

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING: 11/04/2014
Town Hall, 41 South Main Street – 7:00 PM**

Board Members Present: Arthur Gardiner, Phil Harrison, Ruth Lappin, Carolyn Radisch (Chair), Bernie Waugh

Staff: Judith Brotman, Zoning Administrator
Others: See the Attendance Sheet

Carolyn Radisch, Zoning Board Chair, called the meeting to order at 7:00 p.m. The deliberation meeting will be held Monday, November 10, 2014 at 7:00 PM in the Boardroom at Town Hall. The following agenda items were then heard.

- 1. CASE #37013-Z2014-41: KERNAN & JUDITH OBERTING ARE APPEALING AN ADMINISTRATIVE DECISION, UNDER ARTICLE X, SECTION 1005, “BOARD OF ADJUSTMENT”, PURSUANT TO ARTICLE II, TABLE 204.6, “INSTITUTION”, THAT 26 OCCOM RIDGE, TAX MAP 37, LOT 13, IN THE “SR-1” SINGLE RESIDENCE ZONING DISTRICT, IS NOT BEING USED IN CONFORMANCE WITH THE ZONING ORDINANCE. THE DECISION BEING APPEALED IS CONTAINED A LETTER FROM THE ZONING ADMINISTRATOR DATED SEPTEMBER 26, 2014.**

Darrell Hotchkiss, Esquire, on behalf of the Obertings, has requested a continuance of the case to the December 4th, 2014 public hearing.

Waugh moved to continue the hearing on Case #-Z2014-41 to December 4th, on the condition that the alleged violation will not occur in the interim period. Harrison seconded the motion. Hotchkiss represented that there will not be any of the alleged activity in the interim period. **Motion voted unanimously to continue the case.**

- 2. CASE #10030-Z2014-36: NH PUBLIC BROADCASTING INC., IS REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, “VARIANCE,” TO CONSTRUCT A COMMUNICATION/TELECOMMUNICATION FACILITY GREATER THAN 30’ IN HEIGHT AT 55 MOOSE MOUNTAIN ROAD, TAX MAP 10, LOT 30, IN THE “F” FORESTRY AND RECREATION ZONING DISTRICT.**
- 3. CASE #10030-Z2014-37: NH PUBLIC BROADCASTING INC., IS REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, “VARIANCE,” TO CONSTRUCT A COMMUNICATION/TELECOMMUNICATION FACILITY WITHIN THE REQUIRED “SETBACKS AND SEPARATION” LIMITS OF SECTION 322.3A AT 55 MOOSE MOUNTAIN ROAD, TAX MAP 10, LOT 30, IN THE “F” FORESTRY AND RECREATION ZONING DISTRICT.**
- 4. CASE #10030-Z2014-38: NH PUBLIC BROADCASTING INC., IS REQUESTING A VARIANCE UNDER ARTICLE X, SECTION 1006, “VARIANCE,” TO CONSTRUCT A COMMUNICATION/TELECOMMUNICATION FACILITY THAT DOES NOT MEET THE “APPEARANCE” STANDARDS OF SECTION**

322.3C AT 55 MOOSE MOUNTAIN ROAD, TAX MAP 10, LOT 30, IN THE “F” FORESTRY AND RECREATION ZONING DISTRICT.

- 5. CASE #10030-Z2014-39: NH PUBLIC BROADCASTING INC., IS REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, TABLE 204.8, PURSUANT TO SECTION 322, “COMMUNICATION/TELECOMMUNICATION FACILITIES”, TO CONSTRUCT A COMMUNICATION/TELECOMMUNICATION FACILITY CONSISTING OF A SINGLE GUYED TOWER, 395’ IN HEIGHT AT 55 MOOSE MOUNTAIN ROAD, TAX MAP 10, LOT 30, IN THE “F” FORESTRY AND RECREATION ZONING DISTRICT.**

Radisch, Chair and Acting Clerk, read the Notice of Public Hearing.

Sean Gorman presented the application. Steve Wheelock, project manager and Paul Hunter, chief engineer for NHPB also presented. No one else spoke in favor of the application in Phase I.

Matthew Stevens, of the Appalachian Trail Conference spoke in Phase II, not in opposition to the application, but to request that “radar activated lighting” for the tower be considered as an alternative to the present light system.

Gorman, Wheelock and Hunter rebutted in Phase III.

No one spoke in Phase IV.

Cases No. Z2014-36/37/38/39 were closed.

- 6. CASE #33080-Z2014-40: CONSTANCE ANDERSON IS REQUESTING A SPECIAL EXCEPTION UNDER ARTICLE II, SECTION 210.1 TO PERMIT A SECOND DRIVEWAY AT 8 WEST STREET, TAX MAP 33, LOT 80, IN THE “GR-2” GENERAL RESIDENCE ZONING DISTRICT.**

Radisch, Chair and Acting Clerk, read the Notice of Public Hearing.

Constance Anderson presented the application. Jolin Kish, and abutting property owner, spoke in favor of the application in Phase I.

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

Case No. Z2014-40 was closed.

- 7. ADJOURNMENT:** The meeting adjourned at 8:22 PM.

Respectfully submitted,

Judith Lee Shelnutt Brotman
Zoning Administrator