

**ZONING BOARD OF ADJUSTMENT
DELIBERATIONS: 12/11/2014
Town Hall, 41 South Main Street - 7:00 PM**

Board members present: Donegan, Gardiner, Marion, Radisch (Chair), Waugh

Staff: Judy Brotman, Zoning Administrator

Carolyn Radisch, Zoning Board Chair, called the meeting to order at 7:05 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.)

CASE No. Z2014-41 (OBERTING)

It was moved by Waugh, seconded by Radisch, to **CONTINUE DELIBERATION OF Z2014-41** to January 8, 2015. **THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.**

CASE No. Z2014-42 (KAPPA KAPPA KAPPA SOCIETY)

Waugh prepared the preliminary draft.

It was moved by Waugh, seconded by Marion, to **PARTIALLY GRANT AND PARTIALLY DENY** the appeal of Kappa Kappa Kappa Society, as follows:

A. The Board **DENIES** the appellant's claim that its property does not constitute a non-conforming use, as defined by the Ordinance.

B. The Board, however, **GRANTS** the appeal to the extent of clarifying that so long as the proposed expansion of use does not exceed the 20% expansion (cumulative from the time the Ordinance was adopted), allowable for non-conforming uses under Section 802 of the Ordinance, then neither a special exception nor a variance is required for such an expansion.

C. The Board does not have sufficient information before it to determine whether the proposed expansion is allowable. First, there is no clear statement before us of whether any portion of the building existing today was added since the adoption of the Zoning Ordinance (for example, the deck or porch). If so, such prior expansion must be included within the allowable 20% expansion. Secondly, the only figures we have been given concerning the proposed expansion have been couched in terms of building footprint, whereas the 20% allowable expansion under Section 802 is expressed in terms of **gross floor area**. We believe, however, that the Zoning Administrator may make this determination if given the correct information; hence the case need not come back before this Board unless a further dispute were to arise.

Voted in favor: 5

Voted in opposition: 0

CASE No. Z2014-43 (HANOVER SCHOOL DISTRICT)

Radisch prepared the preliminary draft.

It was moved by Radisch, seconded by Gardiner, to **GRANT** the Special Exception to Hanover School District, property owner of record, to construct site improvements at the property located at 26 Reservoir Road, Tax Map 4, Lot 4, in the "I" Institution zoning district. This grant is subject to the following conditions:

1. That the project be completed in substantial conformity with the plans and testimony submitted by CLD Consulting Engineers, and abide by the conditions established by the forthcoming NH DES Alteration of Terrain permit.
2. The applicant will comply with a maintenance plan conforming to accepted engineering standards to assure the proper operation of the drainage features.

Voted in favor: 5

Opposed: 0

APPROVAL OF MINUTES: The minutes of November 10th and December 4th were approved.

ADJOURNMENT: The meeting adjourned at 9:30 PM.

Respectfully submitted,

Beth Rivard