

**Minutes
Hill Zoning Board of Adjustment
05 September 2007**

Board members present: Robert Helmers, Mike Brady, Dave Kane, Gerry Weinert, Shaun Breshnahan

Applicant: Terry and Elise Smith

Public meeting and the public hearing for the variance application by Terry and Elise Bucklin opened at 7:20 p.m.

As there were no members of the public present, the board reviewed the application submitted by the Terry and Elise. The request was for a variance from the zoning restriction of enlarging non-conforming structures. The applicants requested a variance so that they could build an attached garage to an existing home on a sub-standard lot. The lot is land-locked, having no access to a class V road and is accessible via a right of way through a neighboring property.

There were no abutters present and none of the abutters had responded by mail. The chair noted that grandfather issues had been considered prior to the application, but no grandfather clause exists for the rural residential district in the town of Hill and it was his understanding that new structures do not qualify for grandfathering rights. He also stated that the board, at its discretion, could consider a variance for both the enlargement of a non-conforming structure and frontage requirements.

Findings of fact:

1. The lot was created prior to adoption of a zoning ordinance by the town
2. The lot has no frontage on a road and is accessible by a 50 foot right of way through an adjacent property.
3. The lot greatly exceeds the current minimum acreage requirements
4. The existing and proposed structures exceed setback requirements
5. The proposed use is consistent with the current zoning ordinance

The board then reviewed the test criteria for a dimensional variance. The board found that the granting of the variance is not contrary to the spirit of the zoning ordinance, would not diminish the value of adjacent property, and does not create greater safety risks for traffic on Currier Road. There would be little or no public benefit from denying a variance. Special conditions pertaining to the property include that it was a single-family residence prior to the zoning ordinance. The lot exceeds all other zoning requirements and the right to build a garage would be granted on any similar lot with sufficient road frontage. Alternatives to the variance would require purchase of the portions of the adjacent property, construction of an access road or the location of the garage on adjacent property. All alternatives impose unnecessary hardship on the owners of the property. Given the unique conditions of this property, the board of adjustment granted approval of the variance for the enlargement of a non-conforming structure. The applicants were informed that conditions will apply to the variance allowing only for the addition of an attached garage and the connecting structure. Any other enlargement or change in use will require the owner to apply for another variance.

Public meeting and hearing adjourned at 7:45 p.m.

Robert Helmers
Chairman

Town of Hill
Capital Improvement Committee Minutes
10 September 2007

In attendance: Robert Helmers, Gerard Desrochers, Shaun Breshnahan, Joe Mahoney, Steve Farris (CIP committee)
Adam Kurowski (LRPC)

The meeting opened at 6:45 p.m.

The committee reviewed the list of capital improvement projects. LRPC had received four project proposals from department heads and the remainder of the list was taken from the implementation chapter of the draft master plan. Committee members suggested a few additional projects.

Each proposed project was reviewed to get a rough estimate of the cost, anticipated completion date and source of funding. Related projects were grouped. The major projects were improvement and renovation of town offices, scheduled replacement of highway equipment and structures to house equipment and material, reconstruction and paving of roads, replacement of vehicles for police and fire departments and improvements to the solid waste transfer station. Adam and Steve will contact department heads or other responsible parties for information on proposals that the committee was uncertain. Improvements to the water system were discussed, but since the water system is currently supported entirely by user fees, it does meet the criteria for the CIP. The committee decided to retain the water system on the list as a reference point, due to its high cost, which impacts many town residents and also because the town owns the system and is ultimately liable.

The committee selected a point system presented by LRPC as the method for ranking proposals.

A table of historical municipal capital expenditures was reviewed. After adjusting for water system expenditures, the nine-year average for annual capital expenditures was in the range of \$130,000 to \$150,000. The source of the funding for past projects was also reviewed.

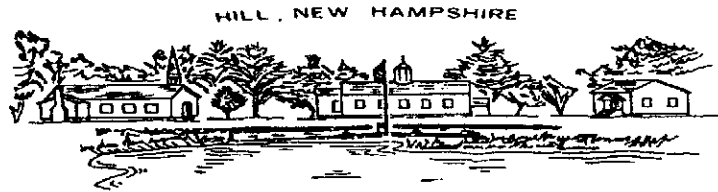
A similar capital projects table for school related expenses and several proposed figures and tables for the final report were quickly reviewed. The school district table was incomplete and Adam will contact appropriate individuals.

The next meeting was scheduled for October 1, 2007.

meeting adjourned at 9:30 p.m.

Robert Helmers
Chair

Town of Hill
Zoning Board of Adjustment
P.O. Box 236
30 Crescent St.
Hill, NH 03243



NOTICE OF DECISION

Case No: R12 Lot 22 2007 Smith

You are hereby notified that:

a variance of Article VI Nonconforming Uses and Structures Section 4 of the Hill zoning ordinance allowing for the increase in size of a nonconforming structure as requested by Terry and Elise Smith for a lot accessible from Currier Road (Tax map 12 lot 22)

has been **GRANTED**, subject to the conditions listed below, by the affirmative vote of at least three members of the zoning board of adjustment.

CONDITIONS:

Enlargement of the nonconforming structure is limited to the construction of a garage and connecting structure for residential use.

All setbacks must be meet.

Robert Helvers

Chairman,
Board of Adjustment

05 Sept 2007

Date

Note: The selectmen, any party to the action or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated, Chapter 677. This notice has been placed on file and made available for public inspection in the records of the ZBA. Copies of this notice have been distributed to: the applicant, Board of Selectmen and Town Clerk.