APPROVED

ANDOVER ZONING BOARD OF ADJUSTMENT

August 15, 2023

Members present: Jon Warzocha, Co-Chair; Jeff Dickinson, Co-Chair; Katherine Stearns; Jeff Newcomb; and Andrew Guptill, Alternate appointed to the vacant position.

Also present for duration of appropriate items: Nancy Teach; Bill Hoffman; Doug Phelps; Donna Duclos; Pat Moyer, Planning & Zoning Administrator; and Lisa Meier, Recording Secretary

The meeting was opened by Co-Chair Jon Warzocha at 7:03 p.m.

Roll call was completed.

Continued Public Hearing: A request from the Andover Historical Society (AHS) for a Variance as specified in the Andover Zoning Ordinance Article IV Section F to permit construction of a Concord Coach shed within the 30’ front setback. The property is located at 89 Depot Street, Tax Map 27, Lot 770,093 in the Village District

Warzocha continued the public hearing at 7:08 p.m. Teach was able to find and presented the deed to the property along with a revised map of the property. The proposed building has been relocated on the revised map based on the property line. Warzocha explained the board must consider the front setback. Guptill stated the setback must be measured from the center of the road. Warzocha stated that the width of the road needs to be determined. Newcomb asked what the deed describes the width of the road as and Teach provided a Warranty Deed from Laura T Johnson Sheldon to the Andover Historical Society; however, there was no response regarding the width of the road. Guptill asked if the pins on the side of the road have been found and the response was no. Warzocha stated that the proposed structure aligns with the freight shed and he is unsure what the exact setback would be to grant as a Variance. Dickinson stated that the front of the building sits further back than the existing freight shed. Teach responded that this is the only location on the property that the Andover Historical Society owns. Guptill asked if the Historical Society would be open to a ho-holds liability agreement from the town. Dickinson asked if the application can be revised with a 0’ variance for the rear and the response was yes. Warzocha stated the application needs to be modified as the edge of the Right-of-Way is undetermined. Warzocha also stated he is comfortable with a 1’ front and rear setback; however, the board cannot give permission to building in the towns right-of-way. Phelps stated that a 3 or 4 rod road is a huge right-of-way. Guptill states that the road looks offset. Phelps asked where they could find out if the road is 3 or 4 rod and Guptill stated that Mark Stetson may know. There being no further discussion, the public hearing was closed at 7:35 p.m.

The board reviewed the criteria for a variance and determined that the proposal is consistent with other uses in the area; the structure is consistent with current non-conforming structures in the area; existing uses allows to expand; this will enhance the values of surrounding properties; special conditions of the property allow for granting of the variance.

Warzocha made a motion to grant a front and rear setback variance of no less than 1’ for a 20 x 30’ building with flexibility to locate accordingly including the following conditions:

1. There be no liability on the town for the front setback.
2. The Historical Society needs to verify the property line and setbacks prior to construction.

Dickinson seconded the motion and the board unanimously approved granting the variance.

Other Business

1. Dickinson made a motion to records future meetings and delete the recordings once the minutes are approved. Guptill seconded the motion and the motion passed unanimously.

There being no further discussion, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Lisa Meier, Secretary

Andover Zoning Board of Adjustment