

Zoning Board of Appeals
Meeting Minutes
Monday, October 17, 2011

Zoning Board of Appeals Attendees: Linda Dyer, David Delaney, David Connolly

Other Attendees: Margaret Hoffman, Tony Marino, Edward Mockus, Attorney, Edward Conroy, Robert Davis, Katie Davis, others

Zoning Board of Appeals Vice Chairman, David Delaney opened the meeting at 7:50 p.m., and read the general rules for hearings into the record. Linda Dyer made a motion to waive the reading of the abutters list for the two cases to be heard. David Connolly seconded the motion.

Public Hearing ZBA Case 2012-3SP: 103 School Street:

Zoning Board of Appeals, Vice Chairman, David Delaney read the hearing notice for ZBA Case 2012-3SP into the record.

Attorney, Edward Conroy, representing the applicant, Edward Mockus, provided details about the request for a special permit. The applicant is requesting a special permit under Section 4.220 (2) (A) of the Town of Hanover's Zoning Bylaws – Pre-existing, non-conforming structures. The applicant proposes to construct a three (3) bedroom, two (2) bathroom residence on the same footprint of the previous house on this site.

It was discussed that the Town's Building Inspector recommended that the previous home be demolished because it had deteriorated. It was discussed that if the special permit to build a house on this site were approved, the site plan would need to be given to a developer if the applicant does not end up moving back to this location.

A discussion took place as to whether Zoning Bylaw 4.21 (rebuilding or restoration of a pre-existing, non-conforming structure destroyed by fire, explosion or other catastrophe) might be more applicable, than Section 4.220 (2) (A).

If approved, a condition to clean and clear the entire lot at 103 School Street may be added to the special permit decision.

David Delaney made a motion to close the public hearing on 103 School Street at 8:20 p.m. Linda Dyer seconded the motion. All others were in favor.

Public Hearing ZBA Case 2012-4V: 49 Beckford Farm Road:

Zoning Board of Appeals Vice Chairman, David Delaney read the hearing notice for ZBA Case 2012-4V into the record. The applicant, Robert Davis explained that he is seeking a 24 foot variance from the Town Zoning requirements under section 7.400 for rear setbacks to install an in-ground swimming pool.

The Board expressed concern about the size of the variance being requested. The applicant was asked to consider an alternative size for the pool to decrease the requested variance from the rear setbacks.

David Delaney made a motion to continue the public hearing for ZBA Case 2012-4V: 49 Beckford Farm Road to November 7, 2011 at 7:45 p.m. Linda Dyer seconded the motion. All others were in favor.

Meeting Minutes:

Linda Dyer made a motion to accept the September 26, 2011 ZBA meeting minutes as written. David Connolly seconded to accept the September 26, 2011 ZBA meeting minutes except for the portion of the minutes about Woodland Village since he recused himself from this portion of the September 26, 2011 meeting.

Linda Dyer made a motion to adjourn the meeting at 8:55 p.m. David Delaney seconded the motion. All others were in favor.

Prepared by: Audrey Barresi, ZBA Secretary