

Minutes of the Zoning Board of Adjustment Meeting January 24, 1995

Present Board Members: Robert Bryer, Chairman; David Rust; Frederick Swan, Boyd Quackenbush and non-voting secretary Barbara Elia.

Present for the Applicant, Cheshire Oil Company (T - Bird): James E. Robertson, President; Chip O'Neil, Vice President; and Brian Robertson.

The Chair opened the meeting at 7:40 P.M. and introduced the Board as noted above.

Cheshire Oil Company, Inc.: Public Hearing concerning Variances under Article IV, Section C.3.c. and Article XVI, Section C.1 and 2. The Chair outlined the procedure for a Public Hearing. The Secretary read the Application for Variances to build within 10 feet of the rear property line and to enlarge a non-conforming structure i.e. the canopy over the gasoline pumps. As part of the reconstruction they also plan to add a second gas dispenser. Notice was published in the Peterborough Transcript January 12, 1995 and sent to the abutters and the Applicant by certified mail with return receipt. All receipts returned. At the request of Chairman Robert Bryer the secretary read the Articles in question. Mr. Robertson provided a letter from an abutter, Peterborough Savings Bank, supporting the proposal. Mr. Robertson presented his proposal stating that the plan is to tear down the existing store and relocate it to the rear of the lot. The building is presently 1608 square feet, which would be enlarged to 2400 square feet. The Applicant is also planning to add a second gas dispenser and to enlarge the canopy over the gas pumps from 26' x 26' to 26' x 54'. Robertson gave the history of the location commenting that it was purchased by his company in the 1930's and there has been a gas station at that location ever since. The store now employs 19 people both part-time and full-time. They plan to construct a clapboard type building, a colonial style structure with landscaping. Commenting on the proposal were:

Theodore Hardwick, a businessman and resident of Main Street gave some history of the location and commented on the width of Route 202 at that location. He expressed his concern for safety due to parking conditions along the road.

Wayno Olson commented on the requirements of the State regarding entrances and exits onto State roads and hazardous parking conditions in the area of the proposed change.

Sheri Gould expressed concern for the enlargement of the use and the possible increase in parking problems.

Chris Stevens the owner of the property to the North expressed concern for any enlargement of the current use.

He commented on trucks stopping on his lawn and problems with tractor trailers backing up into the property as the property now exists.

Laurie Stevens had similar concerns.

Robert Edwards asked about the State's input for the plan. Robertson stated that the State has not been consulted; the first step in the planning process is to obtain the necessary variances.

Sarah Edwards commented on the letter from the bank and how it would impact the Board's decision. Board member Boyd Quackenbush referred to the five criteria the Board has to address in considering a variance.

Robert Allison abutter from across the street made a comment on traffic and parking as it now exists and expressed concern should the use be enlarged.

David Boule' expressed concern for added traffic due to fuel and grocery deliveries.

Board Member David Rust read the five criteria that the Board must address in considering a variance and expressed his opinion that the more intense use would increase traffic. When asked the reasons for enlarging the use the Applicant agreed that it is to increase business.

Chairman Robert Bryer expressed the desire to act on the setback variance tonight and so moved. Boyd Quackenbush second. Discussion: Rick Swan commented on the need for a Site Review and remarked that this has been the Board's policy in the past. Boyd Quackenbush argued that discussion could be limited to the setback variance only. Swan stated that he is not comfortable discussing the proposal without seeing the site. Hearing no further discussion the Chair called for the vote: Boyd Quackenbush, yes; Robert Bryer, yes; David Rust, no; Richard Swan, no. No action taken. Richard Swan moved to adjourn this meeting until Friday February 3, 1995 at 7:30 P.M. for a site review and to return to the Town Hall to continue deliberation. David Rust second. The vote: Boyd Quackenbush, yes; David Rust, yes; Rick Swan, yes; Robert Bryer, yes. So moved unanimously. Applicant Jim Robertson cautioned the Board that all deliberations must be done in public and the Board cannot meet on the street to make a decision. Chairman Bryer stated that the Board was well aware of the regulation.

Meeting adjourned at 9:00 P.M.

Respectfully submitted,
Barbara Elia, Secretary