

**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING and DELIBERATION: March 5, 2015
Town Hall, 41 South Main Street – 7:00 PM**

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

Staff: Judith Brotman, Zoning Administrator

Others: See the Attendance Sheet

Carolyn Radisch, Zoning Board Chair, called the meeting to order at 7:12 p.m.

Radisch stated that a four-member board was seated and advised of the three-member board concurrence requirement. She explained that each applicant could request to continue their cases to a future date when a full board could be present or proceed before the smaller board with the understanding that a split decision, by the smaller board, would be grounds for a rehearing, if requested.

The following agenda item was then heard:

1. Case #Z2015-04, 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 Road. The property is located at 11 Elm Road, Tax Map 9, Lot 60, in the “RR” rural residence zoning district.

Ms. Radisch read the Notice of Public Hearing.

Eric Goldwarg, attorney for the property owners, requested a continuance of the case, to allow a revision to be made to the proposed turnaround.

Mr. Harrison moved to continue Case #Z2015-04 to the March 26th Public Hearing, or until the applicant has had sufficient time to resolve the issues and provide a new design proposal. Mr. Donegan seconded the motion. Mr. Gardiner suggested that abutter notice should be provided via regular U.S. Mail.

The motion was voted unanimously in favor.

2. Deliberation of Case #Z2015-03. 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.

Mr. Gardiner moved to re-open the record in order to receive the Town's memo concerning this case. Mr. Harrison seconded the motion. Attorney Goldwarg had no objection to re-opening the record to receive the Town Manager's memo. The motion was voted unanimously in favor. The record was closed at 7:22 pm.

Ms. Radisch explained the deliberation procedure.

(Further explanation and support for the following actions are contained in the Board's approved, written decisions found in the respective case files.)

Board member Gardiner prepared the preliminary draft.

It was moved by Gardiner, seconded by Donegan, to **GRANT** the requested Special Exception under Section 702.7 of the Ordinance for the residence and the three sheds and for the septic field referred to in our opinion and to **DENY** without prejudice the requested Special Exceptions for the two bridges on the understanding that the Zoning Administrator may, depending upon future developments, be in a position to act on a Special Exception for the bridges under Section 702.6A of the Ordinance.

Voted in Favor: 4

Opposed: 0

3. The minutes of February 26, 2015 were approved.

ADJOURNMENT: The meeting adjourned at 8:05 PM.

Respectfully submitted,

Judith Lee Shelnutt Brotman
Zoning Administrator