



**Town of Hebron**  
**Zoning Board of Adjustment**  
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## Notice of Decision

Date: September 9, 2020  
Case No.: 282

You are hereby notified that, following a hearing on September 8, 2020, the application of John E. and Valerie M. Fieger for a SPECIAL EXCEPTION pursuant to Article IV, Section O.1 of the Town of Hebron Zoning Ordinance has been granted by a vote in the affirmative of at least three members of the Zoning Board of Adjustment. The applicants are hereby permitted to seek a building permit for construction of a single-family residence on the newly subdivided 5.1+ acre lot (temporarily designated Tax Map 18, Lot 1) from their property located on Kill Mountain Road and Skyline Drive (Tax Map 18, Lot 18). The new lot is separated from Skyline Drive by land designated as Common Area 3 of Hebron Country Estates Phase III (HCE) and therefore does not meet the requirement of a minimum frontage of one hundred fifty (150) consecutive feet on one road. The Board thoroughly reviewed the four special exception criteria contained in Article X of the Ordinance and concluded that only three of the criteria were relevant to this case as public parking was not an issue. The Board further unanimously concurred the remaining three criteria were fully satisfied. Specifically, the Board found (1) that the granting of the special exception is not contrary to promoting the public interest and convenience of the citizens of Hebron as the lot satisfies all other Ordinance criteria for the town of Hebron, the criteria for nearby building lots by HCE and the agreement of HCE Condominium to grant the applicants an easement to cross HCE Common Area 3 for purposes of driveway and utility access from Skyline Drive; (2) that the granting of the special exception will not result in the diminution of surrounding property values as Lot 1 meets all other Ordinance criteria for lots in the Rural District and those specified by HCE; and (3) that the granting of such special exception will not be contrary to the spirit of the Hebron Zoning Ordinance since Lot 1 meets all of the criteria of the Ordinance with the exception of the road frontage requirement in the Rural District.

The Board's approval of the special exception is subject to the following conditions:

1. The decision applies only to the issue of road frontage of Lot 1 and not to any future construction or improvements to Lot 1 for which State of New Hampshire and/or Town of Hebron permits may be required nor to any future subdivision(s) of the Tax map 18, Lot 18 parcel that may be contemplated by the applicants.

Signed this day,

Douglas S. McQuilkin  
Chairman, Zoning Board of Adjustment

Any person affected by the Board's decision has the right to appeal the decision within thirty (30) days of this notice. The required first step, prior to any appeal being taken to court, is to apply to the Zoning Board of Adjustment for a rehearing. The motion for a rehearing must set forth all of the grounds on which the appeal is based. See New Hampshire Revised Statutes Annotated (NH RSA), Chapter 677, for details.