

HANOVER ZONING BOARD OF ADJUSTMENT
Deliberation
January 29, 2009
Board Room, Municipal Building – 7:00 p.m.

Board Members Present: Gert Assmus, Arthur Gardiner, H. Bernard Waugh, William P. Dietrich, Stephen Marion.

Staff: Judith Brotman

Others: See the attached sheet

Zoning Board Chair Arthur Gardiner 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.)

MOTION FOR REHEARING, CASE NO. Z2008-45 (SALAZAR-KISH)

Assmus moved to DENY the Motion for Rehearing in Case #Z2008-45. Dietrich seconded the motion. The Board voted 5/0 to DENY the Motion for Rehearing.

CASE #44004-Z2008-46 (PENFIELD LTD FAMILY TRUST – NEW HEIGHTS)

Dietrich prepared the preliminary draft.

It was moved by Dietrich, seconded by Waugh, that the Board **GRANT** a Special Exception for the placement of a large electrical transformer at 8 Reservoir Road, similar in size and appearance to the one proposed, subject to the following conditions:

1. That the transformer be sited and installed in substantial conformance with the plans and information presented to the Board;
2. That screening be sited and installed in substantial conformance with the plans and information present to the Board.

Voted in favor: 5

Opposed: 0

CASE #02086-Z2008-41 and CASE #02086-Z2008-42 (GOODNEY)

Waugh prepared the preliminary draft.

It was moved by Waugh, seconded by Dietrich, to **DENY WITHOUT PREJUDICE** both types of relief requested by the applicants at the present time. The applicants are free to re-submit the applications at such time as they believe they can present information which gives the Board assurance that it is accurate and reliable, in accord with the discussion in the opinion.

Voted in favor: 5

Opposed: 0

CASE #12006-Z2008-39 (FULLINGTON)

Gardiner prepared the preliminary draft.

It was moved by Gardiner, seconded by Marion, to **GRANT** the requested Special Exception to permit the leach field subject to consideration in this case.

Voted in favor: 4

Opposed: 1 (Waugh)

CASE #23005-Z2009-01 (MCCARTHY)

Assmus prepared the preliminary draft.

It was moved by Assmus, seconded by Waugh, to **GRANT** a Variance to Liam McCarthy to construct an attached mudroom/entryway to his house at 101 South Main Street, Tax Map 23/Lot 5 in the SR-2 Single Residence zoning district. This grant is subject to the following condition:

1. That the work be completed in substantial conformity with the testimony at the Hearing and with either the original plans or the plans submitted on January 27.

Voted in favor: 5

Opposed: 0

CASE #43001-Z2009-03 (PINE PARK ASSOCIATION.)

Dietrich prepared the preliminary draft.

It was moved by Dietrich, seconded by Waugh, that the Board **GRANT** a Special Exception for emergency stabilization of the golf cart bridge abutments and stream stabilization measures within Girl Brook, subject to the condition that all additional activity, as set forth by the applicant in the written materials and testimony be done in substantial conformity with those materials and testimony. These include:

1. In the spring and summer of 2009:
 - a. reduction in the area of mowing to provide increased buffers to the stream
 - b. additional plantings on the stream banks and in the buffer to improve the buffer,
2. Monitoring monthly of the condition of the site by NEE through May, a visit in July, a final visit in the fall of this year and submission of a one year monitoring report to NHDES with a copy sent to the Town's Department of Planning and Zoning,
3. Annual monitoring of the condition of the installed rip rap by Pathways Consulting or another qualified engineering consulting firm for at least five (5) years,
4. Adherence to the conditions set forth by NHDES in its emergency stabilization permit,
5. Adherence to the notes and specifications set forth in documents NEE-1 and NEE-2 which were submitted as part of the overall submission of materials by NEE.

Voted in favor: 5

Opposed: 0

CASE #38071-Z2009-04 (ENGLEMAN)

Marion prepared the preliminary draft.

It was moved by Marion, seconded by Dietrich, to **GRANT** the requested Special Exception to permit the addition of a first floor addition to the currently existing main house on property located at 7 Dana Road, Tax Map 38, Lot 71, in the "SR-2" Single Residence zoning district. This grant is subject to the following conditions:

1. That the additions and alterations extend no closer than the existing structure to the front lot line; and
2. That the work otherwise be completed in substantial conformity with the plans and testimony as presented.

Voted in favor: 5

Opposed: 0

The meeting adjourned at 9:20 pm.

Respectfully submitted,

/s/ JLSB

Judith Lee Shelnuttt Brotman, Zoning Administrator