



ZONING BOARD OF ADJUSTMENT
TELEPHONE (603) 363-4624



**TOWN OF CHESTERFIELD, NH
NOTICE OF DECISION
ZONING BOARD OF ADJUSTMENT**

You are hereby notified that at its Thursday, January 16, 2023, Zoning Board of Adjustment meeting the Board heard the application of **Aubuchon Realty Company** requesting a variance from Article II, Section 206.5A, Parking Area Setback Requirement. The property is located on the Southwest Section of Stow Drive and Franklin Pierce Highway, Chesterfield (Tax Map 12, Lot A1.21) in the Commercial/Industrial District

Based on the plan submitted, the Motion was made to deny the variance submitted by Aubuchon Realty Company for Article II, Section 206.5A to permit a 10-foot front setback where a 50-foot front setback is required for the building and/or parking lots because the variances would be contrary to the public interest because the ordinance states that consideration should be given to the character of the town and the overcrowding of the land. The ten-foot set back set back would not accomplish this. The spirit of the ordinance would not be observed because the ordinance is to provide reasonably sized setback.


Kristin McKeon

Chairman

Zoning Board of Adjustment

Date: 2/1/23

NOTE: Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty days of the date of this decision. The necessary first step, before any appeal may be taken to the courts, is to apply to the Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677

NOTE: Variance is based on oral and written intentions (including maps, plans, and written statements) and assurances of applicant and/or its representative and must be implemented in a way which adheres to those intentions and assurances. "The scope of a variance is dependent upon the representations of the applicant and the intent of the language of the variance at the time it is issued".

Town of Rye v. Ciborowski, III N.H. 77 (1971)

A site plan review may be required of the Chesterfield Planning Board, as a result of this decision.