Penny, Vice Chairman joined the Board at this point. The first item on the agenda was the election of officers for the coming year. David Penny nominated Mary Allen, Chairman for the ensuing year. Patricia Hammond-Grant, second. Patricia Hammond Grant cast one vote Mary Allen was elected Chairman for the ensuing year. Mary Allen nominated David Penny for Vice-Chairman for the ensuing year. Second Mary Allen. no further nominations Patricia Hammond-Grant, Clerk cast one vote for Vice-Chairman. Mary Allen nominated Patricia Hammond-Grant for Clerk for the ensuing year. David Penny second, Patricia Hammond-Grant cast one vote for Clerk for the ensuing year.

The Chairman informed the Board of a meeting with Counsel Phil Runyon Thursday, June 16 at 7:45. This will be an informational meeting for the Board. Mary Allen also suggested that another election could be held in the fall as the Selectmen are working on getting additional members for the Board. The Board discussed the cost of advertising and the consensus of the Board was that the Board stay with the Messenger for the time being as they have the advantage of advertising in a free paper. Meeting adjourned at 9:00 P.M.

Respectfully submitted
Barbara L. Elia, Secretary, Antrim Board of Adjustment