

Members Present: Matthew Morton (Chair), Russell Cooke (Vice Chair), Edna Mosher, John Frink, John Newick, and Richard Ford

Also Present: Denise Frink Hoyt, Jeff White, Doug LaRosa (Tri-Tech Engineering), Irving Beebe, and Tom Morgan

Commencement: The meeting was convened by Chairman Morton at 7:00 PM.

Minutes of July 22, 2002: Cooke moved to adopt the minutes. Ford seconded. All in favor except Frink who abstained because he had not been present at that meeting.

Labrie: Denise Hoyt presented the plan to building a two-family dwelling on a 1.2 acre lot. Doug LaRosa noted that the land percolated at 8 minutes per inch, and that the applicant was in receipt of a wastewater construction permit from NH DES.

Beebe inquired about wetlands. LaRosa responded that the property contained only small pockets of wetlands. Beebe requested a postponement of the hearing because he hadn't received an official notice. The board responded that he isn't an abutter.

Frink noted that the plans submitted by LaRosa depicted the septic system within 75 feet of wetlands, a practice that is prohibited by the Zoning Ordinance.

Morgan suggested that the plans should demonstrate that a second septic system can be accommodated on this lot in the event that a condominium conversion is requested in the near future. White replied that he had no interest in condominiums.

Frink expressed uneasiness about the proximity of the proposed duplex to the industrial zone. He would be more comfortable if the proposal was for a single-family dwelling. Cooke echoed that sentiment.

Beebe expressed concern about the effect of the septic system on nearby wells.

White stated that each dwelling unit would have a separate electric service.

Frink suggested a modest home on this site in lieu of a \$300,000 McMansion. Ford added that not all buyers are in the market for a starter castle.

Morton decided that this was a good time to close the public hearing, and he did just that.

Motion: Cooke moved to approve the variance as advertised. Mosher seconded.

Property Values: Frink and Newick perceived no effect on property values.

Public Interest: Cooke cited the nearby industrial traffic, noises, and odor as reasons why the proposal is not in the public interest. Frink concurred, citing the nearby high pressure gas line and the new power plant.

Hardship: Cooke & Newick perceived a hardship. Mosher & Ford disagreed, citing other options that are available to the owner due to the proximity of their other lot. Frink believes that there is a hardship.

Substantial Justice: Cooke found no substantial justice for the same reasons cited above relative to public interest. Mosher & Ford concurred.

Spirit & Intent: Cooke stated that the use is not contrary to the spirit & intent of the ordinance. Frink concurred, except that he found the intensity of the proposed use to be contrary. Mosher stated that overcrowding is contrary to the intent.

Decision: Morton called for a vote. Ford, Cooke, Frink, and Mosher voted no. Newick voted yes. The variance request was denied.

LaRosa grabbed the plans from the table. Morgan requested the retention of one copy for the board's records. LaRosa refused. Alternate BOA Member Cross chased LaRosa down the corridor in an effort to retrieve the plan. Cross' efforts proved futile.

Adjournment: Cooke moved to adjourn. Mosher seconded. All in favor.

T. Morgan
Sec'y