

**HANOVER ZONING BOARD OF ADJUSTMENT**  
**December 9, 2009**  
**Board Room, Municipal Building, 7:00pm**

**Board Members Present:** Arthur Gardiner (Chair), Steve Marion, Carolyn Radisch, Sheila Buckley, Maureen Bolton

Staff: Judith Brotman, Denise Shibles

Others: See attached sheet

Zoning Board Chair, Arthur Gardiner, called the meeting to order at 7pm in the Boardroom of the 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.)

**1. Case #41041-Z2009-38 (Glynn)**

John Glynn is requesting a Special Exception under Article II, Section 204.5, pursuant to Section 206, "Special Exceptions," to allow a multi-family dwelling at 14 Highland Avenue, Tax Map 41, Lot 41, in the "Gr-2" General Residence zoning district.

Marion prepared the preliminary draft.

It was moved by Marion, seconded by Radisch, to **GRANT** the requested Special Exception to allow a three unit multi-family dwelling at 14 Highland Avenue, Tax Map 41, Lot 41, in the "GR-2" General Residence zoning district.

This grant is subject to the following condition:

That a sink, countertop and stove and refrigerator be included in the proposed third dwelling unit as shown in the supplemental sketch submitted by the applicant on December 7, 2009 prior to the issuance of a Certificate of Occupancy for the third dwelling unit.

Voted in favor: 5

Opposed: 0

**2. Case #38089-Z2009-40 (Dartmouth)**

Tim McNamara, Agent for the Trustees of Dartmouth College, property owner of record, is requesting a Variance under Article X, Section 1006, "Variance, from Section 209, "dimensional Requirements," for a waiver of the "square box" dimensional requirement (Section 209.1B). The property is known as 17-19 Valley Road,

Tax Map 38, Lot 89, in the “GR-2” General Residence and “SR-2” Single Residence zoning districts.

Bolton prepared the preliminary draft.

It was moved by Bolton, seconded by Buckley to **GRANT** a Variance to Applicant, to the extent necessary to permit them to subdivide the property, as described in the materials presented to the Board on December 3, 2009.

The grant is conditioned on subdivision and further development of the lots in question proceed in accordance with the plans and representations presented to the Board in this proceeding.

Voted in favor: 5

Opposed: 0

**3. Case #47069-Z2009-39 (Ware/Jarvis)**

Andrew Garthwaite, Agent for William Ware & Lesley Jarvis, property owners of record, is requesting a Special Exception under Article VIII, Section 803, “Change of non-Conforming Structures,” pursuant to Section 206, “Special Exceptions,” to enlarge a non-conforming structure. The addition being proposed will be no closer than the existing structure to the lot line(s) to which the existing structure is non-conforming. The property is located at 7 Hemlock Road, Tax Map 47, Lot t9, in the “SR-1” Single Residence zoning district.

Buckley prepared the preliminary draft.

It was moved by Buckley and seconded by Marion to **GRANT** the requested Special Exception to permit the construction of an addition to the currently existing house located at 7 Hemlock Road, Tax Map 47, Lot 69, in the SR 1 Single Residence zoning district. This grant is subject to the following conditions:

1. That the addition extend no closer than does the existing structure to the front lot line, a distance established as 11’ 10”.
2. That the work be completed in substantial conformity to the testimony, plans and other supporting documents as presented.

Voted in favor: 5

Opposed: 0

**4. Case #46023-Z2009-41 (Penfield)**

Penfield Family LTD Partnership is requesting a Special Exception under Article II, Section 204.5, “General Residence,” and Section 210.1K, “Fences,” pursuant to “Section 206, “Special Exceptions,” to allow a fence greater than 4’ in height within the required setback.

The property is located at 47 Lyme Road, Tax Map 46, Lot 23, in the "GR-2" General Residence zoning district.

Radisch prepared the preliminary draft.

It was moved by Radisch, seconded by Bolton to **GRANT** a Special Exception to the Penfield Family Limited Partnership to construct a fence over 4' in height, but no higher than 6'-6", within the side yard setback area on property located at 47 Lyme Road, Tax Map 46, Lot 23, in the "GR-2" General Residence zoning district, with the following condition:

1. That the proposed construction be completed in substantial conformance with the plans and testimony presented.

Voted in favor: 5

Opposed: 0

**6. Other Business:** The minutes of October 29, 2009 and December 3, 2009 were approved.

**7. Adjournment:** The meeting adjourned at 9:15 pm.

Respectfully submitted,

Judith Lee Shelnutt Brotman  
Zoning Administrator