

**ZONING BOARD OF ADJUSTMENT
DELIBERATIONS: February 21, 2012
Town Hall, 41 South Main Street - 7:00 PM**

Board members present: Assmus, Frechette, Gardiner (Chair), Lappin, Marion

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 file.)

CASE No. Z2012-05 & Z2012-06 (FRIENDS of HANOVER CREW)

Gardiner prepared the preliminary draft.

It was moved by Gardiner, seconded by Marion, to:

INCORPORATE, RESTATE and READOPT OUR INITIAL DECISION and the Order Set Forth therein to the extent **relevant to Case Z2011-39** except as specifically modified in this Order;

DENY as moot the Petition for Rehearing of the order in **Case Z2011-39** filed by the Friends of Hanover Crew on January 11, 2012 on the understanding that any issues raised therein are open for review in proceedings following entry of this Order;

GRANT the Application of Friends of Hanover Crew for **A SPECIAL EXCEPTION** under Article IX, Section 902 in Case Z2012-06. The foregoing grant is subject to the following conditions:

1. Construction and use of the buildings and structures authorized herein shall occur in substantial compliance with the plans, specifications and testimony in the record and with all conditions set forth in this decision; and in particular in support of a rowing operation authorized by the Town of Hanover to be conducted at Wilson's Landing;
2. Compliance in all respects with applicable provisions of Federal and State laws and regulations of the Town of Hanover including the Zoning Ordinance including, in particular, any applicable regulations related to plumbing or to sanitary facilities;
3. Compliance with the "Friends of Hanover Crew Operations Plan for Fullington Farm and Wilson's Landing" included with the Application for Special Exception while treating the type and levels of operation specified therein, whether as estimates of activity levels or otherwise, as maximum limits on such activity; the Operations Plan shall be modified to
 - Prohibit the use of rowing machines in the barn except as permitted in Paragraph 18 of this decision

- Require boat trailers owned or used by persons storing boats at Fullington Farm, if parked on the Fullington Farm property, to be parked between the new storage shed and the existing barn
- Prohibit the use of Fullington Farm for Outdoor Recreation before 7:00 AM on weekdays and 8:00 AM on weekends and holidays
- Eliminate any reference that might be construed to permit to the use of electronically amplified sound devices before 7:00 AM; and
- Acknowledge specifically that any alteration of the Operations Plan that would be inconsistent with the requirements of this Order will require approval by appropriate Board or officials of the Town of Hanover.

In this connection we rely on the representation of the Applicant that no regattas, as defined in the Operations Plan, will be held at Wilson's Landing.

In addition, we approve only the use of the facility at any one time for individual rowing activity by the maximum number of participants specified in Exhibit "B" of the Operations Plan.

4. Without limiting any of the foregoing, compliance with the Gas Storage and Handling Protocol included in such Operations Plan;
5. As further limitations on the activity at Fullington Farm, outdoor recreation activity on the lot not begin before 7:00 AM on weekdays and 8:00 AM on weekends and be limited as specified in the Initial Decision as elaborated and explained in this Decision;
6. Compliance in all substantial respects by any entity using the facilities authorized herein with the terms and conditions of any agreement entered into with the Town of Hanover with respect to the use of land or facilities on Wilson's Landing including all ramps and docks.

Voted in Favor: 3 (Gardiner, Marion, Frechette)

Opposed: 2 (Lappin, Assmus)

MINUTES: The minutes of 02/16/2012 were approved.

ADJOURNMENT: The meeting adjourned at 9:45 PM.

Respectfully submitted,
Beth Rivard