



City of Rochester, New Hampshire

Building, Zoning & Licensing Dept.
31 Wakefield Street * Rochester, NH 03867
(603) 332-3508 * Fax (603) 509-1912
Web Site: www.rochesternh.net

MINUTES OF THE ROCHESTER ZONING BOARD OF ADJUSTMENT MEETING OF November 23, 2015 (Approved January 13, 2016)

The Chair called the meeting to order at 7:00 p.m. in the Council Chambers.

Roll Call:

Roll call was taken with the following members present

Members Present

Ralph Torr, Chair
Lawrence Spector, Vice Chair
Robert Gates
Randy Lavallee
Robert Goldstein
Leo Brodeur, Alternate
Fidae Azouri, Alternate

Members Excused

Also present: Jim Grant, Director of Building, Zoning & Licensing
Karen L. Grenier, Building, Zoning & Licensing Secretary

These minutes are the legal record of the meeting and are in the format of an overview of the Zoning Board of Adjustment meeting. It is neither intended nor is it represented that this is a full transcription. A recording of the meeting is on file in the Building, Zoning and Licensing Department for a limited time for reference purposes. It may be copied for a fee.

Approval of Minutes:

The minutes of October 14, 2015 were reviewed, Mr. Gates made a motion to accept the minutes as written. Mr. Spector seconded the motion. The motion passed unanimously by roll call vote.

The Vice Chair stated all five members would be voting tonight.

The Vice Chair asked if any of the members had a conflict with this case being presented. There were no conflicts.

New Cases:

2015-25 - Application by David & Terri Turgeon for a Variance to allow the setback for a shed to be at three (3) feet to the back and side lot lines than the allowed ten (10) feet. This request is according to the City's Zoning Ordinance, Article 42. Table 19-A.

Location: 54 Harding St. Map 128 Lot 163, Residential One Zone

The Vice Chair asked if there was anyone to speak for or against the case and there was no one in the audience to do so.

Mr. Turgeon approached the podium, introduced himself, spoke of his project and then read his five criteria items. The applicant had a request to waive the requirement for a certified plot plan. Mr. Gates made a motion to waive the certified plot plan for the following reason; even though the property owner does not have a certified plot plan, he moved to waive the requirement for one, because there are no objections from any abutter and based on the information provided, the distance into the setback will not create any problems to the abutting property.

Mr. Lavallee and Mr. Goldstein unanimously seconded the motion.

There were no city comments from Mr. Grant or the City Manager.

The Vice Chair closed the public hearing portion of the meeting and the board members worked on the criteria sheets.

Mr. Gates made a motion to approve the variance as presented for the following reasons: The variance will not be contrary to the public interest because: It will not increase congestion in the streets. The spirit of the ordinance is observed because: It will not reduce safety from fires, panic and other dangers. If granted, the benefit to this individual applicant outweighs any harm to the community as a whole. The value of surrounding properties will not be diminished because: It will not generate levels of noise, light, activity or traffic that are significantly different from that which currently exists. Mr. Spector and Mr. Goldstein seconded the motion. The motion passed unanimously by the voting members. Mr. Grant advised anyone is affected directly by this decision they have 30 days to appeal.

Other Business:

The Vice Chair stated there is no December Meeting as there are no cases. There was no other business.

Adjournment:

Mr. Gates moved to adjourn at 7:08 p.m. Mr. Goldstein seconded the motion. The motion passed unanimously by roll call vote.

Respectfully submitted,

Karen L Grenier

Karen L. Grenier, Building, Zoning & Licensing Secretary