

MINUTES OF THE ZONING BOARD OF ADJUSTMENT MEETING
August 14, 2014
7:00 PM

Meeting called to order by Chair Electra Alessio, present, Ray Donald vice chair, Daryl Branch, John Whittier, Peter Coffin. Mr. Donald made a motion to approve the minutes for the July 10, 2014 meeting with condition of adding the abutters name that spoke at Prescott hearing, Mr. Whittier seconded, all in favor.

Tax Map R-21, Lot 16

Mr. David Kolias stated they had owned the lot for 25 years. Mr. Kolias stated the lot was restrictive to development because of the PSNH easement, 90% of the lot is in the aquifer and it is in the commercial zone. Mr. Kolias stated a car lot was feasible. Ms. Alessio asked about a letter of denial from another board. Mr. Kolias stated Mr. Greenwood advised them to come straight to the ZBA. Mrs. Kolias concurred. Ms. Alessio asked about the proximity of the nearest auto car lot. Mr. Kolias stated the lot was between LePage's Auto and Camper's Inn. Mrs. Kolias stated it goes LePage's Auto, Stoneybrook Lane, their lot and Camper's inn. Ms. Alessio asked how many feet. Mr. Kolias stated the lot was right across Stoneybrook Lane. Ms. Alessio stated it was not 1000 feet. Ms. Alessio stated that was why they usually had a letter of denial that would give the exact number of feet. A discussion followed regarding a variance vs. a special exception. Mr. Coffin stated the ordinance allows in C3 vehicular sales, rental, leasing and service repairs provided that no lot used for this purpose is located closer than 1,000 feet in any direction. Mr. Coffin pointed out that both lots abutting on the north and south were used for this purpose. Mr. Coffin stated auto repair and sales facilities were prohibited in the aquifer zone, a 3 acre minimum lot was required and the lot in question is only 1.21 acres. Ms. Alessio stated she had received a note from Richard Wilson Chairman of the Planning Board stating the board was not supportive of the request. Mr. Coffin asked if the power line was there when the Kolias' purchased the property. Mr. Kolias stated it was. Mr. Coffin stated the commercial zone was established in 05 and the aquifer was known to them when the lot was purchased. Mrs. Kolias stated that at some point the line for the aquifer was adjusted. Mr. Kolias stated it went from 50% to 90%. Mr. Kolias stated when they purchased lot it was rural residential and has since been switched to commercial. A discussion followed regarding the size of the lot. Mr. Coffin asked about the existing auto repair business on the house lot. Mr. Kolias stated it had been approved by the Planning Board. Mr. Coffin stated that would make 3 sales and repair businesses. Mr. Whittier asked if the lots had been

joined. The Kolias's stated the lots had always been separated. Mr. Coffin made a motion to deny the request, Mr. Donald seconded, all in favor. Ms. Alessio explained the appeal process.

Ms. Alessio adjourned the meeting at 7:29.

Respectfully submitted,

Tammy L. Bakie
Secretary
Zoning Board of Adjustment

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