

Minutes of the Antrim Zoning Board of Adjustment meeting September 28, 1999.

Present: Tom Lawless, Chairman; Boyd Quackenbush and Alternate Ben Pratt.

Secretary Sherry Miller read an application received from Phillip Nute for a Variance to Article VII, Section D.d. of the Antrim Zoning Ordinance. Mr. Nute is proposing to construct a sugarhouse within the 50-foot setback area for property located at 230 Smith Road Tax Map 5, Lot 146 located in the Rural District. Chairman Lawless asked the applicant to present his proposal. Kim Nute introduced herself as Mr. Nutes wife and stated that he was unable to attend and that she would be speaking for him. Mrs. Nute stated that there are really no abutters to lot 146 seeing that they own most of the property in that area. She had stated that the guy from the Fondation Company came and advised her that it appeared to him that she was too close to the road. Mrs. Nute did state that the Building Inspector (Art Stenberg) came out to the property and issued her a building permit. The Fondation Company did pour the footings however they held off on pouring the cement. She stated that where they are intending to erect the sugarhouse is the flattest spot in the area. At a later date she stated that she hoped to operate an Antique / Craft shop out of the sugarhouse. Boyd Quackenbush asked if she owned the property across the street as well. She stated that yes, she did. Mrs. Nute stated that they are very conscientious about the appearance of their property, she describes as not being an eyesore and stated that she provides school tours with her llamas. Abutter James Shea stated that what the Nutes do is very good for the Town. Chairman Lawless stated that since there were only three members on the board tonight Mrs. Nute had the option of postponing the hearing until a full board could attend or going ahead with the meeting. Mrs. Nute stated that she would like to go ahead with the hearing so that the project could be completed. Boyd Quackenbush asked if there were any other buildings in the immediate area and if there was, are they as close? Mrs. Nute stated that yes; her house is actually closer. Chairman Lawless asked for any objection, there being none he closed the meeting for deliberations. Chairman Lawless addressed the five criteria for a Variance.

1. No decrease in value of surrounding property. Unanimously agreed.
2. Granting the Variance would benefit the public interest. Unanimously agreed.
3. Denial of the Variance would result in unnecessary hardship to the owner seeking it. Unanimously agreed.
4. By granting the Variance substantial justice would be done; and
5. The use must not be contrary to the spirit of the ordinance. Unanimously agreed.

The Board unanimously agreed to grant the application of Phillip Nute for a Variance to Article VII, Section D.d. of the Antrim Zoning Ordinance to permit the construction of a sugarhouse within the 50-foot setback area.

Meeting adjourned.

Respectfully submitted,  
Sherry Miller