

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING: FEBRUARY 26, 2015
Town Hall, 41 South Main Street – 7:00 PM**

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

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.

Before opening the public hearing, the Board discussed possible remedies for the lack of abutter notice for case # Z2015-04. (Case #Z2015-04: Scott McGee, agent for Edith Rabinovitz, is requesting a wetlands special exception under article VII, Section 702, “Wetland, Waterbody, and Intermittent Stream Protection,” to permit impacts within wetlands and wetland buffers for a proposed new turnaround on Elm Rd. The property is located at 11 Elm Road, tax map 9, lot 60, in the “RR” rural residence zoning district.

Ms. Lappin moved to continue both cases to the March 26th hearing date, Mr. Harrison seconded the motion. Several alternative options for hearing the case were discussed. The property owner’s attorney, Scott McGee, was consulted. Following further discussion, the Board voted two in favor of the motion (Lappin, Harrison) and three opposed to the motion (Gardiner, Radish Donegan). The Motion failed.

In further discussion it was decided that Case # Z2015-03 will be heard as scheduled, with deliberation on Thursday, March 5, 2015, following the hearing on case #Z205-04. Case #Z2015-04 will be heard at 7 PM on Thursday, March 5, 2015, with deliberation on Thursday, March 12, 2015 at 7 PM.

The Public Hearing was opened and the following agenda item was then heard:

- 1. Z2015-03: SCOTT MCGEE, AGENT FOR EDITH RABINOVITZ, IS REQUESTING AN AFTER-THE-FACT WETLANDS SPECIAL EXCEPTION UNDER ARTICLE VII, SECTION 702, “WETLAND, WATERBODY, AND INTERMITTENT STREAM PROTECTION,” TO PERMIT IMPACTS WITHIN WETLANDS AND WETLAND BUFFERS FOR IMPROVEMENTS TO A RESIDENTIAL DWELLING, OUT BUILDINGS, A FOOTBRIDGE, A BRIDGE ON WOLFEBORO ROAD (CLASS VI), AND A SEPTIC FIELD. THE PROPERTY IS LOCATED AT 14 ELM ROAD, TAX MAP 5, LOT 92, IN THE “RR” RURAL RESIDENCE ZONING DISTRICT.**

Chair Radisch read the Notice of Public Hearing.

Attorney McGee, Attorney Goldwarg, and Pathways Consulting's Rod Finley presented the application. Ms. D. Perkins also presented information on aspects of the property.

Chris Amos of 1 Elm Road, and Laurie Sostowski of 5 Elm Road, asked questions about several aspects of the project.

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

The Board requested a copy of the DES approval for the recently installed septic system, pictures of the structures on the property that are wholly or partially located in the waterbody, wetland or buffer areas, and a memo from the Town in support of or joining in the request of the application.

Case No. Z2015-03 was closed, with the record left open until noon on Monday, March 2nd, for receipt of the requested information.

2. ADJOURNMENT: The meeting adjourned at 8:45 PM.

Respectfully submitted,

Judith Lee Shelnutt Brotman
Zoning Administrator