

Town of Lisbon, NH

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Zoning Board of Adjustments Minutes 02/08/2012

Town of Lisbon Zoning Board of Adjustment Minutes

February 8, 2012

6:00 pm meeting opened.

Members present: Scott Champagne (SC), Bobbie Clark (BC), Jim Ingerson (JI), Stephen Knox (SK)
Administrative Assistant: Barbara Menchin

Public: Thomas Demers

A motion was made by SC to accept the minutes of September 14, 2011 meeting, JI 2nd, so voted all.

PUBLIC HEARING:

BC started the hearing by stating the purpose of the Hearing, which is a request for a Variance concerning Article V Section 5.08. Applicant requests a variance to build a 30 x 60 warehouse on personal land which does not meet specified setbacks on a newly subdivided lot on R30 – Lot 011 and R30 – Lot 011-01 containing approximately 30.27 acres located at 620 Walker Hill Road. BC stated that proper notification had been made. It was stated that all members were familiar with the property. BC asked BM if she had received any comments regarding the hearing from any abutters. She stated only none.

Mr. Demers explained he would like to erect the warehouse within 10 foot of the roadway. The building would be a metal building with 15-foot walls and a pitched roof. The warehouse would be a steel prefabricated building. Mr. Demers stated he wasn't worried about snow removal as that was his business. He further stated he wanted to clean up his property as it was starting to look cluttered. Mr. Demers stated he would not be building the level of the property up to the road. The only leveling would be for the foundation of the building. Mr. Demers stated the building would not be heated at this point due to expense in doing so. Mr. Demers further told the Board he would be doing a rock swale of some sort for any water run-off.

The question was asked about road entrance safety. It was noted that the property is on the straight-of-way and there is plenty of visibility.

Mr. Demers stated he would get the Board a copy of the building plans.

SC stated **"Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.05.01 there are special circumstances or conditions applying to the land or structure for which the variance is sought (such as, but not limited to, the exceptional narrowness, shallowness, or shape of the property in question, or exceptional topographical conditions), which are peculiar to such requirements of this ordinance as will deprive an owner of such property a reasonable use of it, and will impose upon such owner a hardship not shared by the owners of other property."** JI 2nd.

SC stated he felt it was appropriate.

BC stated he felt as if it appropriate but would like to check with Mr. Kevin Clement (Lisbon Public Works) to make sure there would be no issues. BC also stated a snow rake would be a good idea.

SK stated there must be other barns in the town that come very close to the road.

JI stated he knew from experience that snow wonders but felt there would be no issue with it being appropriate.

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

SC stated: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.05.02 that: The granting of the variance will be in harmony with the general purposes and intent of this ordinance, and with the convenience, welfare, and character of the area within which it is approved, and will not be injurious or otherwise detrimental to the public welfare.”** BC 2nd.

BC stated Mr. Demers is making this in accordance with the ordinance and it won't be an eye sore and won't be detrimental to the public and he is trying to make his property look better.

JI stated he didn't see a problem and that since this was for his business, image is everything.

SK stated he would like to have Mr. Clement (DPW) check on what impact there would be for road safety.

SC stated he wanted to talk to Mr. Clement also. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

SC stated: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.05.03 that: The use proposed is a permitted or allowed use.”** BC 2nd.

SC stated this falls within the guidelines of the ordinance.

BC stated this one was simple.

BC asked if there were any other comments or questions on that motion. BC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

JI stated: **Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.05.04 that: The specific variance is the minimum variance necessary to provide for a reasonable use of the land or structure.”** BC 2nd.

BC stated that the minimum was definite, with his land and situation, he can't add on any more due to the terrain.

SC, JI both agreed.

BC asked if there were any other comments or questions on that motion. SC read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

SC said: **“Mr. Chairman I move that the Lisbon Zoning Board find that in accordance with Article 8.05.05 that: Not to grant the variance would result in an injustice.”** JI 2nd.

BC stated that would seem that might be the case.

SC said it would be an injustice not to get the extra tax money!

SC asked if there were any other comments or questions on that motion. JI read the motion again and called for a vote. All voted aye, none opposed. **Motion passed.**

BC re-read the request for variance again sighting the concerns regarding the road and snow and stated he would like to check with Mr. Kevin Clement (Department of Public Works) on the road width, and the swale for run-off. He further stated that if there was any freezing on the road that the town would not be responsible to correct it.

SC stated that if Mr. Clement had any worries, then Mr. Demers would have to come back to the hearing and address the issues.

BC asked for a final vote. All voted aye, none opposed. **Motion passed with the condition Mr. Clement has no problems regarding the road.**

BC stated “that concludes this hearing and our written decision will be issued after speaking with Mr. Clement”.

BM to sign for BC.

Motion to close.....by BC, SK 2nd all in favor to close the meeting, none opposed. Meeting closed at 7:00 PM.