

Minutes of the Antrim Zoning Board of Adjustment Meeting
February 3, 1995.

Present: Robert Bryer, Chairman; David Rust; Frederick Swan;
Boyd Quackenbush.

Also Present: James E. Robertson, President Cheshire Oil Company
and abutters Christopher and Laurie Stevens.

Chairman Robert Bryer opened the meeting at 7:35 P.M. and
introduced the Board as noted above.

Continued Public Hearing concerning the application of Cheshire
Oil Company, Inc. (T-Bird Convenience Store) for Variances to
Article IV, Section C,3.c. and Article XVI Section C, 1 and 2.:
The Applicant asks for a rear and side yard depth of ten (10)
feet and to enlarge the existing business consisting of the
construction of an entirely new store (1608sf to 2400sf), the
addition of a second gasoline dispenser and the enlargement of
the canopy (26'x 26' to 26'x 52') to cover the dispensers. The
Chair reviewed the Public Hearing held January 24, 1995 and the
testimony at that meeting and the secretary read an outline of
the procedures from the minutes.

The Board adjourned immediately to go to the site to for a
review.

Chairman Robert Bryer reopened the meeting at 8:00 P.M. and asked
if there was any further discussion. Hearing none he closed the
Public Hearing and opened deliberations. David Rust commented
that after measuring other stores i.e. Cumberland Farms in
Hillsborough among others; he observed that the average
setback area from the gas pumps to a store is (12' to 20') and
that the T-Bird falls within that range. After further
discussion of the side yard setback James Robertson, President of
Cheshire Oil withdrew the request for a Variance to the side yard
setback, which left the request for the rear yard setback the
only setback Variance to be discussed. There was discussion of
the setback as it relates to the Peterborough Savings Bank.
Hearing no further discussion the Chair directed discussion to
the second request; a Variance under Article XVI, Section C,1 and
2 to permit the enlargement of a pre-existing non-conforming use.
The Board discussed the ramifications of enlarging this use and
the consensus of the abutters attending the Public Hearing
January 24, 1995. The Board addressed the request for each
variance separately.

1. Variance to Article IV, Section C.3.c. to permit a side yard
setback of ten feet. After much discussion in which the
consensus of the abutters at the January 24, 1995 Public Hearing
was referenced. Frederick Swan moved to deny the request of
Cheshire Oil Company, Inc., James E. Robertson President for a
Variance to Article IV, Section C.3.c. to permit a rear yard
setback of ten feet (Board of Adjustment File #95001ZBA). Second

David Rust. The vote: Frederick Swan, yes; Boyd Quackenbush, yes; David Rust, yes; and Robert Bryer, yes. Variance Denied.

1. Variance to Article XVI, Section C.1. and 2. To rebuild and enlarge an existing business (T - Bird Convenience Store) located on Route 202 in the Village Business District Tax Map 1A Lot 202. The Board addressed the five criteria for granting a variance.

1. No diminution to surrounding property - The vote: Boyd Quackenbush, no; David Rust, yes; Robert Bryer, no; Rick Swan abstain.

2. A benefit to the public interest: Boyd Quackenbush, no; David Rust, yes; Robert Bryer, yes; Rick Swan, yes.

3. Hardship - Rick Swan, yes; Boyd Quackenbush, yes; Robert Bryer, yes; David Rust, yes.

4. Substantial Justice - Boyd Quackenbush, no; David Rust, no; Robert Bryer, no; Rick Swan, no.

5. The use is not contrary to the spirit and intent of the Ordinance - Rick Swan, yes; David Rust, yes; Robert Bryer, yes; Boyd Quackenbush, yes.

David Rust moved to deny the request of Cheshire Oil Company, Inc., James E. Robertson President for a Variance under Article XVI, Section C.1 and 2 to rebuild and enlarge an existing business and to enlarge the existing canopy at T-Bird Convenience Store located on Route 202 in the Village Business District Tax Map 1A Lot 202. Rick Swan second. The vote: Boyd Quackenbush, yes; David Rust, yes; Rick Swan, yes and Robert Bryer, yes. Variance denied.

The Chair commented on the need for an organizational meeting. This will be scheduled immediately after Town Meeting.

Meeting adjourned at 9:00 P.M.

Respectfully submitted,
Barbara Elia, Secretary