

**ZONING BOARD OF ADJUSTMENT
HANOVER, NEW HAMPSHIRE
DELIBERATIONS – February 6, 2014**

Board members present: W. Dietrich, A. Gardiner (Chair), P. Harrison, S. Marion, H. Waugh, Jr.

Zoning Board Chair, Arthur Gardiner called the meeting to order at 6:59 p.m. 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.)

CASE No. Z2014-01 (SANDIN & HAMMOND)

Gardiner prepared the preliminary draft.

It was moved by Gardiner, seconded by Waugh, to **GRANT** the requested Special Exception subject to the condition that the proposed construction proceed in substantial conformity the plans and testimony presented to the Board.

Voted in Favor: 5
Opposed: 0

CASE No. Z2014-02 (HALL TRUST)

Waugh prepared the preliminary draft.

It was moved by Waugh, seconded by Marion, to **GRANT** the three variances applied for, as described above, subject to the following conditions:

- A. The subdivision will be implemented in substantial conformity with the submitted plan, and with the written and oral testimony. Any substantial alteration in the proposal shall require further review by the Board.
- B. With respect to the remaining residential lot (Lot #1 on the plan), no change shall be permitted in the future which increases the property’s degree of nonconformity with respect to any Ordinance parameter, or which results in any further development on slopes in excess of 25%. Any future construction on the lot which alters the footprint of any structure shall be required to be reviewed by this Board for conformity with the intent of this decision. In addition, the nonconforming size,

shape and topography of that lot – having been created voluntarily by the owner – shall not henceforward be considered “special conditions” for purposes of any future variance request. A copy of this decision shall be recorded in the Registry of Deeds so that any future purchaser or grantee will have notice of this condition, which the Board intends shall be enforceable pursuant to RSA 674:21-a “Development Restrictions Enforceable.”

- C. A conservation restriction or equally-effective mechanism shall be executed with respect to Lot #2, for which the grantee shall be an organization formed for conservation purposes, and in such a manner that a public charitable trust is created, enforceable by the Attorney General. At a minimum the restriction shall prevent residential development on the parcel, shall provide for its perpetual continuation as open space, with no structures which are larger or of a different nature than those currently on the property, and shall provide for the continuation of public access to the property for the indefinite future, subject only to such reasonable regulation as may be necessary to prevent deterioration of the property and its uses. The form of the conservation restriction or other mechanism shall, prior to the recording of the subdivision plat, be reviewed by this Board, at a properly-noticed public hearing, for its conformity with the intent of this decision.

Voted in Favor: 4

Voted in Opposition: 0

CASE No. Z2014-03 (SINGER)

Marion prepared the preliminary draft.

It was moved by Marion, seconded by Harrison, to **GRANT** the requested variance, subject to the following condition:

1. The addition project must be completed substantially in conformity with the plans and testimony provided, and shall not extend more than 2 feet into the 15-foot side setback.

Voted in Favor: 5

Opposed: 0

CASE No. Z2014 – 04 (MORSE)

Harrison prepared the preliminary draft.

It was moved by Harrison, seconded by Marion, to **GRANT** a Special Exception in Case #15033-Z2014-04, subject to the following conditions:

- a. The footprint of the barn shall not exceed 1500 square feet, and the total impervious cover of the developed areas shall not exceed 14,750 square feet.
- b. All other conditions established in Case Z2012-27 shall remain in effect.

Voted in favor: 5

Voted in opposition: 0

CASE No. Z2014-05 (EDSON)

Dietrich prepared the preliminary draft.

It was moved by Dietrich, seconded by Marion, to **GRANT** an Equitable Waiver of Dimensional Requirement for 1 Pipers Lane.

Voted in favor: 5

Voted in opposition: 0

Other Business:

Approval of Minutes: The minutes of November 14, 2013, December 5, 2013 and January 30, 2014 were approved.

Adjournment: The meeting adjourned at 8:34 p.m.

Respectfully submitted,

Beth Rivard, Administrative Assistant