

# FINDINGS OF FACTS

## **BOARD OF ADJUSTMENT, Westmoreland, New Hampshire**

Hearing held at 7:30 on November 8, 2005 at Westmoreland Town Hall

Concerning a request by One Hundred Eleven Realty Associates

For a Variance

Concerning Article V, Section 501A and Table 502 of the Westmoreland Zoning Ordinance

Applicant proposes to build a commercial building in its Industrial Park. Lot 14-46 will be joined to Lot 14-48 by Lot Line Adjustment. Applicant needs a variance as additional building will be in excess of the maximum lot coverage of 25%.

On property located at Route 12, Westmoreland Industrial Park

In the Commercial / Industrial zone

### **Summary of the facts of the case discussed at the above public hearing:**

The petitioner JoJi Robertson was informed that with only four ZBA members in attendance she had to have a 3 out of 4 approval as opposed to a 3 out of 5 if a full board were present and that she had the option of delaying the hearing until such time a 5 members were present. She opted to continue with the hearing.

Ms. Robertson presented maps showing what is planned and the placement thereof. She also had handouts comparing Westmoreland's zoning regulations on this issue with the regulations of nearby towns. This showed Westmoreland's regulations to be much more conservative than those of neighboring towns.

One Eleven is asking for a coverage of 28.4% as opposed to the permitted 25%. This is based upon the entire acreage of the park.

#### Comments:

Industrial Park tenant Jim Leroy stated that if he could not get larger quarters for his business there, he would have to move elsewhere.

Former owner of the Industrial park Doug Wilkes stated the new construction would get rid of unsightly outside storage and increase the tax base.

Planning Board member Wes Staples had question concerning placement of the building in relation to the small lot to be joined to the larger piece.

ZBA found no diminution of surrounding property values as this is already an industrial park; that the variance was not contrary to the public interest because this is in the commercial zone. The restriction interferes with effective use of the space within the Industrial Park. Justice would be done because 3.4% overage is a minimal change in coverage and that the result of granting the variance would not be contrary to the spirit of the ordinance as it is a minimal change.

The motion to grant the variance was approved unanimously.