



Town of Hebron

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ZONING BOARD OF ADJUSTMENT

Minutes of Public Hearing by Video Conferencing

Tuesday, September 8, 2020

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

Members Absent: Alison York (Member),

Others Attending: Don Musial (Compliance Officer) John & Valerie Flieger; Sean & Jill Clark; Alan Barnard.

Time Convened: 6:02 p.m. **Time Adjourned:** 6:32 p.m.

Next Meeting: TBD

Agenda:

1. Minutes and other administrative matters
2. Hearing on the application for a Special Exception under Section Article #IV Section O.1 of the Hebron Zoning Ordinance by John and Valarie Flieger for driveway access to their lot on (number to be determined) Skyline Drive but for which Phase III of Hebron Country Estates has granted access from the Lot#30 common area. (Case 282)
3. Any other business that may come before the Board

Call to Order:

Mr. McQuilkin, Chairman called the meeting to order at 6:02 p.m. He welcomed all the applicants and introduced Don Musial as the new Compliance Officer for the Town of Hebron. With the absence of one member of the board Mr. McQuilkin made Phil Kriss a full member of the board for purpose of voting.

Minutes and Other Administrative Matters:

The minutes for the last meeting of August 11, 2020 were reviewed. Doug requested a change to the page two fifth paragraph *application was based on the five criteria*. Derry Riddle move to accept the minutes as amended. Curtis Mooney seconded the motion and the vote was unanimous.

Hearing:

Case #282

The applicants requested a special exception to Article IV Section O. 1 of the Hebron Zoning Ordinance for the 150' road frontage for the one lot subdivision of the property located off Skyline Drive.

Mr. McQuilkin asked the Clerk if all the proper notices and fees were collected. The abutters were notified by certified mail, all the necessary fees collected, the notice was placed in the Record Enterprise, posted at the Town Hall, Post Office and on the Town Website.

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. The 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 meeting all other Ordinance criteria for lots in the Rural District and those specified by HCE; and (3) that the granting of the special exception will not be contrary to the spirit of the Hebron Zoning Ordinance since Lot #1 meets all the criteria of the Ordinance with the exception of the road frontage requirement in the Rural District.

Phil Kriss moved to accept the application for special exception that it applies only to Lot#1 and not any future construction or improvements to Lot#1. Derry Riddle seconded the motion and the vote was in the affirmative.

Mr. McQuilkin reminded the applicants that anyone could challenge the ruling within 30 days of the Notice of Decision.

Other Business: There was some discussion about driveway permits and if they were required. It was determined that the Hebron Zoning Ordinance Article IV R should be reviewed to reflect whether driveway permits are required.

Adjournment:

There being no other business, Doug McQuilkin made a motion, seconded by Phil Kriss, to adjourn the meeting. The motion passed unanimously, and the meeting was adjourned at 6:32 p.m.

Respectfully submitted,

Carol Bears, Clerk