

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING: JUNE 27, 2013
Town Hall, 41 South Main Street – 7:00 PM**

Board Members Present: Gert Assmus (Acting Chair), Ethan Frechette, Ruth Lappin, Steve Marion, Bernie Waugh

Staff: Judith Brotman, Zoning Administrator

Others: See the Attendance Sheet

Gert Assmus, Zoning Board Acting Chair, called the meeting to order at 7:00 PM. The deliberation meeting will be held Tuesday, July 9, 2013 in the Town Hall Boardroom at 7:00 PM. The following agenda items were then heard:

The first two cases were heard together.

1. **Z2013-17: ROLLAND DICKSON & KATHRYN GAMBLE ARE REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, SECTION 210.1, “ACCESSORY USES – DRIVEWAYS”, PURSUANT TO SECTION 206, “SPECIAL EXCEPTIONS”, TO PERMIT A VEHICLE TURN-AROUND WITHIN THE FRONT SETBACK OF 131 SOUTH MAIN STREET, TAX MAP 19, LOT 1, IN THE “SR-1” AND “RR” ZONING DISTRICTS.**
2. **Z2013-20: ROLLAND DICKSON & KATHRYN GAMBLE ARE REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, SECTION 210.1K, “FENCES”, PURSUANT TO SECTION 206, “SPECIAL EXCEPTIONS”, TO CONSTRUCT A FENCE GREATER THAN 4’ TALL WITHIN THE FRONT SETBACK OF 131 SOUTH MAIN STREET, TAX MAP 19, LOT 1, IN THE “SR-1” AND “RR” ZONING DISTRICTS.**

Steve Marion, Acting Clerk, read the Notices of Public Hearing.

Roland Dickson presented the applications.

No one else spoke in favor of, or in opposition to, the applications.

The Hearing in Cases No. Z2013-17 and Z2013-20 was closed, with the record being left open until July 3rd for receipt of updated plans from the applicant.

The next two cases were heard together.

3. **CON’T Z2013-18: RICHARD JOSEPH & MARGARET KUNDTZ ARE REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE III, SECTION 318, “REMOVAL OF NATURAL FILL”, PURSUANT TO SECTION 206, “SPECIAL EXCEPTIONS”, TO PERMIT A DEPOSIT OF FILL IN AN AMOUNT GREATER THAN 200 CUBIC YARDS AT 5 TYLER ROAD, TAX MAP 34, LOT 88, IN THE “SR-2” SINGLE RESIDENCE ZONING DISTRICT.**
4. **CON’T Z2013-19: RICHARD JOSEPH & MARGARET KUNDTZ ARE REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, “VARIANCE,”**

FROM ARTICLE III, SECTION 318, "REMOVAL OF NATURAL FILL", TO PERMIT THE RESULTING SLOPE, FROM A DEPOSIT OF FILL, TO BE OVER 10% AT 5 TYLER ROAD, TAX MAP 34, LOT 88, IN THE "SR-2" SINGLE RESIDENCE ZONING DISTRICT.

Steve Marion, Acting Clerk, read the Notices of Public Hearing.

Richard Joseph presented the application for a Special Exception. Mr. Joseph stated that he did not wish to pursue the Variance application, but would speak to the 10% rule in his presentation for a Special Exception.

No one else spoke in favor of, or in opposition to, the application.

The Hearing in Case No. Z2013-18 was closed, with the record being left open until July 3rd for receipt of an erosion control plan from the applicant.

5. **Z2013-22: KERNAN OBERTING & JUDITH PARISH-OBERTING ARE REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE III, SECTION 318, "REMOVAL OF NATURAL FILL", PURSUANT TO SECTION 206, "SPECIAL EXCEPTIONS", TO PERMIT A DEPOSIT OF FILL IN AN AMOUNT GREATER THAN 200 CUBIC YARDS AT 26 OCCOM RIDGE, TAX MAP 37, LOT 13, IN THE "SR-1" SINGLE RESIDENCE AND "F" FORESTRY AND RECREATION ZONING DISTRICTS.**

Steve Marion, Acting Clerk, read the Notice of Public Hearing.

Will Davis, of Horizons Engineering, Kip Oberting, and Charles Arnold presented the application.

No one else spoke in favor of, or in opposition to, the application.

The Hearing in Case No. Z2013-22 was closed.

6. **Z2013-23: ROWAN CARROLL IS REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, SECTION 210.1K, "FENCES", PURSUANT TO SECTION 206, "SPECIAL EXCEPTIONS", TO CONSTRUCT A FENCE GREATER THAN 4' TALL WITHIN THE REQUIRED SIDE SETBACK AREA OF HER PROPERTY. THE PROPERTY IS LOCATED AT 27 SCHOOL STREET, TAX MAP 22, LOT 29, IN THE "GR-2" GENERAL RESIDENCE ZONING DISTRICT.**

Steve Marion, Acting Clerk, read the Notice of Public Hearing.

Rowan Carroll presented the application. No one else spoke in Phase I.

Lindy Bean, of 25 School Street, spoke in opposition to the application in Phase II.

Carroll rebutted in Phase III.

Bean spoke in Phase IV.

The Hearing in Case No. Z2013-23 was closed.

7. **Z2013-24: BENJAMIN AND LORNA SMITH ARE REQUESTING A WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION 702, "WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION," TO CONSTRUCT A SINGLE-FAMILY RESIDENCE WITHIN A WATERBODY BUFFER, AT 43 OCCOM RIDGE, TAX MAP 40, LOT 7; IN THE "SR-1" SINGLE RESIDENCE AND "F" FORESTRY AND RECREATION ZONING DISTRICTS.**

Steve Marion, Acting Clerk, read the Notice of Public Hearing.

Lorna Smith, Katie Southerland of Dan Scully Architects, Rod Finley of Pathways Consulting, Todd Thompson of Trumbull-Nelson, and Alan Saucier of Saucier + Flynn Landscape Architects, presented the application

No one else spoke in favor of, or in opposition to, the application.

The Hearing in Case No. Z2013-24 was closed.

8. **Z2013-26: JEANNINE & WILLIAM SWENSON ARE REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, "VARIANCE," TO ALLOW AN ADDITION TO AN EXISTING NON-CONFORMING STRUCTURE FURTHER INTO THE SIDE SETBACK AREA OF THE PROPERTY, THEREBY INCREASING THE DIMENSIONAL NON-CONFORMITY. THE PROPERTY IS LOCATED AT 42 GOSS ROAD, TAX MAP 3, LOT 78, IN THE "F" FORESTRY AND RECREATION ZONING DISTRICT.**

Steve Marion, Acting Clerk, read the Notice of Public Hearing.

William & Jeannine Swenson presented the application.

No one else spoke in favor of, or in opposition to, the application.

The Hearing in Case No. Z2013-26 was closed.

9. **Z2013-25: MATTHEW PURCELL AS AGENT FOR THE TRUSTEES OF DARTMOUTH COLLEGE, IS REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE III, SECTION 330, "ATHLETIC SCOREBOARDS", PURSUANT TO SECTION 206, "SPECIAL EXCEPTIONS", TO ALLOW ANIMATION ON AN ATHLETIC SCOREBOARD AT MEMORIAL FIELD, 4 CROSBY STREET, TAX MAP 34, LOT 16, IN THE "I" INSTITUTION ZONING DISTRICT.**

Frechette stepped down. Marion, Assmus, Lappin and Waugh advised of their association with Dartmouth College, if any. There were no objections to any of these board members hearing the cases.

Steve Marion, Acting Clerk, read the Notice of Public Hearing.

Matthew Purcell, Bob Ceplikas and Ellen Arnold of Dartmouth College presented the application.

No one else spoke in favor of, or in opposition to, the application.
The Hearing in Case No. Z2013-25 was closed.

10. ADJOURNMENT: The meeting adjourned at 10:00 PM.

Respectfully submitted,

Beth Rivard