

MEETING MINUTES  
ZONING BOARD OF ADJUSTMENT MEETING

**Barrington Annex Building**  
**(next to Elementary School)**  
**(NEW LOCATION) 572 Calef Highway**

Barrington, NH  
March 19, 2014  
7:00PM

ROLL CALL

Members Present

Karyn Forbes, Chair  
Raymond Desmarais  
Dawn Hatch Ex-officio-Alternate  
Meri Schmalz-Alternate

Members Absent

George Bailey  
Gerard Gajewski  
David Vincent

MINUTES REVIEW AND APPROVAL

1. Approval of January 15, 2014 Regular Meeting Minutes

*A motion was made by R. Desmarais and seconded by D. Hatch to approve the January 15, 2014 meeting minutes. The motion carried unanimously*

ACTION ITEMS

2. [263-7-RC/SDA-14-ZBA \(Gibb Auto Sales\)](#) Request by applicant for a variance from Articles 3.2.1 Uses permitted by right and Article 19 Table of Uses to allow the use of Auto Sales on a 6.45 acre lot located at 1079 Calef Highway in the Regional Commercial (RC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. By: Jason Pohopek, Pohopek Land Surveyors & Septic System Designs, LLC; 42 Flagg Road; Rochester, NH 03839

Jason Pohopek represented the applicants, Richard and Christopher Gibb. Property was located on the corner of Lee Oak Road and Route 125. In 2010, the site was approved for a childcare facility, which was never opened and the applicant would now like to pursue automobile sales, which is not listed in the table of uses.

Applicant requested a variance to Article 19 Table of Uses, for automobile sales on a site located at 1079 Calef Highway.

Justification for the Variance

1. The special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

Response: The special condition that exists is that a heavy equipment sale & repair dealership is located directly across the highway.

2. Granting the variance would be consistent with the spirit of the Ordinance.

Response: Similar uses such as, sale of automobile parts & supplies, retail uses, private garages, truck terminals, & service for autos & trucks are listed as permitted uses within this zone.

3. Granting the variance will not result in diminution of surrounding property values.

Response: It is our belief that property values of the surrounding commercial properties will not decrease in value due to this proposed use.

4. Granting of this variance would do substantial justice.

The granting of this variance will allow this applicant to use & enjoy his property in the same manner as the surrounding properties of the area.

5. Granting of the variance would not be contrary to the public interest.

The zone being Regional Commercial has many permitted uses that are not considered to be contrary to the public interest, and being such a minor use variation no contradiction exists.

M. Schmaltz asked if there would be change to the existing business.

Mr. Gibb explained possibly but they had not made specific plans.

R. Desmarais believed the omission was an over site.

*A motion was made by R. Desmarais and seconded by D. Hatch to approve the Variance. The motion carried unanimously.*

## **ADJOURNMENT**

*A motion was made by R. Desmarais and seconded by D. Hatch to adjourn at 7:15 p.m. The motion carried unanimously*

Respectfully submitted,

Marcia J. Gasses  
Town Planner & Land Use Administrator