



Town of Hebron

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ZONING BOARD OF ADJUSTMENT

Minutes of Public Hearing

Tuesday, September 17, 2019

Members Present: Douglas McQuilkin (Chair), Curtis Mooney (Vice Chair); Alison York (Member), Ileana Saros (Member); Derry Riddle (Member); Phil Kriss (Alternate) and Carol Bears (Clerk)

Members Absent: None

Others Attending: Jim Gickas (Compliance Officer); John Dunklee (Select Board); Paul Fleming

Time Convened: 7:00 p.m. **Time Adjourned:** 7:11 p.m.

Next Meeting: TBD

Agenda:

1. Vote on Chairman and Vice Chairman
2. Minutes and other administrative matters
3. Hearing of the application of appeal for Shawn and Amy Monyihan to for a variance with respect to Article IV, Section H.1, of the Hebron Zoning Ordinance to permit the construct of a driveway with the 25 foot boundary setback area on the property located at 127 West Shore Road (Tax Map #18 Lot# HS Sub# 03) (Case #277)
4. Any other business that may come before the Board.

Call to Order:

John Dunklee, Select Board Member called the first meeting of the ZBA this year to order at 7:00 PM. First order of business was to vote for the Chairman. Alison York move to vote Douglas McQuilkin as Chair the vote was in the affirmative. Douglas McQuilkin move to vote Curtis Mooney as Vice Chairman and the vote passed with everyone voting in favor.

Minutes and Other Administrative Matters:

A review of the last meeting was made and was noted that the date on the minutes was incorrect. The date of the last meeting was August 7, 2018 but the minutes read April 10, 2018. After comparing the minutes it was determined that date was not changed. Alison York made a motion to accept the minutes of the August 7, 2018 meeting with the changes, seconded by Ileana Saros. The motion passed unanimously.

Hearing:

Next order of business was to discuss the Application of Appeal for the changing the driveway at 127 West Shore Road. Paul Fleming was representing the owners Shawn and Amy Monyihan per a letter presented to the Board. The drive way as presented on the plan has a steep pitch and was felt that if the driveway was moved closer to the abutters leaving only 5 feet set back to the abutters.

The application was reviewed as complete and the required fees have been paid. Hearing notices were posted on town's bulletin boards as well as in the Plymouth Record Enterprise, and on the Town's official website. The abutters were notified of the hearing by certified mail.

The Board next considered the five variance criteria and unanimously concluded that all five criteria for granting a variance in this case were satisfied in this case. More specifically, the Board found that the applicant's plans call for the driveway to be closer to the boundary setback area the driveway as originally planned would be a safety issue. The Board concluded the applicant's proposal is in keeping with the spirit of the Zoning Ordinance and public interest and certainly does justice. The applicant satisfied the hardship criterion to the extent that it demonstrated to the Board's satisfaction. Board concluded that the proposed driveway would not diminish the value of neighboring properties.

Derry Riddle made a motion to relocate the driveway to be no closer than 5 feet to the boundary at its closest point including at the street entrance on West Shore Road and would continue to meet DOT regulations regarding entrance on state roads. All the necessary approvals must be from the State of NH DOT must be obtained. Alison York seconded the motion and the vote was in the affirmative with everyone voting in favor.

Doug McQuilkin reminded the applicant that any person affected by the Board's decision has a right to appeal the decision within thirty days of the date of the notice.

Adjournment:

There being no other business, Derry Riddle made a motion, seconded by Alison York, to adjourn the meeting. The motion passed unanimously, and the meeting was adjourned at 7:11 p.m.

Respectfully submitted,

Carol Bears, Clerk