

Board of Adjustment Minutes, May 15, 1984 8:00 p.m. at Selectmen's Room

Case #3-1984
Lemire for Gilmartin

Present: Board of Adjustment members: Greg Bohosiewicz, Chairman; Gail Proctor, Clerk; Tom Mitchell. Abutters: Adrian Gentes.

Joan Lemire for David & Patricia Gilmartin. Property: Prince St. Request for a variance to the terms of Article V, Section C-1 of the Z. O. Applicant proposed to add a two BR apt. and a studio apt. in rear barn.

Joan Lemire, realtor explained that she is representing the Gilmartins who no longer live in the area. The Board accepted her as their agent.

The Board met at the property in question prior to the meeting with Mrs. Lemire.

Mr. Gentes expressed concern over the two additional apts. being proposed. He felt that there was a problem already with the existing arrangement and felt any additional apts. would augment an already severe problem as an abutter. He felt that the property was in disrepair, there were electrical (fire) hazards, noise levels were high, parking was a problem, his privacy would be jeopardized and his property would be devalued ultimately. Mr. Gentes also pointed to the Board that his property line was within 6 feet of the barn.

Joan Lemire stated that there is a sales agreement on the property.

Gail Proctor reviewed the list of criteria that the ZBA must follow and the Board requested Mrs. Lemire to address the points. She felt that although there was no "technical hardship" (financial) the layout of the property would lend itself to accommodate the two additional apts. Mrs. Lemire also pointed out that there were many other multi-family units within the neighborhood.

Gary Crooker expressed concern over the fact that the property was located on a one-way street directly across from the Flem. School and increasing the density would create potential traffic hazards.

The property is .4 acres of land. The zoning requires 1/2 a. per unit. Discussion from the Board indicated that to grant a variance in this case would not be in the "spirit and intent" of the law.

Mrs. Lemire did not address further issues.

Mr. Gentes again expressed his concerns as an abutter and felt that the surrounding properties would diminish in value as well as create numerous other difficulties as he stated in his previous testimony.

Mrs. Lemire also pointed out the local need for additional housing.

Being no more discussion, Tom Mitchell moved that; the ZBA grant a variance to David and Patricia Gilmartin to permit a two BR and a studio apt. in the rear barn of their Prince St. property. Seconded by Gary Crooker. There was no additional discussion. The vote was unanimous 4-0 in opposition to the motion.

Other Business; Board members were concerned over the apparent violations of Robert Dion, Intervale Rd. in his compliance with the Home Occupation Ordinances. Selectman Greg Bohosiewicz indicated that a cease and desist

and desist order was being prepared.

Gary Crooker was contacting David Glines to remind him that he must resubmit his former application to the ZBA. Mr. Glines' initial application for a Home Occup. was changed to a request for a Comm. endeavor in an Indus. zone. The change necessitates to renotify abutters and post another public hearing.

There was no further business.

Tom Mitchell moved to adjourn meeting. Seconded by Gary Crooker.

Meeting Adjourned 9:05 p.m.

Gail Proctor
Gail Proctor, Clerk