



**Town of Hebron**  
**PO Box 188**  
**Hebron, NH 03241**  
**Phone: 603-744-2631**  
[clerk@hebronnh.org](mailto:clerk@hebronnh.org)

**Zoning Board of Adjustment**  
**Minutes of Public Hearing**  
**Tuesday, September 27, 2016**

**Present:** Pete Carey (Chair), Bill Lucarelli (Member), Derry Riddle (Member), Ileana Saros (Member), Alison York (Member), and Phil Kriss (Alternate)

**Absent:** Al DeFeo (Compliance Officer)

**Others present:** Patrick Moriarty (Select Board) and Willa Lucarelli

**Time Convened:** 7:00 PM **Time Adjourned:** 7:50 PM

**Next Meeting:** TBD

**AGENDA:**

1. Election of officers
2. Minutes and other administrative matters
3. To hear an appeal submitted by Susan Gaughan for a setback waiver concerning Article IV, Section H of the Zoning Ordinance. The applicant seeks approval for an 8' x 16' covered porch on the north side of her house, all of which is situated within the road setback area on her property located at 339 West Shore Road (Tax Map 00019A, Lot 9).
4. Any other business that may come before the Board

**Election of Officers:**

Patrick Moriarty called the meeting to order at 7:00 p.m. in order to preside over the election of a chairperson. Ileana Saros nominated Pete Carey for Chair; Derry Riddle seconded the nomination. Pete Carey was unanimously elected Chair. Patrick Moriarty turned the meeting over to the newly elected Chair.

There were no nominations for Vice Chair or Clerk.

**Minutes and other Administrative Matters:**

Since the minutes of the last (October 13, 2015) meeting had apparently not been distributed to the members before this meeting, the members agreed that they would review and vote on the minutes by email. Those who participated in the meeting and are still ZBA members (Carey, Lucarelli, York, and Kriss) subsequently voted unanimously to approve the minutes of the October 13, 2015 meeting.

**Hearing:**

Chair Pete Carey called the public hearing to order at 7:20 pm to consider the appeal submitted by Susan Gaughan for a setback waiver concerning Article IV, Section H of the Hebron Zoning Ordinance. The applicant seeks approval for an 8' x 16' covered porch on the north side of her house, all of which is situated within the road setback area on her property located at 339 West Shore Road (Tax Map 00019A Lot 9). Ms. Gaughan's application was deemed complete; she paid the correct fee. Notices of the hearing in this matter had been posted on the town's official bulletin boards as well as in the *Plymouth Record Enterprise* newspaper, and all abutters to Ms. Gaughan's property had been notified of this hearing by certified mail.

Ms. Gaughan presented her application and showed the members drawings of the house and already existing covered porch. Her house is approximately six feet from the paved surface of West Shore Road. The closest edge of the recently constructed porch is about 20 feet away from the road surface. Ms. Gaughan outlined some of her concerns about living so close to the road as well as the unique topography of her property that drops off steeply behind her house. A covered porch not only enhances the use of her property, but railings and other safety features have taken on even greater importance now that she has grandchildren visiting her more regularly.

After Ms. Gaughan finished her presentation, Pete Carey solicited public comment. There being none, the public hearing ended at 7:35 pm. The Board discussed and voted on the following five variance criteria as they pertain to this case. The Board unanimously agreed that all five variance criteria were satisfied. More specifically, granting the variance is not contrary to public interests. The covered porch poses no public safety or highway maintenance concerns. The applicant has demonstrated sufficient hardship to justify the variance, particularly in that the house was built well over 200 years ago, long before Hebron Zoning Ordinances were enacted, it is situated entirely within the 50' road setback area and on a relatively steep hillside; and the porch allows the applicant greater and safer use of her property. Granting the variance meets the spirit of the ordinance and will serve justice for many of the above-stated reasons. Finally, granting the variance will certainly not diminish the values of surrounding properties. To the contrary, Ms. Gaughan's improvements to her home will have a positive impact on neighborhood values.

**Ileana Saros made a motion, seconded by Alison York, to grant a variance to allow Susan Gaughan a setback waiver concerning Article V, Section H, of the Zoning Ordinances to allow the back porch and deck as presently constructed at her 339 West Shore Road property (Map 00019A, Lot 9). The motion passed with a unanimous voice vote in the affirmative.**

Chair Pete Carey reminded Ms. Gaughan that any further construction will require the necessary permits, that any interested party can appeal the decision of the Board within 30 days of the decision, and that any work done before the appeal deadline is done at the owner's risk.

There being no further business to come before the Board, Alison York made a motion, seconded by Derry Riddle to adjourn the meeting at 7:50 p.m. The motion carried, and the meeting was adjourned.

Respectfully submitted,

Peter N. Carey, Chair