

Minutes of the Antrim Zoning Board of Adjustment Meeting August 8, 1996.

Present: Chairman David Rust; Donald Winchester; Boyd Quackenbush; Alternate Tom Lawless sitting for Kristen Cleveland; and Alternate/Clerk Barbara Elia, sitting for Frederick Swan.

Chairman Rust opened the meeting at 7:05 P.M. and had the Board introduce themselves as noted above.

Robert E. & Florine Warren - Continued public hearing concerning a request for a Special Exception to permit a conversion apartment at their property at 27 Highland Avenue, Tax Map 1A Lot 149 in the Residential District. Clerk Barbara Elia outlined the request and noted that the Board had held the Public Hearing on July 25 at which time the Board conducted a view of the site and continued the hearing until August 8 at 7:00 P.M., pending consultation by Chairman Rust with the Town Attorney regarding questions raised by abutters at the meeting and in the form of correspondence. All of the Board members have been apprised of the Attorney's opinion. The Chair noted that this was an application for a Special Exception and that the application for a Variance did not apply. He referenced the definition of "Conversion Apartment" as it is shown on page 9, Article III, Section 45.b of the Antrim Zoning Ordinance. He stated that the lot is a lot of record and that Conversion Apartment is a use permitted by Special Exception in the Residential District, therefore, the request to hear the matter as a Variance is denied. The Chair continued by reading from page 5 of the Board of Adjustment in New Hampshire a Handbook for Local Officials the 1994 issue as it applies to Special Exceptions and concluded that a Special Exception could be permitted provided that the Applicant meets the requirements outlined in Article XIII, Section D.1 on page 56 of the Antrim Zoning Ordinance. He observed that the responsibility of the ZBA is to consider the request for the Special Exception and the other points raised regarding maintenance and upkeep are the purview of the Planning Board and the Building Inspector. Rust pointed out that parking spaces must be usable spaces and must comply with Article XV, Section B.1.a. of the Antrim Zoning Ordinance and noted that the Zoning Board of Adjustment is responsible to consider the request and it can only approve if the stipulations for granting a Special Exception are met. Chairman Rust also referred to the responsibilities of the Board and read from The Board of Adjustment in New Hampshire page 41. The Chair then asked for additional testimony. Mr. Warren referred to the dumpster and commented that it will be removed when construction is finished. Mary Allen questioned the parking plan, if one has been submitted and when one will be required. The Chair closed commentary and called for comments from the Board. Boyd Quackenbush moved to grant the Special Exception requested by Robert E. and Florine Warren for a conversion apartment under Article XIII, Section D.1. of the Antrim Zoning Ordinance for property located at 27 Highland Avenue, Tax Map 1A Lot 149. Don Winchester second. The

vote: Boyd Quackenbush, yes; Barbara Elia sitting for Frederick Swan, yes, and expressed the desire that the parking ordinance be enforced; Donald Winchester, yes, noting that in his opinion the requirements are clearly defined in the regulation and conditions would not be necessary; Tom Lawless sitting for Kristen Cleveland expressed concern for the parking layout and stated that he was opposed to the proposal; David Rust yes and noted that the dumpster should be removed when renovation is complete. The vote was four for the proposal and one against. Special Exception granted by a majority vote of the Board. The Chair addressed the Applicant and asked that they heed the concerns of their neighbors.

Tom Lawless made the motion to adjourn. David Rust second.
Meeting adjourned at 8:00 P.M.

Respectfully submitted,
Barbara Elia, Clerk