

TOWN OF WEBSTER, NEW HAMPSHIRE

Zoning Board

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Zoning Board of Adjustment Minutes January 8, 2008

Members Present: Marty Bender, Chairman; Don Koberski, member; Dave Barnes, member; Bobby Drown, member; Linda Hook, alternate; Attendees: Bob Lake (Mrs. Zsuzsa Tanos' agent), John Barger (Tanos/Santa Cruz Gunlocks employee) and Michael Boucher (abutter)

7:05 Chairman Marty Bender opened the meeting. Acting Secretary Linda Hook took attendance and read the posted notice for tonight's hearing – a request by Zsuzsa Tanos to expand existing structure to add storage area at 450 Tyler Road.

Chairman Bender explained the hearing procedure to Mr. Lake.

Mr. Lake explained the request to the Board. They are planning to add a 20'x68' storage area with additional parking spaces. They also will add a new driveway and close off the old driveway. There will be one entrance to access the storage area and the building. This will allow trailer trucks to have direct access to the storage area and not have to make use of an existing trailer box for storage.

Chairman Bender explained to Mr. Lake that this request will require an area variance before a special exception for the set back can be allowed. He also explained the five criteria that must be met for a variance:

1. No diminution in value of surrounding properties
2. Granting permit would benefit the public interest
3. Denial of permit would result in unnecessary hardship to owner
4. Substantial justice would be done by granting permit
5. Use must not be contrary to spirit of ordinance

In response, Mr. Lake stated that: (1) because of the lay of the land on the hill behind the existing structures, a hardship would be created for the owner because he estimated it would cost \$30,000. to excavate that area; (2) the business is an asset to the Town; it has created jobs and tax income; (3) when the old driveway entrance is closed, Mr. Tanos intends to plant tall poplar trees to screen the area; (4) since this is already an existing business, it would cause no decrease in surrounding property values.

Mr. Lake and all Board members reviewed the Town map in order to get a clear picture of what is proposed.

When questioned about driveway permits, Mr. Lake stated that applications have been submitted to the State and the Town.

Chairman Bender asked if anyone else wanted to speak in favor of the proposal. Mr. Barger stated that the business employs local residents and pays local taxes. No one spoke in opposition.

At this time, Mr. Lake made mention of a loading dock. As long as this does not protrude any further than an additional 8 feet from the proposed structure, a 25 foot set back will still be maintained.

At this time, Chairman Bender initiated the special exception section of the hearing. Mr. Lake stated that they were not enlarging the business itself and there would be no additional employees. The addition will not be a detriment to the neighborhood, it will actually improve the appearance because the box trailer will not stay parked in the driveway, and after closing off the old driveway entrance, new trees will be planted to block the view. Members Drown and Hook questioned Mr. Lake about his mention of a loading dock. This will add to the width of the structure. This will not be an issue as long as it is no wider than eight feet which will keep the setback at a minimum of 25 feet.

Chairman Bender closed the hearing at 7:55pm.

Board discussion followed. Members felt that Mr. Lake had met the criteria necessary for the variance and that the addition would not be a detriment to the neighborhood.

Member Koberski made motions to approve the variance and the special exception; this was seconded by member Drown. The motions were passed unanimously with one condition. That being the procurement of both State and Town driveway permits.

Respectfully Submitted,

Martin Bender
Chairman

MB/ms