

**ZONING BOARD OF ADJUSTMENT
DELIBERATIONS: October 1, 2009
Town Hall, 41 South Main Street - 7:00 p.m.**

Board members present: M. Bolton, S. Buckley, A. Gardiner (Chair), R. Lappin, H. Waugh, Jr.

Zoning Board Chair, Arthur Gardiner called the meeting to order at 7:10 p.m. 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.)

CASE No. Z200931 (KERRIGAN)

Buckley and Waugh prepared the preliminary draft.

It was moved by Waugh, seconded by Bolton to **GRANT** to Edward and Mary Lynn Kerrigan, a special exception under Article VII, Section 702, and (if required) a special exception under Article II, Section 206.3, to demolish a single-family home, construct a new single-family home, and conduct various site improvements on their property at 9 Heneage Lane, Tax Map 44, Lot 41, subject to the following conditions:

- A. The proposal shall be implemented in substantial conformity with the detailed testimony and materials on file, as set forth in this decision. The applicants shall be responsible for funding whatever inspections the Town's planning staff deems necessary to assure compliance with this condition.
- B. Without in any way limiting the comprehensiveness of the foregoing condition, the following aspects are singled out for special mention:
 - i) The silt fences called for in the plan shall be maintained until full re-vegetation of the disturbed area.
 - ii) There shall be no grading or disturbance downhill from the silt fence locations.
 - iii) The limits of the maintained lawn shall in the future be between the two retaining walls as shown on the plan. After the implementation of the Re-vegetation Plan as submitted, no further cutting or maintenance shall be done any closer to the wetlands than the lower (westerly) retaining wall, except for the removal of invasive species or hazardous or diseased trees and shrubs, or repair of the existing sewage line.
 - iv) In accord with Section 702.2(B) of the Ordinance there shall be no future chemical lawn fertilizers used within the 75-foot buffer area.
 - v) The drainage system on the uphill (easterly) side of the house shall be maintained and kept in good operating condition. The designer of that system shall submit to the Town Staff a written description of what type(s)

of maintenance are required, and the statement shall be kept in the case file for purposes of assuring compliance with this condition.

Voted in Favor: 5
Voted in Opposition: 0

CASE No. Z2009-36 (WAHRENBERGER)

Bolton and Lappin prepared the preliminary draft.

It was moved by Bolton, seconded by Waugh, to **GRANT** a Special Exception under Section 803 to Jolin Kish, as Agent for Jon and Karen Wahrenberger to allow roof modifications on a non-conforming structure at 4 Spencer Road, Tax Map 18, Lot 14, in the "SR-1" Single Residence zoning district. This grant is subject to the following condition:

That the work be completed in substantial conformity with the testimony and materials at the Hearing and with the plans and materials dated August 28, November 7, 2008 and September 24, 2009.

Voted in favor: 5
Opposed: 0

Other Business:

Approval of Minutes: The minutes of 07/03/09, 07/20/09, 07/23/09, 07/30/09, 08/27/09, 09/03/09, and 09/24/09 were approved.

Adjournment: The meeting adjourned at 8:07 p.m.

Respectfully submitted,

Denise D. Shibles
Recording Secretary