

**ZONING BOARD OF ADJUSTMENT
MARCH 31, 2016
DELIBERATION & PUBLIC HEARING
Town Hall, 41 South Main Street – 7:00 PM**

Board Members Present: David Donegan, Arthur Gardiner, Phil Harrison, 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 following agenda items were then heard.

DELIBERATION: (Donegan, Gardiner, Harrison & Radisch were seated)

1. CASE No. Z2016-06 (WINGED VICTORY)

Harrison prepared the preliminary draft.

It was moved by Harrison, seconded by Donegan, to **DENY** a Variance in Case #24068-Z2016-06, but to **GRANT** a zoning permit to the applicant to repair the basement residential space damaged in the fire, subject to the following conditions:

- a. Pursuant to Section 807, the residential area to be restored may be no greater in volume or floor space than existed prior to the November 2015 fire, and;
- b. Pursuant to Section 807, the applicant shall commence construction for the restoration of the basement residential area prior to November 2017.

Voted in favor: 4

Voted in opposition: 0

2. APPROVAL OF MINUTES: Review of minutes was postponed to April 18, 2016.

PUBLIC HEARING: (Donegan, Gardiner, Harrison, Radisch & Waugh were seated)

The deliberation meeting will be held Monday, April 18, 2016 in the Town Hall Boardroom at 7:00 PM.

Board members identified any affiliation they may have with Dartmouth College and whether there might be a conflict of interest in the case. No conflict was noted.

3. **Z2016-05: CONTINUATION OF APPEAL OF AN ADMINISTRATIVE DECISION, NEW HAMPSHIRE ALPHA ASSOCIATION OF SIGMA ALPHA EPSILON, THAT THE CONTINUED USE OF THE PROPERTY AS A STUDENT RESIDENCE IS A VIOLATION OF THE ZONING ORDINANCE BECAUSE, DUE TO DERECOGNITION BY DARTMOUTH COLLEGE, IT IS NO LONGER OPERATING IN CONJUNCTION WITH AN INSTITUTIONAL USE. THE DECISION BEING APPEALED IS CONTAINED A LETTER FROM THE ZONING ADMINISTRATOR DATED FEBRUARY 12, 2016. THE PROPERTY IS LOCATED AT 38 COLLEGE ST. [PREVIOUSLY HEARD 03/24/2016]**

Carolyn Cole, Jeremy Katz and Ken Holmes spoke in the continued Phase I presentation of the case.

Mr. Mike Davidson spoke generally about the case, fraternities and Dartmouth College.

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

Case No. Z2016-05 was closed.

4. **ADJOURN:** The meeting adjourned at 9:20 PM.

Respectfully submitted,

Judith Lee Shelnutt Brotman
Zoning Administrator