

**ZONING BOARD OF ADJUSTMENT
DELIBERATIONS: October 6, 2011
Town Hall, 41 South Main Street - 7:00 PM**

Board members present: Gardiner (Chair), Lappin, Marion, Radisch

Staff: Judy Brotman, Zoning Administrator

Arthur Gardiner, Zoning Board Chair, called the meeting to order at 7:00 PM in the Boardroom of the Hanover Municipal Building.

(Further explanation and support for the following actions are contained in the Board's approved, written decisions found in the respective case files.)

1. CASE No. Z2011-34 (BUCKARUE LLC)

Lappin prepared the preliminary draft.

It was moved by Lappin, seconded by Radisch, to **DENY** a variance in Case #24036-Z2011-34 to Bradford Atwood, Esq., Agent for Buckarue LLC, to allow a detached garage with an additional dwelling unit under Section 204.3 on property located at 8 Buck Road, Tax Map 24, Lot 36, in the "OL" Office and Laboratory zoning district.

Voted in favor: 4

Opposed: 0

2. CASE No. Z2011-46/47/48 (ROMAN CATHOLIC BISHOP OF MANCHESTER)

Marion prepared the preliminary draft.

It was moved by Marion, seconded by Lappin, that **NO ACTION** is required regarding the applicant's Appeal of the Administrative Decision that the proposed use of the property as a Parish House will require a Variance because the requested use for the property is for permitted Church activities.

It was further moved by Marion, seconded by Lappin, to **GRANT** a special exception to Fr. Francis C. Belanger under Article VIII, Section 803, "Change of Non-Conforming Structures", pursuant to Section 206, "Special Exceptions", to permit the enlargement of a non-conforming structure subject to the following:

The completed addition shall be no closer than the existing structure to the lot line(s) to which the existing structure is non-conforming.

It was further moved by Marion, seconded by Lappin, that **NO ACTION** is required regarding applicant's request for a Special Exception under Article II, Section 204.4, pursuant to Section 206, "Special Exceptions", to allow a one-family dwelling in the "I" district because the Board finds that the requested two bedroom residential space on the second floor above the first floor Church use of the structure is a permitted accessory use, as

described under Section 210.1G., Accessory Uses in the Institutional zone, and under Section 801 as a continuing non-conforming use. This finding is conditioned on compliance by the Applicant with its representation that the second floor space will be occupied only by a single Church-related individual or a single family composed of at least one Church-related individual.

It was further moved by Marion, seconded by Lappin, to **GRANT** a special exception to Fr. Francis C. Belanger under Article IV, Section 406, "Location of Off-Street Parking Spaces", pursuant to Section 206, "Special Exceptions", to permit the provision of up to five required parking spaces for the first floor and basement Church use at 14 Hovey Lane at the adjacent main site of St. Denis Catholic Church subject to the following:

The applicant shall provide a total of 6 off-street parking spaces, not including handicapped parking spaces, at 14 Hovey Lane and the adjacent main site of St. Denis Catholic Church. These spaces shall be constructed in a "Grass Pave" fashion as represented by the applicant in the hearing.

Voted in favor: 4

Opposed: 0

3. CASE No. Z2011-38 (DC – SWIM DOCK Modification)

Gardiner prepared the preliminary draft.

It was moved by Gardiner, seconded by Lappin, that for the foregoing reasons, the Board **GRANT** Applicant's request for a modification in the approved dock attachment method in Case No. Z2011-13 to the two pillar configuration set forth in the materials before us in this case.

Voted in favor: 3

Opposed: 0

4. CASE No. Z2011-45 (BARRY / KRIVIT)

Radisch prepared the preliminary draft.

It was moved by Radisch and seconded by Marion, to **GRANT** James Barry and Tamara Krivit a Special Exception to construct two retaining walls greater than four feet in height within the front setback of 8 Rip Road subject to the following conditions:

1. That the construction shall be in substantial conformance with the plans submitted to the Town on October 4, 2011.
2. That appropriate landscaping be installed over the removed driveway bed and berm adjacent to the retaining wall in a timely manner, no later than May 2012, to reduce the risk of soil erosion.

Voted in favor: 4

Voted in Opposition: 0

5. **APPROVAL OF MINUTES:** The minutes of 08/29/11 and 09/06/11 were approved. The minutes of 09/29/2011 were approved as amended.

6. **ADJOURNMENT:** The meeting adjourned at 9:40 PM.