

frank\_benesh@roadrunner.com

August 13, 2013 10:40 AM

To: Ann W Bennett <dundeenh@roadrunner.com>

Cc: Frank H Benesh <frank\_benesh@alum.mit.edu>, Sarah Kimball <s\_kimball@yahoo.com>

Reply-To: Frank H Benesh <frank\_benesh@alum.mit.edu>

Re: Zoning Ordinance & Height Restriction



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Dick... thanks.

But do need to know if this is your personal opinion or supported by master plan or some other documentation. I'm not doubting the wisdom of the requirement, just inquiring about the basis of your statement.

On Aug 13, 2013, at 7:10 AM, Ann W Bennett <dundeenh@roadrunner.com> wrote:

For life safety reasons, the fire department would like the height limit for structures at 35 feet. That is the reach of their ladders, so for fighting a fire and personnel rescue 35 feet is a good limit.

Dick

----- Original Message ----- From: <frank\_benesh@roadrunner.com>

To: "Dick and Ann Bennett" <dundeenh@roadrunner.com>

Cc: "Joan Aubrey" <jraubrey@yahoo.com>; "Sarah Kimball" <s\_kimball@yahoo.com>

Sent: Sunday, August 11, 2013 4:27 PM

Subject: Zoning Ordinance & Height Restriction

The zoning ordinance includes a 35 ft height restriction.

The Board of Adjustment will soon consider a variance request to allow construction in excess of the 35 foot limit. One aspect of our decision will consider the public benefit gained from imposing the 35 foot limit balanced by the hardship imposed on the applicant. The master plan is the document the Board of Adjustment relies upon to understand the purpose of zoning ordinance provisions.

The master plan vision section does establish as policies (1) the preservation of scenic vistas and (2) the preservation of rural character of the central village, keeping development and redevelopment within the style and scale of existing buildings. Both policies arguably provide a basis for a height restriction in the zoning ordinance.

As Chairman and Vice Chairman of the Planning Board, can you suggest other aspects of the master plan or other documentation supporting the 35 ft height limit and the public benefit from such a limit?