

Minutes of the Antrim Zoning Board of Adjustment Meeting July 27, 1995.

Present: David Rust, Chairman; Boyd Quackenbush; Alternate Thomas Lawless sitting for Paul Matthes; Alternate Barbara Elia, Clerk, sitting for Kristin Cleveland.

Dennis Squires - Public Hearing concerning a Variance to Article XIII, Section D.3. Clerk Barbara Elia read the application and testified that notice was published in the July 13 issue of the Peterborough Transcript and sent to the Applicant and Abutters by certified mail return receipt. All receipts returned. Chairman Rust laid out the procedure to be followed for the public hearing and adjourned the meeting to go to the site for a viewing. The Chair reopened the meeting at 7:45 and resumed the public Hearing. Applicant Dennis Squires presented his proposal as stated in his application: A variance is requested from Article XIII, Section D.3. of the Zoning Ordinance to permit an approximately 26' x 44' manufactured home to be located on this site. Note: this dimension was amended to 23' x 40'. Facts supporting this request: 1. The proposed use would not diminish surrounding property values because: This is basically a ranch style home in keeping with similar homes in the neighborhood. 2. Granting the variance would be of benefit to the public interest because: Area is zoned for single family housing. This will be keeping the spirit of the zoning laws. 3. Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property that distinguish it from other properties similar zoned: It is impossible to build a cellar on this site because of the water table. Any construction must be on an approved slab. 4. Granting the variance would do substantial justice because: This will change an empty lot into a residential home and increase the value to the Town. 5. The use is not contrary to the spirit of the Ordinance because: The home will be single family residential in keeping with the neighborhood. The Chair asked for comments in favor of the proposal. Steve Schacht an abutter commented that while he is in favor of giving a property owner use of his land he has reservations about the use requested in the application. Schacht expressed the opinion that the use would diminish the value of surrounding properties. The Applicant commented that the neighborhood is made up of various types of housing including a mobile home across the street and another at the beginning of Grove Street. The Board reviewed property values in the neighborhood with Steve Schacht. The Chair referred to NHRSA 674:31 and 674:32; 31 being the definition of Manufactured Housing, 31-a a definition of Presite Built Housing and 32 the responsibility off a community to provide areas for such a use. The question was raised relative to whether or not a slab was considered a foundation. Squires submitted a copy of the HUD definition of a slab. There was further discussion of neighborhood valuations and the fact that the street is made up of various housing types. Boyd Quackenbush expressed confusion with the definitions of Manufactured Housing

and Presite Built Housing. Rust pointed out that here are two points to consider: 1. Consider the abutters. 2. Has the Town made adequate provisions for manufactured housing. Final comments were made by Steve Schacht who stated that while he felt that a property owner should have use of his property; this use should not diminish the value of other properties in the neighborhood. Squires stated that he has a residence in this neighborhood and as manufactured housing will be placed on a permanent foundation and will become a similar use in a mixed neighborhood. The Board agreed that there was sufficient testimony to consider the variance and the Chair closed the public portion of the hearing and opened Deliberations: The Clerk read the Application for the second time and the Chair addressed the five criteria for a variance.

1. Diminution of surrounding property: The Board unanimously agreed that this use will not diminish the value of the surrounding properties.
2. Granting the permit would be in the public interest: The Board unanimously agreed that in view of the fact that there are only six sites on Reed Carr Road available for this use it would be in the public interest.
3. Hardship: The Board unanimously agreed that denial of the permit would result in unnecessary hardship to the owner as the water table would require building on a slab.
4. By granting the variance substantial justice would be done: The Board unanimously agreed that by granting the permit substantial justice will be done.
5. The use must not be contrary to the spirit of the Ordinance: The Board unanimously agreed that the use is in keeping with the spirit of the Ordinance as this is a proper use of the lot.

David Rust moved to grant the appeal of Gale and Dennis Squires for a variance regarding Article XIII, Section D.3 of the Antrim Zoning Ordinance to permit a 23' x 40' manufactured home on a 0.78 acre lot located on Grove Street in the Residential District. Subject to the following conditions:

1. Must be placed on a foundation w/frost walls or as required by the Antrim Building Inspector.
2. "Skirting" will be an appendage of the foundation constructed of concrete block and cement.

Boyd Quackenbush second. The vote: Thomas Lawless, yes; David Rust, yes; Boyd Quackenbush, yes; Barbara Elia, yes. So moved unanimously.

Meeting adjourned at 8:15 P.M.

*Barbara Elia, Clerk.*