

**HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES
October 3, 2013**

Members Present

Vic Lessard, Chairman
Bryan Provencal, Vice Chairman
Ed St. Pierre, Clerk (7:05 p.m.)
Jack Lessard (Alternate)
Bill O'Brien

Others Present

Joan Rice, Secretary

Chairman Lessard called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said.

Board members were introduced.

BUSINESS SESSION

Approval of Minutes

Moved by Mr. O'Brien, seconded by Mr. Provencal, to approve the Minutes of August 15, 2013 as amended.

Vote: 4 yes, 0 no. Motion passed unanimously.

Mr. St. Pierre joined the meeting at 7:05 p.m.

Moved by Mr. O'Brien, seconded by Mr. Provencal, to approve the Minutes of August 22, 2013 as amended.

Vote: 5 yes, 0 no. Motion passed unanimously.

Mr. St. Pierre said he had corrections for the August 15, 2013 Minutes.

Moved by Mr. O'Brien, seconded by Mr. J. Lessard, to reconsider the Minutes of August 15, 2013.

Vote: 5 yes, 0 no. Motion passed unanimously.

Moved by Mr. O'Brien, seconded by Mr. Provencal, to approve the Minutes of August 15, 2013 as further amended.

Vote: 5 yes, 0 no. Motion passed unanimously.

Appeal of Zoning Board Decision

Chairman Lessard said an Appeal of Zoning Board Decision request has been made for Petition 33-13, 31,33 Ocean Blvd., Petitioner's Name: WDK Realty Trust, Warren Kelly, Trustee.

Mr. O'Brien said if you are on the Business Seasonal side there are a lot of high buildings, but if you look west there are a lot of cottages. The petitioner was asked why he could not give up three or four feet. The reply was that it would be too tight. Mr. O'Brien said if they had agreed to go from 12 units to 10 units it would not be so tight. Mr. O'Brien said he had mixed feelings.

Mr. St. Pierre said he would like to know about the previous project approved there. Mr. O'Brien said that project was a 31-unit hotel condo. It went to court and the court sided with the applicant. Mr. O'Brien said the Board was now dealing with a different application.

Mr. St. Pierre asked if there was new evidence in this appeal showing that this Board was in error in granting this Petition. This would be necessary to allow a rehearing. Chairman Lessard said he saw no such evidence.

Mr. O'Brien said the petitioner in this case is an option holder and not the owner. Those requesting a rehearing cite this as grounds for a rehearing. Mr. O'Brien said the Zoning Board's Instructions say it is okay for the petitioner to be an option holder.

Mr. St. Pierre said that those requesting a rehearing say this project would decrease property values and be an eyesore. Mr. Pierre said he does not agree with this statement.

Chairman Lessard said he could not support this appeal according to what he has read.

Mr. Provencal said he saw no new evidence to support a rehearing.

Moved by Mr. Provencal, seconded by Mr. St. Pierre, to deny the request for rehearing on Petition 33-13.

Vote: 5 yes, 0 no. Motion passed unanimously.

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Adjournment

Moved by Mr. O'Brien, seconded by Mr. Provencal, that the meeting be adjourned at 7:25 p.m.

Vote: 5 yes, 0 no. Motion passed unanimously.

Respectfully submitted,

Joan Rice
Secretary