

Minutes of the Antrim Board of Adjustment Meeting May 19, 1992

Present: Helene Newbold, Chairman; Boyd Quackenbush; Paul Matthes; Robert Bryer

The Chairman opened the meeting at 7:40 P.M. and introduced the Board.

Douglas L. Vassall: Public Hearing for a Variance to Article VII, Section D.e. The Applicant proposes to build a porch on the East side of his property closer than twenty feet from the property line on his property on Clinton Road in the Rural District. (Tax Map #2 Lot #931) The Chairman outlined the procedure to be followed and the Secretary read the Application. Notice was published in the Peterborough Transcript and mailed to abutters, return receipt. All receipts were returned and there was correspondence from abutters David and Joyce Durocher, and Cindy and Al Gould. This correspondence indicated that they had no objection to the proposal. The Applicant indicated that the proposed use would be fifty feet from the abutter on the East side but approximately seventeen feet from the lot line. He plans to build the porch on posts as the house is built on a slab. He discussed the type of construction and indicated that this was the only viable location for the porch as the driveway and garage are on the other side, the house sits too close to the road to locate it in the front and the septic system is located in the rear. He stated that he decided on the ten foot by ten foot measurements because they are relative to the small size of the house. The Chair addressed the criteria for granting a Variance. It was established that the neighbor was at least thirty-five feet from the property line. Boyd Quackenbush read from page 8 and 9 of the Handbook for Board of Adjustments in N.H. There was further discussion of the proposal. The Chairman closed the public hearing.

Deliberations: The Chairman read the Article and Section in question and addressed the five criteria for granting a Variance.

1. No diminution of surrounding property values: After discussion the vote was: Robert Bryer, no; Paul Matthes, yes; Helene Newbold, yes; Boyd Quackenbush, yes. The Board agreed 3 - 1 that there would be no diminution in property values.
2. Benefit to the public: After discussion the vote was unanimous that it would be of benefit to the public.
3. In the matter of Hardship it was agreed, unanimously, that this was the only place to locate the porch due to the lack of setback from the road, the driveway on the other side, and the location of the septic system in the rear.
4. Substantial justice: After discussion the Board unanimously agreed that substantial justice would be done.

5. Spirit and Intent of the Ordinance: The point was made, considering the favorable correspondence from the abutters, that nothing can be gained in this instance by enforcing the exact terms of the Ordinance: The vote: Robert Bryer, no; Paul Matthes, yes; Helene Newbold, yes; Boyd Quackenbush, yes. The Board agreed 3 - 1 that the use complies with the spirit and intent of the Ordinance.

Boyd Quackenbush moved to grant the Variance to Article VII, Section D.e. of the Antrim Zoning Ordinance requested by Douglas L. Vassal to build a porch ten feet by ten feet (10' x 10') on the East side of his property within seventeen (17) feet of the side line at his property on Clinton Road (Tax Map #2 Lot 931), pursuant to acquiring appropriate building permits. After some discussion Robert Bryer second. The vote: Robert Bryer, yes; Paul Matthes, yes; Helene Newbold, yes; Boyd Quackenbush, yes. So voted unanimously.

The Application of Donald Mellen, Agent for the Heirs of Diamond Maxwell was scheduled to be heard June 2, 1992 at 7:00 P.M.

Meeting adjourned at 9:00 P.M.

Respectfully submitted,  
Barbara Elia, Secretary