

ZONING BOARD OF ADJUSTMENT
EAST KINGSTON, NEW HAMPSHIRE
03827

MINUTES OF PUBLIC HEARING
JUNE 30, 1988

CARSAN DEVELOPMENT CORP.
PO BOX 39
EAST KINGSTON, N.H. 03827
(Principals names not shown on application)
(Application not signed)

Zoning Board of Adjustment Members:

W. Osgood
D. Cirradelli
R. Smith
J. Conti

Carsan Development Corp.:
Mike Enright

Hearing called to order at 7:30 pm.

Reading of application:

"The undersigned (Note: not signed) hereby requests a variance to the terms of Article VI, Section E and asks that said terms be waived to permit one driveway entrance for two lots as shown on the attached plan entitled "Easement Plan of Land in East Kingston, NH for Carsan Development Corporation" Date: Nov. 12, 1987

"The undersigned (Note: not signed) alleges that the following circumstances exist which prevent the proper enjoyment of his land under the strict terms of the Zoning Ordinance and thus constitutes an unnecessary hardship. Due to the shape of the lot and the lay of the land it is impractical to have a separate entrance for Lot #6 without adversely affecting the natural drainage flow from the pond on Lot #5 and without cutting down and destroying quite a few trees which surround the stream"

Principal presentation:

Mike Enright presented a plan signed by Building Inspector showing joint driveway, and expressed concern for flow of stream. Following, there was a general discussion of the lay-out of the whole development. He stated that he was not aware of the Town Zoning Law, and that he did not know that, under the law, each lot was required to have a separate driveway. He further stated that he did not know that he was required to have a driveway permit before obtaining a building permit. Additionally, he stated that he had in fact not obtained a building permit but believed that he was operating with one issued to E. Melvin Rowley, and that he did not know that building permits were not

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SELECTMAN #2
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(1988-01)

transferable. The Board asked how he, as a professional developer could possibly have been unaware of the Town Zoning Law. Mr. Einright did not answer this question. The Board expressed serious concern that because he appeared to be operating without a valid building permit, he was in even greater violation of the Law than without the driveway permit.

Other comments:

Mr. & Mrs. Keans, adjoining abutters, spoke against the request.

David Conti, Town Fire Chief, expressed concern with the ability of the Fire Department to reach the dwelling in question via the present joint driveway.

Disposition:

Continuance to July 26, 1988, 7:30 pm.

Quorum not present on July 26, 1988. Continuance to August 8, 1988, 7:30 pm.

Public vote on August 8, 1988. Applicant failed to show justification for Variance, and failed to show how circumstances created a hardship of the land. Vote was unanimously opposed. The application was denied.

William R. Osgood
Chairman