



## RINDGE BOARD OF ADJUSTMENT

30 PAYSON HILL ROAD, PO BOX 163

RINDGE, NH 03461

Tel. (603) 899-5181 X100 Fax (603) 899-2101 TDD 1-800-735-2964

www.town.rindge.nh.us

**Case #986**

**Hearing: 5-27-08**

**Decision: 5-27-08**

### NOTICE OF DECISION

**You are hereby notified of the appeal of T. F. Moran, Inc. 149 Emerald Street, Center at Keene, NH 03431, Owner; Edward Stevens, 57 West Main Street, Rindge, NH 03461, Map 33 Lots 19-1, 19-2, 19-3 for an Area Variance from Article VI, Section C.1 of the Zoning Ordinance.**

**The Board found that:**

**1: The Variance will not be contrary to the public interest. On this issue the applicant and others provided evidence that:**

More conforming to have boundary lines adjusted as presented. Unanimous decision.

**2:a The Area Variance is needed to enable the applicant's proposed use of the property given the special conditions of the property. On this issue the applicant and others provided evidence that:**

Lack of frontage on West Main Street, **and the Area Variance is needed for this because:** No other contiguous frontage is available. Unanimous decision.

**b. The benefit sought by the applicant cannot be achieved by some other reasonably feasible method. On this issue the applicant others provided evidence that:**

Middle lot cannot be adjusted to conform to 250' requirement and another option was explored and was not as feasible. Unanimous decision.

**Special conditions do exist such that the literal enforcement of the ordinance results in unnecessary hardship. On this issue the applicant and others provided evidence that:**

Same as above. (2a and 2b). Unanimous decision.

**3: The Variance is consistent with the spirit and intent of the Rindge Zoning Ordinance. On this issue the applicant and others provided evidence that:**

It brings the property closer to conformance with latest zoning. Unanimous decision.

**4: Substantial justice is done by granting the Variance. If the variance is denied, the applicant will be burdened. On this issue the applicant and others provided evidence that:**

There would be fewer options for use, **and there is no significant benefit to the Town**



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**in denying the variance because:** It brings properties into greater conformity.  
Unanimous decision.

**5: Granting the variance will not diminish the value of surrounding properties. On this issue the applicant and others provided evidence that:**

Brings greater conformance and potential future commercial use would have a lesser impact. Unanimous decision.

**A motion was made by Breckenridge, seconded by Carmichael to Grant the Variance because all five criteria have been met. The motion carried unanimously.**

Respectfully submitted,  
Kathy Strasser/Clerk  
Respectfully submitted

Joseph C. Hill, MD

Chairman

George Carmichael

Vice-Chairman