

Notice of Decisions
Board of Adjustment
Canterbury, NH

Case No. 2024-5 Special Exception and Variances

Date: 23 October 2024 – 11 December 2024

You are hereby notified that the application of **GRJH, Inc.** that involves Tax Map 248, Lot 16 located at 125 West Road, located in the Commercial zone has been **GRANTED** regarding the special exception request. The proposed use states, "Gasoline Station". The application references Article 5, Section 5.3.c-Table of Uses. The Board vote was a unanimous decision by the four regular and one alternate voting members present subject to two conditions:

1. The applicant must obtain a variance from Article 17.8.H, zoning ordinance or obtain a decision from the Board of Adjustment that a variance is not necessary.
2. The second condition is to obtain and maintain all required state approvals.

At the continued hearing 11 December 2024, the Board found the applicant's request for variances regarding:

1. "Underground fuel storage tanks in the groundwater protection overlay district".

The Board moved to find that a variance is not required for the underground storage tanks in this zone because the pre-existing non-conforming use was not abandoned. The decision was a unanimous vote by the five regular voting members present based upon an abundant amount of supporting documentation requested and provided by the applicant's counsel.

2. "A fueling canopy within the front yard setback".

The Board determined the applicant does not need a variance due to Section 5.2, B7 where this lot is under 25,000 square feet and they are allowed 25 feet for the front setback. The Board vote was a unanimous one in favor of this decision by the five regular voting members present.

Respectfully submitted,

Lisa Carlson, Clerk
Board of Adjustment

NOTE: If any person wishes to appeal these decisions, you must act within 30 days of the date of this notice and apply to the Board of Adjustment for a rehearing. The Motion for Rehearing must set forth all the grounds upon which you base your appeal.