

Minutes of the Antrim Zoning Board of Adjustment Meeting April 9, 1998.

Present: Tom Davis, Chairman; Rene Rabideau; Donald Winchester; Boyd Quackenbush and Alternate Barbara Elia sitting for Tom Lawless.

The Chair opened the meeting at 7:00 P.M., introduced the Board, as noted above, and outlined the procedure to be followed in the course of a public hearing.

Robert Gernat Jr & William Patten concerning a Variance regarding Article VII, Section D, l.d.i of the Antrim Zoning Ordinance to permit a two family residence on a 4.7 acre lot with less than 300 feet of road frontage. Property located on Elm Avenue in the Rural District. Map 7 Lot 6 now owned by Dan & Kathryn Buckless. The secretary read the application and reported that it had been advertised in the Monadnock Ledger 3/19/98, notices sent to abutters all receipts returned.

William Patten presented the proposal changing the size of the building from 40'x56' to 30'x70' 2 1/2 story. There was no testimony from abutters. Patten outlined his plan to leave the upstairs unfinished for a couple of years. It was pointed out that there should be a perk of the property and the fact that there is a perennial stream on the property was noted by the Chair. Patten testified that they would be 50' off the brook. there is 213 feet of frontage which is 87' short of the required 300'. After the Chair read the Applicant's Application addressing the five criteria for a Variance, Rene Rabideau commented on the definition of "hardship" in the New Hampshire Planning and Land Use Manual distributed by the Office of State Planning. The observation was made that this property was subdivided for single family dwellings. The applicant argued the definition of "hardship". The Chairman closed the hearing and the Board went into deliberations.

The Board addressed the five criteria for a Variance:

1. No Diminution of surrounding property. Unanimously agreed
2. Public interest. Unanimously agreed
3. Hardship. Unanimously no, referring to the State definition and explanation and the fact that the property could be used for something else.
4. Substantial justice. unanimously agreed
5. Spirit of the Ordinance. Don Winchester yes; Rene Rabideau, no; Tom Davis, no; Boyd Quackenbush, no; Barbara Elia, no. The consensus is no.

The Board unanimously agreed to deny the Application of:

Robert Gernat Jr & William Patten concerning a Variance regarding Article VII, Section D, l.d.i of the Antrim Zoning

Ordinance to permit a two family residence on a 4.7 acre lot with less than 300 feet of road frontage. Property located on Elm Avenue in the Rural District. Map 7 Lot 6 now owned by Dan & Kathryn Buckless.

REASONS FOR DENIAL: The Applicant failed to prove "Hardship" as required in the five criteria for granting a Variance.

Janet Rix represented by Tod Bryer concerning a public hearing for a Variance to Article VII, Section D,1,d to permit the addition of a screen porch which will extend into the 50 foot setback by 27 feet. Property located at 75 Old Hancock Road in the Rural District, tax map 2 lot 95. The Clerk read the application and reported that it has been published in the Monadnock Ledger on arch 26, 1998, notices sent to abutters all receipts returned. Tod Bryer presented the proposal to remodel the building to be used year round. As a result the owner would like to add two feet to the existing porch so that it will accommodate a table. Porch is now 7 x 24 will be 9 x 30. An abutter, Lois Harriman testified that she had no objection to the proposal. Bryer stated that the old porch will be removed. He stated that the measurements were taken from the corner of the building off the eaves and the building will be at least 23 feet from the road. The Chair closed the public hearing and the Board proceeded with Deliberations. They addressed the five criteria for a variance:

1. No diminution of surrounding property - Unanimously agreed.
2. Public Interest - Unanimously agreed
3. Hardship - other properties in the area are as close or closer to the road - Unanimously agreed
4. Substantial Justice - Unanimously agreed
5. Spirit of the Ordinance - Unanimously agreed.

The Board unanimously agreed that the appeal of Ken & Janet Rix for a Variance under Article VII, Section D,1,d of the Antrim Zoning Ordinance to permit the addition of a screen porch which will extend into the 50 foot setback by 27 feet for property located at 75 Old Hancock Road in the Rural District, Tax Map 2 Lot 95, has been approved on the condition that:

1. The building can be no closer, to the Town right of way line, than 23 feet.

Meeting adjourned at 8:30 P.M.

Respectfully submitted,
Barbara Elia, Clerk