

Zoning Board of Appeals

Meeting Minutes

Monday, March 14, 2011

Zoning Board of Appeals Attendees: Matthew Perkins, David Connolly, David Delaney

Other Attendees: Fred Briggs, Petitioner and Margaret Hoffman, Assistant Town Planner

ZBA Chairman, Matthew Perkins, opened the meeting at 7:50 p.m. He read the general Rules regarding public hearings.

The Board reviewed the minutes of the January 24, 2011 and February 28, 2011 meetings. Matt made a motion to approve the meeting minutes of January 24, 2011 as written. David Delaney seconded the motion and it was so voted unanimously. David Connolly made a motion to approve the meeting minutes of February 28, 2011 as written. David Delaney seconded the motion and it was so voted unanimously.

Public Hearing on Zoning Case ZBA11-3V: 149 Main Street

Petitioner is requesting a variance under Section 6.850B.4 of the Hanover Zoning By-Law (Uses Allowed in The Aquifer Protection Zone) for required lot size. The required lot size in the Aquifer Protection District is 60,000 square feet. Petitioner is proposing to create two lots from one existing lot. Both lots contain less square footage than is required by Section 6.850B.4 of the Hanover Zoning Bylaw. Petitioner is requesting a variance of 5,550 square feet on Lot 1 and 5,550 square feet on Lot 2 as shown on a plan entitled Plan of Land Main Street Hanover, Massachusetts dated November 17, 2003. This plan was originally approved by the ZBA in January of 2004. The variance lapsed and the Petitioner did not pursue the required approval from the Planning Board to divide the lots. He has indicated that he would like to pursue that option now and is going through the required steps again to secure the necessary variances in order to divide the lots. David Connolly asked the petitioner if he had had the wetlands delineated recently. Mr. Briggs indicated that he has not had them done since 2004. The Assistant Town Planner informed the Board that Patrick Gallivan, Conservation Agent, did caution the petitioner that there may be difficulties building on the lot if the amount of wetlands is more significant than what is shown on the plan. David Connolly also cautioned the petitioner that there could be no buildings, structures or septic systems in the wetland resource areas. David Delaney then motioned to grant the variance under section 6.850.B.4 of the Zoning Bylaw. David Connolly then amended the motion to accept the findings of the previous variance (ZBA Case 2003-39V) for 149 Main Street with the additional condition that no structures, buildings or septic work can be done in the wetland resource areas and that the petitioner will have to go to the Planning Board to secure a Form A endorsement to separate the lots. Matt then called for a vote and it was so voted unanimously.

Matt Perkins motioned to adjourn at 8:10 p.m. David Delaney seconded the motion and it was so voted unanimously.

Prepared by: Margaret Hoffman, Assistant Town Planner